



## **Report on the activities of the Open Dialog Foundation for the year 2014**

### 1. Basic information about the Foundation:

- a) Name: **OPEN DIALOG FOUNDATION**
- b) Seat, address: **00-580 WARSAW, AL. SZUCHA 11A/21**
- c) Date of entry into the National Court Register: **12 April, 2010**
- d) **KRS: 0000353754, REGON: 060615226, NIP: 712-320-60-33**
- e) Basic information about members of the Board according to the current entry in the court register:

First name and surname:

Lyudmyla Kozlovska – President of the Board

Tomasz Czuwara – Member of the Board

### f) Statutory goals of the Foundation:

The Foundation's aim is to defend human rights and promote democracy and the rule of law through:

- efforts aimed at the development of initiatives, movements and civil societies, in particular, in countries of the former Soviet Union, based on the experience of the systemic transformation of the Republic of Poland as well as values and standards of public life in the Member States of the European Union;
- efforts aimed at the forging of partnerships between the Republic of Poland and other countries, in particular, post-Soviet countries, as well as between the citizens of those countries;
- measures aimed at cooperation and the integration of initiatives, movements, civil societies and states, in particular, post-Soviet countries, with other subjects of international law;
- measures aimed at introducing changes designed to guarantee to residents, particularly those in post-Soviet countries, equal opportunities in terms of intellectual, professional, social and cultural development in addition to the opportunity to fully exercise their citizenship rights, including rights to initiate political activity;
- measures aimed at guaranteeing security and public order, development of self-governance, education, culture, health care as well as improving access to other public services and improving the standards of operation thereof.

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## 2. Rules, forms and scope of statutory activities; implementation of statutory objectives:

### 2.1 Scope of activities:

- research and analysis into instances of violations of human rights, especially civil rights and the right to protection from persecution, as well as social phenomena, based on empirical data, their synthesis and collection in databases and their presentation in the form of studies, reports, presentations, infographics, media studies and other types of studies;
- dissemination, especially among policy makers, state administrations and local governments, international organisations and opinion-forming environments, mass media and social media, in particular in the form of photographs, recordings and broadcasts, videos, statements, articles and interviews, problems related to the objectives of the Foundation, as well as knowledge accumulated by the Foundation, especially analytical studies and achievements of the Foundation within the scope of its statutory objectives;
- organisation and conduct of training courses, workshops, seminars and conferences, in particular, for individuals, businesses, government institutions, student governments, professional associations, employers' organisations, trade unions, religious organisations, social movements and political groups as well as non-governmental organisations within the scope of the statutory objectives of the Foundation;
- provision of consultation to individuals, businesses, state institutions and self-governance bodies, student governments, professional associations, employers' organisations, trade unions, religious organisations, social movements and political groups as well as non-governmental organisations within the scope of the statutory objectives of the Foundation;
- organisation of public gatherings, including demonstrations, protest actions, charity events, auctions, exhibitions, openings, happenings, promotional and advertising actions, music concerts and other events within the scope of the statutory objectives of the Foundation;
- publishing activities;
- rendering of financial, material, legal and organisational assistance to enterprises, state institutions and local government bodies, labour self-governments, employers' organisations, trade unions, religious associations, social movements and political parties as well as non-governmental organisations and individuals, including persons in need of humanitarian and medical aid as well as organising medical and first aid training, delivered by qualified persons, within the scope of and in compliance with applicable laws;
- creating funds and scholarship programmes and funding scholarships for children, young people and university students who are particularly talented and socially active, for persons subject to oppression or persons in a difficult financial situation;
- organisation of observation missions, including election observation missions and study visits within the scope of the statutory objectives of the Foundation;
- purchasing equipment, devices, materials and services to be employed in pursuit of the Foundation's objectives as well as their free of charge transfer or sharing with individuals and other subjects within the scope of the statutory objectives of the Foundation.

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## 2.2. Process of pursuing the 2014 targets

### **Mission on Maidan and in the regions. Activities in Ukraine.**

In the reporting year, the Foundation focused its activities on the situation in Ukraine resulting from protests which broke out on Maidan in November 2013. In the first months (January-March) of 2014, the Foundation conducted a long-term Observation And Support Mission on Independence Square in Kiev with the participation of more than 50 volunteers, which subsequently, as a result of Russian aggression (so-called 'hybrid warfare') was extended to other 'hotspot' regions of the country: the Autonomous Republic of Crimea and the Donetsk and Luhansk Provinces. The Mission's objective, in addition to collecting information and reporting on the current situation and broadly supporting Ukrainian civil society (and in the longer term, following the victory of the democratic forces as regards the Revolution of Dignity, also the state structures), included identification of the need for aid (both in terms of material assistance and information-based assistance).

Until the end of 2014, the Foundation had a permanent observer (a correspondent) in the so-called ATO zone (*Anti-Terrorist Operation zone*) i.e. military action carried out by Ukrainian forces against so-called 'pro-Russian separatists' (*de facto* illegal armed units, supported and operating under the supervision of the Russian Federation) and regular army personnel (although usually clothed in uniforms bearing no insignia) of the Russian armed forces in the Donetsk and Luhansk Provinces.

Participants of the mission on Maidan supported volunteer medical services (first aid, identification and the keeping of records relating to injured persons), social media initiatives (recording and reporting on the events of Maidan), distributed humanitarian aid (mainly to medical services and to Maidan Self-Defence, but also to local journalists and human rights defenders), gathered information on violations of human rights (directly from protesters and Ukrainian organisations, such as Euromaidan SOS), observed court trials by participating in hearings in which protesters faced charges (the participation of foreign observers has often led to the better treatment of suspects and the imposition of milder punishments), presented for duty in a tent on Independence Square (distributing informational materials about the EU and symbols of Poland's solidarity with Ukraine and the EU's solidarity with Ukraine) and participated in meetings with Ukrainian politicians, officials and activists, and constantly remained in contact with the Polish media.

For organisational reasons, in January 2014, the Foundation established a temporary office in Kiev, which in March 2014 became permanent, and, subsequently, was officially registered as a non-governmental organisation in Ukraine (*Hromadska Spilka 'Vidkryty Dialoh'*), which is, in fact, its representation office for coordinating activities in Ukraine. The Kiev office of the Foundation actively supported and initiated visits and missions of foreign delegations to Ukraine through which politicians, journalists and experts (mainly from Poland and other EU countries) travelled to Ukraine for meetings along with their Ukrainian counterparts and civil society representatives. From the early days of the events on Maidan (end of November 2013), the Foundation actively organised and supported visits (coordinating logistics, as well as agendas of meetings) to Ukraine of numerous members of the Polish parliament and of the European Parliament. After some time, the Kiev office of the Foundation carried out activities in the regions (especially in smaller towns), focusing primarily on informing and educating local communities (disseminating basic information) regarding Ukraine's integration with the EU, as well as reform in Ukraine.

In connection with the events in Ukraine, volunteers and staff of the Foundation ran the website: [www.maidan24.pl](http://www.maidan24.pl) (containing, in particular, a list of those injured during protest actions and street violence on Maidan).

### **Humanitarian aid**

On the territory of the Republic of Poland, based on the applicable laws (permission issued by the Minister of Administration and Digitization), the Foundation organised fundraisers for the purpose of financing the aforementioned missions and humanitarian aid shipped to Ukraine (fundraiser No. 51/2014) - initially for participants of the Maidan protests, and at a later date, for persons fleeing

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areas where military operations were being carried out (so-called displaced persons) and Ukrainian soldiers (mainly members of volunteer military units, established spontaneously – mainly protective equipment, communication equipment, uniforms and medical dressings). The aid benefitted Ukrainian citizens arriving in Poland: wounded persons undergoing medical treatment and rehabilitation in Polish medical facilities, as well as their families and refugees from Crimea and eastern regions of the country. In addition to the fundraisers, the Foundation organised a collection of in-kind donations (such as medicines, warm clothing and blankets, sanitary products, food stuffs bearing a long shelf life, uniforms) for the aforementioned categories of needy persons (participants of Maidan, and later soldiers - participants in the ATO, displaced persons in Ukraine, Ukrainian refugees in Poland). In some individual cases, the Foundation also purchased or co-financed prostheses for injured people.

Among the most significant aid programmes was the support provided to members of the Crimean Tatar community who fled Crimea following Russia's annexation of the peninsula in March 2014, followed by the oppression in the city of Drohobych in the Lviv province; support was carried out in cooperation with the local Caritas and the Volunteer Centre, established at Caritas (the Caritas Drohobych-Sambor Diozese of the Ukrainian Greek-Catholic Church). Within the framework of the support action, financial and material assistance was granted to several large Tatar families (a few dozen people) to assist their integration into the local community and to make it possible for them to adapt to independent living (securing employment or becoming self-employed) after several months. We were successful in fully implementing the objectives of the programme at the end of 2014.

The Foundation also financially supported residents of refugees centres in the Mazowieckie Voivodship, using funds donated during fundraisers.

Starting from March 2014, the Foundation encountered serious legal problems related to the shipment of humanitarian aid. Volunteers and staff of the Foundation were repeatedly involved in criminal and penal-fiscal proceedings related to suspected unauthorised trading of helmets and bulletproof vests in the course of transporting the items from Poland to Ukraine following border stops conducted by Polish border guards and customs service officers; eventually, due to pressure from the public, the aforementioned proceedings were discontinued and the Foundation's lawyers, thanks to the experience they gained whilst dealing with this problem on behalf of the Foundation, were able to help other organisations and groups of volunteers resolve similar problems. As a result of lobbying activities initiated by the Foundation, the provisions of the Regulation of the Minister of Economy of 8 May, 2014 (Dz.U.2014.627) regarding the list of weapons whose trading may only be carried out upon receipt of authorisation, were amended (liberalised). The amendment dated 12 August, 2014 (DZ.U.2014, item.1113) concerned the number of pieces of bulletproof vests and helmets, which one is permitted to hold without a permit and to transport across the border for so-called personal use.

Due to the need for further shipments to Ukraine, within the framework of humanitarian aid, of goods such as specialised protective equipment, subject to licensed trade (helmets and bulletproof vests), on 15 December, 2014, the Foundation obtained a licence from the Minister of Internal Affairs No. B-088/2014 for business activities involving the trading of certain products for military or police use (having successfully undergone the verification process which requires, among other requirements, the obtainment of expert opinions from Police authorities, the Internal Security Agency and the Military Counterintelligence Service).

The total amount of funds collected and disbursed exceeded 1 million Polish zlotys (approx. EUR 250 000), of which the amount of PLN 582 269.24 was officially classified as 'funds collected during public fundraising activities'.

Detailed information on the outcome of fundraisers, as well as the amount of funds received and disbursed, which was not formally classified as 'funds collected during public fundraising activities', is detailed in our presentation on the Foundation's activities for Ukraine, *Financial Summary of Activities for Ukraine*, dated 10 December, 2014, attached hereto and in the settlements of the public fundraisers submitted to the Ministry of Administration and Digitisation in February and March 2015. As one of very few non-governmental organisations in Poland, the Foundation (in addition to regularly publishing information about its activities, including

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numerical data concerning donations collected and the extent and purpose of rendered aid in the media and social media), publicly presented at open meetings and press conferences (on 7 April, 25 November and 10 December, 2014) the settlements of operations undertaken in connection with the provision of humanitarian aid. Detailed information is available on the Foundation's website: <http://odfoundation.eu/a/5576.podsumowanie-dzialan-fundacji-otwarty-dialog-i-euromajdan-warszawa-na-rzecz-ukrainy> and <http://odfoundation.eu/sprawozdanie/10026/publiczne-ogloszenie-wynikow-zbiorki-nr-51-2014-z-pozn-zm>

Activities taken in order to provide assistance to Ukrainian soldiers were reported on the website: [www.kulooporni.org](http://www.kulooporni.org) / [www.bronzhvletv.com](http://www.bronzhvletv.com)

The Euromaidan Warsaw organisation became a strategic partner of the Foundation in the provision of assistance rendered to Ukraine in Poland. Local units of the Association of Ukrainians in Poland and a number of private individuals from across the country also played important roles.

### **Public gatherings and side events**

In the reporting year, the Foundation organised, attended or supported (often in cooperation with the Ukrainian community in Warsaw) a number of public meetings aimed at expressing solidarity with Ukrainian society in the face of the Maidan events, and later, Russian aggression. During the meetings, funds were collected through public fundraisers. The Foundation also participated in numerous similar events and public meetings and conducted fundraisers in various locations across the country (often, at the invitation of local authorities, local units of the Union of Ukrainians in Poland, and informal Ukrainian initiatives) where Ukrainian cultural festivals, concerts and exhibitions were being held.

According to the Foundation, the largest and most important events in the area included the manifestation of 'Solidarity with Euromaidan' co-organised in Warsaw on 30 January, 2014, alongside *Gazeta Wyborcza*, the Agora Foundation and Amnesty International Poland, Krytyka Polityczna ['Political Critique'] and the Stowarzyszenie Projekt: Polska [Project Association: Poland], as well as the exhibition 'Faces of EuroMaidan', opened in the Polish Sejm on 24 June, 2014 (under the patronage of MP Marcin Świącicki in collaboration with the photographer Zbigniew Szewczyk and the Embassy of Ukraine).

Also, commemorative events to mark the 1st anniversary of Maidan were organised in Warsaw. In the period between 23 and 28 November, 2014, in collaboration with Euromaidan Warsaw and other partners, the Foundation organised a March of Solidarity with Ukraine, the debate 'Is Euromaidan going to mirror the fate of the Orange Revolution?', the exhibition 'Poles in Ukraine' and an exhibition in commemoration of Viktor Gumiak: 'ATO Zone - War zone'.

### **The 'Ukrainian World' Centre**

From March 2014, the Foundation managed the 'Ukrainian World' centre in Warsaw, situated at 63 ul. Nowy Świat. The facility was made available to the Foundation free of charge by the *Śródmieście* District Municipality Office of the Capital City of Warsaw for the purpose of rendering assistance to members of the Ukrainian community residing in Warsaw due to the instable situation, crisis and military conflict in Ukraine. At the end of February, 2014, within the premises of the 'Ukrainian World' centre, the Municipality of the Capital City of Warsaw, in cooperation with the Mazowiecki Provincial Office, opened an Information help desk for Citizens of Ukraine. The Open Dialog Foundation, along with other institutions and non-governmental organisations, was invited to assist in the running of the centre. Subsequently, in connection with the end of the protests on Maidan and the victory of the Revolution of Dignity, the City Council decided to close the centre. Consequently, the Foundation offered to continue to manage and further develop the centre through the use of the Foundation's funds. Permission obtained from the City Council made the establishment of the 'Ukrainian World' centre possible.

In 2014, an information help desk was in operation in the 'Ukrainian World' Centre from which Ukrainian- and Russian-speaking foreigners (Ukrainians, but also Belarusians and Russians) were able to obtain basic information and assistance from volunteers concerning legalisation of stay,



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administrative formalities, accommodation, enrolment in schools for children, language learning, psychological support, and, to a limited extent, social assistance (financial and material). The centre also had two points where material aid was collected - for Ukraine and for Ukrainian citizens residing in Poland; Polish and English language courses were delivered; the bulletin board, the lists of employers and available accommodation (apartments, hostels, etc.) were updated. The centre also provided career advice, legal counselling, psychological and psychotraumatological assistance as well as instruction in martial arts (the Ukrainian 'combat *hopak*'). In addition, visitors to the centre were encouraged to take advantage of free access to specially provided computers (e.g. for use by job seekers).

In addition, the centre organised numerous meetings devoted to (mainly Ukrainian) social and political issues, artistic events (exhibitions, concerts, festivals, meetings with artists) as well as conferences and press briefings. At the 'Ukrainian World' centre, the Museum of Maidan (the first permanent, foreign (outside of Ukraine) exhibition devoted to Maidan), a Ukrainian library (with the support of the Ternopil Foundation) comprising several thousand books from Ukrainian literature and literature associated with Ukraine ('The Maidan Library'), a gallery featuring caricatures by Yuriy Zhuravel and a place of remembrance for the Heavenly Hundred Heroes and killed ATO soldiers and others were created.

The centre has also become a popular meeting place for members of the Ukrainian community residing in Warsaw and a venue for activities conducted by organisations such as Euromaidan Warsaw and the Ukrainian Experimental Theatre. While running the Centre, the Open Dialog Foundation also collaborated with, and made the premises available to, the Ternopil Foundation, the Society of Friends of Ukraine, the Our Choice Foundation, the Foundation for Somalia, the International Organisation for Migration, Belsat TV, the Embassy of Ukraine and district electoral commissions at the Ukrainian Embassy in Poland (in support of the process of the organisation of elections in Ukraine - the organisation of informational meetings for Ukrainian citizens prior to the presidential elections in May 2014 and the parliamentary elections in October 2014.). In 2014, the centre was visited by approx. 100 people a day on average.

Cultural mediators and the Foundation's psychologist provided support to foreigners during encounters with the authorities, in particular, during interviews concerning applications for refugee status (in cooperation with the Office for Foreigners, the Mazowiecki Provincial Office and the Border Guard). Foundation staff also delivered training sessions to officers of the Border Guard regarding the specificities of migrants and refugees from Ukraine and the situation in the country.

### **Support for reform in Ukraine**

Following the political turning point in Ukraine in February 2014 (the victory of democratic forces), the need to support Ukraine's journey towards integration into European structures and the consequent (as well as from the deeply-embedded dysfunctionality of state structures) need to reform the system, became apparent. The Foundation focused, therefore, on communicating aspects of Polish experience of Poland's transitional period (as well as, to a lesser extent, experience gained by other post-communist countries of Central and Eastern Europe belonging to the EU) in the areas of lustration (i.e. vetting of the power) and decentralisation (local government administration reform).

In the sphere of vetting, the Foundation actively collaborated with the Social Lustration Committee (and later with the Department of Lustration at the Ministry of Justice of Ukraine also) supporting legislative efforts aimed at adopting the lustration law in accordance with international law and based on conclusions drawn from the lustration experiences of other countries in the region. For this purpose, cooperation was established with many academic experts, including Radosław Peterman Ph.D., from the Vetting Office of the Polish Institute of National Remembrance, and Pavel Zacek - the founder of the Czech Institute for the Study of Totalitarian Systems in Prague, Petruška Šustrova - co-author of the Czech lustration law, Prof. Roman David from Lingnan University in Hong Kong, Prof. Adam Czamota, Anne Souleliac from the Paris Bar Council, Lawyer Paweł Osik and Artur Bilski from the Faculty of Law and Administration at the Warsaw University and Filip Cyuńczyk from the University of Białystok. Their expert opinions were used in the development of the first projects of the Law and its further

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modifications. The first international conference on lustration in Ukraine was organised by the Open Dialog Foundation in Kiev on 1 April, 2014. Over the course of the following months, the Brussels office of the Foundation conducted intensive information activities in the EU institutions and among other international organisations and national parliaments of European countries in order to disseminate knowledge about the context, specificities and necessity to carry out lustration in Ukraine. In October 2014, Chairman of the Board of the Foundation, Lyudmyla Kozlovska, became a member of the Social Lustration Council at the Ministry of Justice of Ukraine.

Another area of the Foundation's activity associated with changes to state structures in Ukraine was decentralisation, under which we supported, among others, the efforts of MP Marcin Świącicki who headed up a team of Polish experts which provided advice to the Ukrainian government in this regard. To this end, three seminars regarding self-government and the Polish experience of the functioning of local governments were organised in Ukraine (also with the participation of Warsaw local government members).

Also within the field of the Foundation's interest were certain power structures, in particular, in the area of the so-called civilian security sector and justice system. The Foundation carried out monitoring of the changes in the General Prosecutor's Office and the courts, which, according to popular opinion, are the most corrupt, politicised and dysfunctional structures in the country.

### **Observation and support of the elections in Ukraine**

In May of 2014, the Foundation organised a short-term observation mission of the presidential elections in Ukraine, in which 15 observers from Poland, the Czech Republic, Slovakia and Canada carried out an observation of the elections in five Ukrainian cities: Kiev, Odessa, Chernigov, Vinnitsa and Lvov. In addition, representatives of the Foundation in Kiev delivered training sessions to election observers accredited by other organisations monitoring the elections. The mission report can be downloaded at: <http://odfoundation.eu/a/3703,wstepny-raport-wyboru-na-ukrainiee-25-maja-2014>

Before the election, Foundation analysts conducted monitoring of the pre-election situation in Ukraine based on open sources of information.

In addition, at the request of the Ukrainian Embassy, the Foundation supported the District Election Commission in respect to the process of holding elections at the Ukrainian Embassy in the Republic of Poland in Warsaw.

The Foundation did not conduct an observation mission of the parliamentary elections in Ukraine (in October 2014); however, it did support the process of their organisation in Warsaw, much in the same way that assistance was rendered during the presidential elections.

### **Seminars for Ukrainian businessmen**

From July-August 2014, the Open Dialog Foundation (in cooperation with and through the use of funds of the International Renaissance Foundation) delivered a series of seminars for Ukrainian businessmen as part of the project: *Support for Ukrainian small and medium-sized enterprises entering the EU market*, dedicated to business opportunities made possible by Ukraine's association with the EU. Seminars were held in 4 major cities which have important economic ties with Russia (Kharkov, Zaporozhie, Dnepropetrovsk, Odessa) and attracted representatives from more than 150 companies from the SME sector. In addition to the Foundation's experts, the seminars were also delivered by experts from consulting companies EY and PwC, the Ministry of Economic Development and Trade of Ukraine, the State Agency for Investment and Management of National Projects, representatives of the State Regional Scientific and Technical Centres for Standardisation, Meteorology and Certification and the Ukrainian Customs service.

### **Ukrainian political prisoners in Russia. Observation missions and the defence**

In the period between 16 July and 16 November 2014, the Open Dialog Foundation, in cooperation with the Ukrainian Ministry of Foreign Affairs, organised 6 observation missions to the Russian Federation (Voronezh, Moscow) in connection with Ukrainian aviator, Nadia Savchenko and a

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group of activists of the Crimean EuroMaidan (Oleg Sentsov, Gennadiy Afanasyev, Aleksandr Kolchenko and Oleksiy Chimiy), illegally imprisoned in Russia. Along with the coordinators from the Foundation, the missions were attended by Polish Members of Parliament (Margaret Gosiewska, Andrzej Lewandowski, Tomasz Makowski) and Ukrainian Members of Parliament (Oleksander Brygynets, Oksana Prodan, Oleg Osukhovsky), representatives of the office of the Ukrainian ombudsman and Ukrainian non-governmental organisations (the Centre for Civil Liberties, Euromaidan SOS, Human Rights Information Centre, OZON and others), as well as Ukrainian journalists. During the missions, meetings with Ukrainian and Polish diplomats, representatives of the EU, lawyers of the imprisoned persons, human rights defenders, independent media, investigative officials and personnel of penitentiary facilities took place. Court hearings were also monitored. The observation mission report is available at: <http://odfoundation.eu/a/5276,raport-o-przebiegu-szesciu-misji-obszernych-do-rosii-w-zwiazku-ze-sprawa-n-savchenko>

In the period between June and October 2014, the Foundation provided legal assistance to Nadia Savchenko, involving in her case, a team of Russian lawyers (comprised of Mark Feygin, Ilya Novikov, Nikolay Polozov) and covering the cost associated with her defence, subsequently reimbursed by the 'Fatherland' party (with which N. Savchenko ran for membership of the Supreme Council of Ukraine and received the mandate of a member). The Foundation was the first organisation to prepare a comprehensive report on N. Savchenko's case which can be downloaded at: <http://odfoundation.eu/a/4423,raport-sprawa-nadii-savchenko> and also produced a subsequent report: <http://odfoundation.eu/a/5277,raport-sprawa-nadii-savchenko-poerwana-ukrainska-pilotke-wojskowa-wyslano-na-badania-psychiatryczne>

## **Analytical and Informational Activity**

In the reporting year, the Foundation's analytical team published 16 reports and approx. 50 shorter papers concerning the situation in Ukraine and related issues. The said reports mainly concerned EuroMaidan, the monitoring of human rights violations (the case of Volodymyr Rybak, Oleg Sentsov, Gennadiy Afanasyev, Aleksandr Kolchenko, Oleksiy Chirniy and Nadia Savchenko), the monitoring of the implementation of reform (lustration, decentralisation, economic reforms), economic analysis (in particular, monitoring of the use of foreign aid by Ukraine and analysis of the impact of which on the economy of Ukraine). In spite of this, the team also produced reports concerning the situation surrounding human rights in Kazakhstan and political refugees from Kazakhstan and Russia, residing in Europe, and the illicit use of Interpol notices. The Foundation's papers were presented and discussed within the framework of lobbying activities outlined below. All reports and papers are available at the Foundation's website: <http://odfoundation.eu/> (the page has four language versions: Polish, English, Russian, Ukrainian).

The Foundation also carried out intensive communication in the Polish and foreign media as well as in social media via the following official pages on the Facebook portal: <https://www.facebook.com/OpenDialogFoundation/>, <https://www.facebook.com/ODFUKR/> (the page of the Kiev office of the Foundation), <https://www.facebook.com/UkrainskiSwiat/> (the page of the 'Ukrainian World' centre) and Twitter: <https://twitter.com/odfoundation>

## **Lobbying activities**

Lobbying activities (outside of Poland and Ukraine), which traditionally accounted for the largest part of the Foundation's activities, were coordinated by our office in Brussels, which deals with European institutions (the European Parliament, European Commission, European External Action Service), international organisations (the Parliamentary Assembly of the Council of Europe, the Parliamentary Assembly of the OSCE, the UN), as well as competent institutions (usually national parliaments and the Ministries of Foreign Affairs) of selected EU Member States.

Important aspects of the Foundation's activities were individual relationships with parliamentarians and cooperation on the development of interpellations, the preparation of questions and statements of MPs as well as official correspondence with government structures, law enforcement bodies and judicial institutions in Ukraine, Russia and Kazakhstan, as well as



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international institutions established for the monitoring and protection of human rights (OSCE, Council of Europe, UN).

The Foundation's recommendations concerning the situation in Ukraine and the Russian aggression were included, among others, in three resolutions of the European Parliament, namely: *Resolution of 6 February 2014 on the situation in Ukraine (2014/2547(RSP))*; *Resolution of 27 February 2014 on the situation in Ukraine (2014/2595(RSP))*; *Resolution of 13 March 2014 on the invasion of Ukraine by Russia (2014/2627(RSP))*.

The Foundation continued to raise the subject of cooperation between democratic states, in particular, EU Member States, with authoritarian regimes which violate human rights. The subject of the Foundation's increased interest remained the instrumental, politically motivated use of Interpol mechanisms (the 'Red Notice' mechanism), and - to a lesser extent - the phenomenon of non-democratic governments' appointment of prominent, former European politicians as paid consultants.

As regards Interpol, the Foundation consistently called for reform of the information processing system which would allow for a more thorough examination of red notice requests filed by individual countries (so-called arrest warrants). The goal of the Foundation in this regard is to prevent the use of Interpol in pursuit of political goals. This can be achieved by speeding up and streamlining the process of verification of information at the request of individuals whose names already appear on Interpol lists (which indicates a potentially political context of the investigation). The Foundation has worked in this field alongside the British organisation 'Fair Trials International' and Hermitage Capital Management Fund, headed by Bill Browder, initiator of the campaign for the memorial of Russian lawyer Sergei Magnitsky, murdered in prison, and on introducing sanctions against those responsible for human rights violations in Russia and other authoritarian countries (the so-called *Magnitsky Act* and *Global Magnitsky Act*). The reform of Interpol constituted one of the Foundation's priorities in terms of lobbying activities and was raised, among other issues, at the UN, the European Parliament and the Parliamentary Assembly of the Council of Europe.

In view of the situation in Ukraine, the Foundation has conducted informational activities aimed at imparting knowledge about the actual events associated with the outbreak, the course and the end of the protests on Maidan, as well as the genesis of the Russian aggression, military and destabilisation operations in Ukraine and the occupation of Crimea and in the territory of Donbass. In the first months of the year, we focused our efforts on organising trips for European politicians to visit Maidan, and defending persecuted Ukrainian activists - participants of EuroMaidan.

The annexation of Crimea in March 2014, and the military operations in the east of Ukraine led to a wave of gross human rights violations and the need to intensify efforts to document and publicise them; presentations often involved victims and eye witnesses of violations. Key cases addressed by the Foundation during that period included the case of Volodymyr Rybak, a member of the City Council of Horlivka in the Donetsk Province; he was kidnapped and murdered in connection with his pro-Ukrainian stance by so-called pro-Russian separatists. The widow of the murdered, Elena Rybak, actively participated in meetings concerning the situation in Ukraine, organised by the Foundation in EU countries.

The abduction of the Ukrainian aviator Nadia Savchenko and a group of Crimean activists: Oleg Sentsov, Gennadiy Afanasev, Oleksandr Kolchenko and Oleksiy Chimi, as well as other citizens of Ukraine resulted in the initiation by the Foundation of a campaign aimed at prompting the international community to recognise them as political prisoners and to implement measures against Russia. One of the Foundation main recommendations was to initiate a permanent OSCE mission to monitor the situation in Donbass.

Calls for the recognition of the Russian aggression and the political nature of the prosecution of the aforementioned persons initially encountered great resistance in some EU countries (France, Italy); the Foundation had to contend with an unprecedented wave of misinformation and Russian propaganda, often deliberately or due to ignorance, relayed in the EU. Hence the vital importance of the activities carried out by the Foundation and its partners in Ukraine – activities we undertook in this regard were: producing written documentation (reports and analyses, documenting and synthesising incidents of violations of international agreements and international law by Russia),

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the organising/supporting visits and missions to Ukraine and organising trips for participants of the events in Ukraine to EU countries.

through these actions, the Foundation consistently demanded the introduction (and, subsequently, the maintaining and tightening) of sanctions against Russia in connection with its aggression in Ukraine and called for far-reaching support of Ukraine in its struggle to preserve both its sovereignty and territorial integrity (including military support) as well as its efforts to carry out reform and its integration into European structures. Significant, from the point of view of the Foundation, was the issue of liberalisation of the visa regime between the EU and Ukraine and the provision of support to Ukrainian civil society. At the same time, the Foundation sought to carefully monitor progress in the reform process and the fight against corruption in Ukraine, realising that the application of pressure by international institutions and Western countries on the Ukrainian authorities is essential if tangible results in these areas are to be achieved. An important campaign, carried out by the Foundation, was an action aimed at bringing about the cancellation of the delivery of French Mistral warships to Russia (operations in France, at the EU, Poland - linking the Mistral issue to the participation of France in the process of modernisation of the Polish armed forces).

In September, 2014, representatives of the Foundation participated (presenting topics concerning the trial of Nadia Savchenko, the process of vetting and economic reforms) in an event entitled *'Ukraine's Quest for Mature Nation Statehood, Roundtable Series Special Event: Divining the Domestic and Security/Foreign Policy Priorities of Ukraine's Next Verkhovna Rada'*, organised in the United States (Washington) by the American Foreign Policy Council and the Center for US - Ukrainian Relations. It was the first ever event with the participation of the Foundation to take place in the US and led to the initiation of further activities in the country.

After the successful campaign calling for the release Roza Tuletayeva and several other prisoners, efforts were redirected towards bringing about the release of other political prisoners in Kazakhstan, especially as regards the last person to still be serving a sentence of imprisonment in connection with the events in Zhanaozen (forceful suppression of oil company workers in 2011) - Vladimir Kozlov, the leader of the opposition party *'Alga!'*. In the reporting year, the Foundation didn't organise direct observation missions to Kazakhstan, but it did support monitoring missions of international delegations (the OSCE, the OSCE Parliamentary Assembly and others) and NGOs (PEN Club), who, for the first time since V. Kozlov's imprisonment in 2012, managed to obtain permission to visit the prisoner.

In October, 2014, representatives of the Foundation participated in the session 'Universal Periodic Review' (UPR) at the UN arena, in which they presented an assessment of the situation surrounding human rights (including evidence of torture) by Kazakhstan and recommendations in this respect. Also, meetings and cooperation with the United Nations Committee Against Torture (CAT) and consultations within the UN Working Group on Arbitrary Detention (WGAD) contributed towards bringing about Kazakh activist Zinaida Mukhortova's exemption from compulsory psychiatric treatment.

In addition to the regaining of freedom by persons persecuted for political reasons in Kazakhstan, the extradition of Tatiana Paraskevich, a former co-worker of Mukhtar Ablyazov (a key figure of the opposition in Kazakhstan) was successfully blocked. Tatiana Paraskevich was held in an extradition detention centre in the Czech Republic, as Russia and Ukraine, in cooperation with Kazakhstan, demanded her extradition. Eventually, in February 2014, the Czech Republic granted her international protection and rejected both requests for her extradition having deemed them politically motivated. The other individual associated with the opposition in Kazakhstan and prosecuted in the EU, Aleksandr Pavlov (Mukhtar Ablyazov's former security chief), was also released from custody in September 2014, awaiting final decisions on his asylum application and his extradition to Kazakhstan.

Throughout the year of 2014 (continuing efforts started in mid-2013 connected with the abduction (illegal deportation) of Alma Shalabayeva from Italy to Kazakhstan), the Open Dialog Foundation undertook intensive efforts to block the extradition of Mukhtar Ablyazov, a personal enemy of President of Kazakhstan Nursultan Nazarbayev, from France to Russia or Ukraine. In February 2014, the Kazakh independent online portal *Respublika* and the Ukrainian portal

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Trust.ua (and, subsequently, the website <https://kazaword.wordpress.com>, *Obozrevatel*, The Moscow Post, *Le Temps*, *Mediapart*, the *Financial Times*, *Le Nouvel Observateur*, *Radio France International* and other media outlets) began to publish a huge amount of official Kazakh documents (leaked from government circles) proving the political context of the prosecution of Mukhtar Ablyazov, his family members and associates. These documents also serve to eliminate any doubts over whether there had been close cooperation (based on direct political pressure and corruption mechanisms) between the governments, security services and law enforcement bodies of Kazakhstan, Russia and Ukraine, which carried out a large-scale campaign aimed at bringing about the extradition of M. Ablyazov and people associated with him as well as depriving them of opportunities to support independent media outlets, the opposition and non-governmental organisations in Kazakhstan.

Particularly appalling, in the Foundation's opinion, was the fact that the cooperation between the Ukrainian General Prosecutor's Office and the authoritarian Kazakhstan and Russian law enforcement agencies continued (especially in light of the annexation of Crimea and the war in the east of Ukraine). These documents also highlighted the existence, within the Russian state structures, of the investigative group for special purposes, set up to target persons and communities identified by the Russian state as hostile ('political'). The same group of people, in the light of the information obtained, was responsible for actions carried out against individuals and organisations, such as Anna Politkovskaya, Sergey Magnitsky and the Hermitage Capital Management Fund, Mikhail Khodorkovsky and the Yukos company, Pavel Zabelin and Mukhtar Ablyazov, Tatiana Paraskevich and Artur Trofimov, as well as Nadia Savchenko. A large element of its members has been subjected to personal sanctions by the US on the basis of the so-called 'Magnitsky list'. The information obtained came to constitute important support for the activities carried out by the Open Dialog Foundation and featured, among others, in significant reports (such as <http://odfoundation.eu/a/6900,raport-analiza-dokumentow-w-sprawie-mukhtara-ablyazova>) and many meetings.

Despite the subsequent decisions recognising the political context of the prosecution of Mukhtar Ablyazov's colleagues (T. Paraskevich, and, previously, also Muratbek Ketebayev and Ablyazov's wife - Alma Shalabayeva) and the mobilisation of French and international human rights organisations (ACAT, FIDH, Amnesty International, Human Rights Watch), M. Ablyazov continues to be held in the French Extradition detention centre.

Based on the experience gained as regards the persecution of political refugees in the EU countries (the misuse of Interpol and extradition requests), the Foundation also supported Russian dissidents and activists prosecuted by the Russian Federation (such as Nikolay Koblyakov, the founder of the France-based association *Russie-Liberte*, who was facing extradition from Bulgaria to Russia; eventually, the request was rejected; the Foundation provided legal support to N. Koblyakov and monitored his extradition proceedings in Sofia).

In its activities (humanitarian aid, lobbying for Ukraine), the Foundation worked with numerous new Ukrainian and pro-Ukrainian initiatives in EU countries, the USA, Canada and Israel, which were established (usually based on the activity of Ukrainians, living in diasporas within these countries) as a result of the developments, initiated by Euromaidan in Kiev. A detailed report on the activities of the Brussels office of the Foundation can be found at: <http://odfoundation.eu/a/6658,informacje-wprowadzajace-na-temat-miedzynarodowej-dzialalnosci-fundacji-otwarty-dialog-na-rzecz-praw-czlowieka-w-latach-2013-2015-koordynowanej-przez-biuro-fundacji-w-brukseli>

## Summary

It should be noted that in the reporting year, the scale of the Foundation's activity not only increased several-fold, but also expanded to include completely new areas (humanitarian aid, public fundraisers, volunteers, permanent correspondents, management of the aid centre 'Ukrainian World', defence against attacks carried out via social networks and combatting propaganda online). Appropriate amendments (updates, extensions) were introduced, therefore, in the Charter of the Foundation.

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In 2014, ensuring the activities of the Foundation were conducted in safe conditions gained importance as did ensuring the safety of its employees and volunteers. The conflict in Ukraine and Russia's aggressive stance prompted, among other things, an escalation in actions in cyberspace which took the form of online attacks against the Foundation, its projects and individual team members (so-called *hate speech* (or *trolling*), which can be classified, from a legal point of view, as a criminal threat). Also, a variety of extreme groups, and even those which openly support the efforts of the Russian authorities and are hostile towards Ukraine and Polish co-operation with Ukraine, became active. Such attitudes are also promoted and perpetuated by Russian and pro-Russian/anti-Ukrainian media, also present in Poland. However, they limited themselves to verbal attacks and attempts to undermine the reputation of the Foundation in the pages of their publications. Activities aimed at undermining the reputation of the Foundation were also continued by state-controlled Russian-language media in Russia and Kazakhstan, as well as the Kazakh diplomats and the EU circles linked to, or working for, the government and departments of the Republic of Kazakhstan.

Significant effort was required to ensure the safety of coordinators and volunteers of the Foundation throughout the course of the mission on Maidan (between January-March 2014), as well as in Crimea and Donbass (the so-called *ATO zone*) in the following months. A major crisis was the abduction and imprisonment of a volunteer and the observer of the Foundation, Ukrainian journalist Sergey Lefter by a terrorist group in Sloviansk in April 2014. The observer was in captivity for three weeks before his release was successfully brought about. He did not suffer any injuries. In connection with the imprisonment and release of S. Lefter, the Foundation launched a short-term programme, aimed at bringing about the release of hostages from the territories controlled by illegal, Pro-Russian armed groups in Ukraine (they eventually released 20 people; the Foundation provided professional psychiatric care in Poland, and later in Germany, to one of the freed hostages whose mental health condition was particularly serious).

Basically, in the reporting year, the focus of the Foundation has been shifted (due to the situation) towards Ukraine, but not at the expense of actions, carried out in recent years, concerning the situation with human rights in Kazakhstan and political refugees from Kazakhstan in Europe - these activities continued to be addressed with the same level of intensity, as in preceding years. In addition to European countries and the area of the former Soviet Union, the Foundation expanded the scope of its activities to the USA and Israel.

The issue of the reform of Interpol and the protection of political refugees in EU countries is increasingly becoming an area for further development of the Foundation's activities.

### **Cultural activities (outside the mainstream activities of the Foundation)**

In 2014, the Foundation organised a series of poetry meetings entitled 'Literature on Chmielna Street'.

"Literature on Chmielna Street" was a project devoted to a discussion about the state of contemporary Polish literature, how to best to disseminate it, how to promote Chmielna Street as the cultural hub of Warsaw. Within its framework, every day from 16 to 18 July 2014, near the Polish National Bookshop in Warsaw, meetings with artists, critics, publishers and journalists were held. The meetings were filmed and made available online by Foksal Eleven TV ([www.foksaleleven.pl](http://www.foksaleleven.pl)). The project was co-financed by the capital city of Warsaw.

Within the framework of the project, the following meetings were held:

- 'Świętlicki, Polkowski – faces of conservatism'
- 'Literature in Warsaw, Warsaw in literature'
- 'Is literature necessary in public life?'

The meetings were attended by writers, literary critics and representatives of the media (*Do Rzeczy, Rzeczpospolita, Christianitas, Teologia Polityczna, Res Publica Nowa, Nowa Fantastyka*).

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### 2.3. Legal events with financial implications

- PLN 20,700 - misappropriation of funds by volunteers (indicated in the financial statements in the line: Current assets and current receivables / item 6. A claim has been filed in court).

### 3. Information on business activities according to the entry in the Register of Entrepreneurs (KRS):

In the reporting year, the Foundation carried out business activities which took the form of promoting the Wola District of Warsaw.

The Foundation's revenue from the aforementioned activities amounted to PLN 3 000,00.

3. Resolutions of the Board of the Foundation - in 2014, the Management Board adopted 4 resolutions (Annex no. 1)

4. Information on the amount of income earned:

Total revenue - PLN 2 612 349,82, including:

a) Funds obtained from:

grants: PLN 4 059,83

donations: PLN 2 270 192,06

b) Statutory activity - other payments (organisation of conferences - reimbursement of costs incurred): PLN 3 906,88

c) Financial income: PLN 11 223,03

d) Other income (including in-kind donations): PLN 8 041,50

e) Other income: PLN 288 762,52 (financial result for 2013)

f) Paid statutory activities: PLN 23 164,00

g) Business activities: PLN 3 000,00

5. Information on costs incurred:

Total costs – PLN 2 403 054,75, including:

a) Cost of conducting statutory activities (cash benefits): PLN 2 165 269,77

b) Administration expenses: 212 370,72 zł

Consumption of materials and energy: PLN 3 536,41

Outsourced services: PLN 127 306,66

Taxes and fees: PLN 31 681,74

Salaries and social insurance: PLN 49 742,94

c) Other costs (including costs carried over from the previous year): PLN 0,00

d) Financial expenses: PLN 24 047,00



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6. Other costs: PLN 1 367,26
7. Data on the Foundation's activities in the field of:
- a) number of employees - in the reporting year, the Foundation employed (on the basis of employment contracts) 4 persons:
    - Lyudmyla Kozlovska – The coordinator of Eastern projects
    - Sergiy Sukhoboychenko – Project Coordinator
    - Zhanar Kassymbekova – Expert for Eastern Communication Matters
    - Laniya Vinyavskaya – Expert for Eastern Communication Matters / journalist
  - b) the total amount of salaries paid by the Foundation — PLN 159 700
  - c) total annual remuneration paid in to members of the Board and other bodies of the Foundation (due to their functions) – PLN 0
  - d) expenditure on contract orders – PLN 140 900
  - e) cash loans, granted by the Foundation — none
  - f) Amounts deposited in bank accounts - the Foundation did not have bank deposits; the balances of current accounts at Alior Bank, as of 31 December, 2014, were PLN 248 428,53; USD 0,00 and EUR 40 793,99.
  - g) the value of bonds purchased and the amount of share equity or shares acquired - the Foundation did not acquire any bonds and did not have any share equity or shares in commercial companies,
  - h) acquired property - the Foundation did not acquire any real estate,
  - i) other acquired assets - the Foundation did not acquire any assets,
  - j) total assets at the end of the year were equal to the Foundation's total liabilities and amounted to: PLN 322 557,95
  - k) information about the Foundation's settlement of incumbent tax liabilities – as of 31 December, 2014, the Foundation was liable to pay the tax office: income tax (PIT-4) in the amount of PLN 6 380,00, corporate income tax (CIT-8) in the amount of PLN 2 472,00, Tax on goods and services (VAT-9M) in the amount of PLN 14 129,03 and Social Insurance contributions in the amount of PLN 17 354,18
  - l) the Foundation submitted the following statements: CIT-8; VAT-9M; VAT-8; IFT-2R; PCC-3; PIT- 4R; NIP-2;
8. During the reporting period, the Foundation did not execute any orders for public entities and implemented one order for the self-government body:

1) The project of organisation of a series of meetings 'Literature on Chmielna Street', co-financed by the Capital City of Warsaw

**Open Dialog Foundation**

Podpisy członków Zarządu:  
Warsaw

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Lyudmyla Kozlovska – President of the Foundation

Tomasz Czuwara – Member of the Board

Warsaw, 9 December, 2015