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AMNESTY INTERNATIONAL REPORT 2017/18

**THE STATE OF THE WORLD'S
HUMAN RIGHTS**



**AMNESTY
INTERNATIONAL**



to donors' payment delays. The cuts led to riots and protests by refugees in Nyumanzi settlement in Adjumani district.

UKRAINE

Ukraine

Head of state: **Petro Poroshenko**

Head of government: **Volodymyr Hroysman**

The investigation into the Security Service of Ukraine (SBU) for its alleged secret prisons failed to make any progress. Law enforcement officials continued to use torture and other ill-treatment.

The Ukrainian authorities increased pressure on their critics and independent NGOs, including journalists and anti-corruption activists. The authorities launched criminal investigations and passed laws aimed at restricting the rights to freedom of expression and freedom of association, among other things.

The de facto authorities in the separatist-controlled territories continued to unlawfully detain and imprison their critics. In November, the de facto Supreme Court in Donetsk ordered a man to be put to death. In Russian-occupied Crimea, critics of the authorities faced intimidation, harassment and criminal prosecution.

The LGBTI Pride march was held in the capital Kyiv, under effective police protection. The number of attacks on LGBTI events rose across the country. The government failed to adequately address sexual and domestic violence. The authorities announced that Ukraine was freezing all arms supplies to South Sudan.

BACKGROUND

Social discontent continued to grow. Mounting economic problems, the slow pace of reforms and pervasive corruption sparked regular protests in Kyiv that occasionally turned violent. Some of the protests brought together several hundred people. In April, the World Bank reported that the Ukrainian economy had stopped contracting, projected

a 2% growth for 2017, and urged further reforms. On 14 June, the EU lifted its visa requirements for Ukrainian citizens. The government adopted wide-ranging medical and educational reforms, which for the first time included human rights as part of the future school curriculum.

In eastern Ukraine, the separatist and government forces continued fighting, in violation of the 2015 ceasefire agreement. Casualties among the forces and civilians continued to grow, and according to the UN had reached 10,225 dead by 15 August, including 2,505 civilians. On 27 December, the two sides exchanged prisoners, releasing a total of 380 people.

According to the September report of the UN Monitoring Mission in Ukraine, "increased levels of poverty and unemployment coupled with record-high food prices have affected the lives of 3.8 million people in the conflict-affected zones, in addition to daily hardships caused by the armed hostilities and related policies imposed by all sides." Laws introduced in previous years further impeded access to social rights and pensions for people living in the conflict-affected areas.

Crimea remained under Russian occupation. Russia continued to deny international human rights mechanisms access to the peninsula.

TORTURE AND OTHER ILL-TREATMENT

Members of law enforcement agencies continued to use torture and other ill-treatment, and committed other human rights violations; there was continued impunity for past and ongoing violations of international humanitarian law.

On 15 August, the SBU apprehended Daria Mastikasheva, a Ukrainian citizen resident in Russia who was visiting her mother in Ukraine, and held her incommunicado for two days. She was accused of treason and illegal weapons possession. Photos taken by her lawyer of her outside the court showed signs of beatings and possible torture by SBU officers. Her lawyer also reported that she was issued with threats targeting her mother

and son, until she agreed to read out a self-incriminating statement on camera. At the end of the year she was still in detention awaiting trial.

On 16 November, the head of the State Investigation Bureau (SIB), a stand-alone agency created to undertake investigations independently of other law enforcement agencies, was finally appointed. However, the SIB was still not fully staffed and unable to begin its work by the end of the year.

CONFLICT-RELATED SEXUAL VIOLENCE

In a report published in February, the UN Human Rights Monitoring Mission to Ukraine documented cases of conflict-related sexual violence, and criticized Ukraine's justice system for failing its survivors and highlighted a lack of adequate care and counselling. The majority of the documented cases concerned sexual violence against men and women who had been detained by government forces or armed groups.

DETENTION

The Chief Military Prosecutor's investigation into the allegations of secret detention by the SBU in eastern Ukraine was ineffective. Evidence published in 2016 by international NGOs showing the existence of this practice was largely ignored by the authorities.

DETENTIONS OF CIVILIANS IN THE CONFLICT ZONE

On 27 April, the UN Subcommittee on Prevention of Torture (SPT) published its report on its 2016 visit to Ukraine. The report noted that the SBU had obstructed the SPT's mandate by denying it access to some facilities, forcing it to suspend a visit in May 2016. When the SPT resumed the visit in September, it "was left with the clear impression that some rooms and spaces had been cleared in order to suggest that they had not been used for detention". The facilities in question, particularly in the city Kharkiv, had allegedly been used as secret prisons, and their inmates moved to another unofficial facility before it was opened to visitors.¹ The SPT was denied any access to detention facilities in the territories controlled by the self-proclaimed, Russian-backed Donetsk People's Republic (DNR) and

Luhansk People's Republic (LNR) in eastern Ukraine.

The de facto authorities in the DNR and LNR continued to detain and imprison critics and individuals suspected of supporting Ukraine. On 4 May, a de facto court in Donetsk sentenced well-known academic Ihor Kozlovsky to two years and eight months in prison under trumped-up charges of weapons possession. Ihor Kozlovsky had been in detention since January 2016 and was released on 27 December 2017 in a prisoner exchange.

On 31 January, Russian activists and performance artists Seroe Fioletovoe and Viktoriya Miroshnichenko were held in incommunicado detention for two weeks after crossing into the DNR-controlled territory. Following an international campaign for their release on 14 February, the de facto Ministry of State Security (MGB) escorted them to the Russian border and released them.

On 2 June, freelance journalist Stanislav Aseev, who had been reporting anonymously from the DNR, was subjected to enforced disappearance in Donetsk. For weeks, the de facto authorities denied that they were holding him; on 16 July, a member of the MGB told his mother that her son was in their custody and accused of espionage. Stanislav Aseev remained in detention and under investigation at the end of the year.

FREEDOM OF ASSOCIATION

Civil society activists and members of NGOs, particularly those working on corruption, were regularly harassed and subjected to violence. These incidents were often not effectively investigated, and members of the authorities, including security services in some instances, were widely suspected to have instigated them.

A law adopted in March obliged anti-corruption activists, including members of NGOs and journalists, to file annual income declarations – something that state officials have to do – or face criminal charges and imprisonment.

In July, the Presidential Administration proposed two draft laws that sought to

impose onerous and intrusive public financial reporting on NGOs whose annual budget exceeded 300 times the so-called “living minimum” – defined in law and regularly reviewed, as UAH1,700 (USD63) at the end of the year. NGOs were also required to publicly report on all payments made to members of staff or consultants. Non-compliance carried severe penalties, including the loss of the non-profit status and freezing of accounts. The two draft laws were under consideration in the Ukrainian Parliament at the end of the year.

On 11 October, tax police raided the offices of Patients of Ukraine, and the All-Ukrainian Network of People Living with HIV/AIDS (PLWH), two NGOs known for exposing questionable schemes in the state medical procurement system. The authorities alleged that the NGOs had misused their international funding – despite their having passed independent financial audit – and, according to court documents, accused them of “supporting terrorism” by funding partner patient organizations in Crimea.

FREEDOM OF EXPRESSION

The investigations into the killings of journalists Oles Buzina in 2015, and Pavel Sheremet in 2016, had yielded no results. The authorities continued their attempts to limit the right to freedom of expression by instigating trumped-up criminal cases against journalists who criticized the government over its failure to implement reforms and its policies in eastern Ukraine. On 7 June, the Supreme Special Court of Ukraine overturned the July 2016 decision by a court of appeal to acquit prisoner of conscience Ruslan Kotsaba, a journalist who had been prosecuted for treason and harming Ukraine’s armed forces after he had criticized the conflict in eastern Ukraine.

In June, the office of the online newspaper *Strana.ua* was searched as part of an investigation into an alleged disclosure of state secrets, followed in August by searches at the homes of its editor-in-chief Ihor Guzhva and another journalist. In July, the office of the media holding company Vesti was

searched in a fraud investigation. Both news outlets were known for their critical reporting on the Ukrainian authorities and their policies in the conflict-affected Donbass region.

In three separate instances in August, the SBU expelled four international journalists, two Spanish and two Russian, for “harming Ukraine’s national interests” and barred them from returning to Ukraine for three years. The SBU spokesperson Olena Gitlyanska accused the Russian journalist Anna Kurbatova, expelled on 30 August, of producing material “harmful to Ukraine’s national interest” and warned that this would happen to everyone “who dares to disgrace Ukraine”. In October, the SBU lifted the ban on the Spanish journalists entering Ukraine.

Also in August, the SBU arrested freelance journalist Vasily Muravitsky from the city of Zhytomyr. He had contributed to a number of Russian media. The SBU accused him of preparing and distributing “anti-Ukrainian” materials on orders from Moscow. If convicted, he could face up to 15 years in jail. Vasily Muravitsky was in pre-trial detention at the end of the year.

RIGHTS OF LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX PEOPLE

On 18 June, thousands joined the biggest march yet of Equality, the annual LGBTI Pride demonstration, in Kyiv, as well as several dozen counter-protests. Police provided effective protection from those protesting against the march and no incidents were reported during the rally. After the march, members of far-right groups attacked and beat several participants. Overall, the number of violent attacks against LGBTI people rose in 2017. In September, a group of right-wing protesters severely beat a number of participants of an LGBTI festival in the city of Zaporizhzhya.

VIOLENCE AGAINST WOMEN AND GIRLS

Parliament had still not ratified the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), which it signed in 2011.

CRIMEA

The clampdown on the rights to freedom of expression, association and assembly continued in Crimea. The authorities continued to predominantly target ethnic Crimean Tatars. The arbitrary ban on the Mejlis of the Crimean Tatar People, a self-governing body representing the ethnic Crimean Tatars, continued. The Russian Security Services raided dozens of Crimean Tatar homes, purportedly looking for illegal weapons, drugs or “extremist” literature, as part of their campaign to intimidate critics of the peninsula’s occupation. The few lawyers willing to take up cases in defence of critical voices in Crimea faced harassment by the Russian authorities.

On 26 January, lawyer Emil Kurbedinov was arrested and sentenced by a de facto court in the Crimean capital, Simferopol, to 10 days of administrative detention. He was accused of violating Russian anti-extremist legislation with a social media post predating the Russian occupation of Crimea. In the post, he had shared a video about a protest held by the Muslim organization Hizb ut-Tahrir, which is banned in Russia but not in Ukraine. On 8 August, police in Simferopol used excessive force and arrested Server Karametov for holding a placard outside the Crimean Supreme Court to protest at reprisals against Crimean Tatars. He was sentenced to 10 days in prison. On 22 September, Ukrainian journalist Mykola Semena was convicted for “threatening [the] territorial integrity of the Russian Federation” in his publications and given a two-and-a-half-year conditional sentence and a three-year ban on participating in “public activities”. In September, Crimean Tatar leaders Akhtem Chygoz and Ilmi Umerov were given jail terms for their peaceful activism. On 25 October, both were flown to Turkey and released, without an official explanation. Akhtem Chygoz had spent 34 months in detention, and Ilmi Umerov had been forcibly held in a psychiatric institution since August or September 2016. Both were prisoners of conscience.

ARMS TRADE

On 28 September, the Secretary of the National Security and Defence Council, Oleksandr Turchinov, announced that Ukrainian state companies had decided to freeze arms transfers to South Sudan. The announcement came days after Amnesty International published a report which included contract documents and end-user certificates listing the Ukrainian state-owned arms exporter Ukrimash as the prospective supplier of USD169 million worth of small arms and light weapons to the South Sudanese Ministry of Defence.² In response to the report, the State Service of Export Control issued a statement saying that the contract in question had not been executed, and that no weapons had been shipped from Ukraine to South Sudan. In previous years, Ukraine had consistently reported exports of small arms, light weapons and major weapons to the government of South Sudan. Ukraine had not yet ratified the Arms Trade Treaty, which it signed in September 2014.

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1. Put an end to impunity for detention-related abuses in the context of the armed conflict in Ukraine ([EUR 50/5558/2017](#))
 2. From London to Juba, a UK-registered company’s role in one of the largest arms deals to South Sudan ([ACT 30/7115/2017](#))

UNITED ARAB EMIRATES

United Arab Emirates

Head of state: **Sheikh Khalifa bin Zayed Al Nahyan**

Head of government: **Sheikh Mohammed bin Rashed Al Maktoum**

The authorities continued to arbitrarily restrict freedoms of expression and association, using criminal defamation and anti-terrorism laws to detain, prosecute, convict and imprison government critics and a prominent human rights defender. Scores of people, including prisoners of conscience, who were sentenced following unfair trials remained in prison. Authorities held detainees in conditions that could