

Ukraine: 600,000 people under constant threat in the armed conflict's epicentre

KYIV (19 September 2018) – Active conflict continues in eastern Ukraine, causing deaths, injuries and hardship, with no remedy or reparation available to victims for their physical or property losses, a UN report published today says. The report covers the period from 16 May to 15 August 2018.*

This period saw a 30 per cent increase in conflict-related civilian casualties – 12 killed and 93 injured.** The majority of casualties were recorded in May to June, with a lull in July and August during the “harvest ceasefire”. Such lulls, however, do not bring relief to civilians living in the conflict zone. On the contrary, the situation remains volatile sustaining an atmosphere of insecurity and anxiety.

The report gives examples of this insecure environment, including two incidents from either side of the contact line, when civilians were killed and injured while engaged in their daily activities: a teenage girl killed in her grandparents’ garden (in government-controlled territory of Donetsk region), and 15 civilians injured while travelling on a bus (in territory controlled by armed groups of Luhansk region).

In the fifth year of the conflict, those who have survived their injuries are still waiting for a comprehensive state policy on compensation and reparation: either for the death of a relative, conflict-related injuries, damage or destruction to property.

Inextricably linked to the armed conflict are persisting cases of arbitrary and *incommunicado* detention, ill-treatment, torture, sexual violence and/or threats to physical integrity, attributable to all parties involved in the hostilities. The UN Human Rights Monitoring Mission in Ukraine documented 63 such human rights violations, 13 of which occurred within the reporting period. In armed group-controlled territory the Mission faced operational restrictions, including the continued denial of confidential access to detainees that reaffirmed concerns about conditions of detention and treatment of detainees.

The report gives voice to families of those held *incommunicado* in territory controlled by the self-proclaimed ‘republics’. Relatives complain being denied any information about their loved ones. In one case parents described having to “wait like dogs” for hours in the street outside the ‘ministry of state security’ hoping for any news. In Government-controlled territory, ineffective investigations of arbitrary detention, torture and ill-treatment remain a serious concern and lead to impunity in conflict-related cases, the report says.

The report highlights persistent violations of fair trial rights and warns against arbitrary implementation of plea bargains and *in absentia* prosecutions. The report also describes

three incidents where extreme right-wing groups attacked or intimidated defence lawyers. In two cases, police officers were present and failed to act appropriately.

On a positive note, the report says that certain procedural hurdles were removed to allow murder prosecutions concerning the 2014 Maidan protests. Regarding the 2 May 2014 violence in Odesa, the indictments of former senior police officers were filed.

In territory controlled by the self-proclaimed 'Donetsk people's republic' and the self-proclaimed 'Luhansk people's republic' people remain affected by the parallel structures of 'administration of justice'. The report explains how these structures leave some individuals at risk of indefinite detention. Of further concern is that people 'accused' of links with the Ukrainian military are 'tried' in closed sessions, and, in some cases, lawyers assigned to defend conflict-related detainees perform their functions on a pro-forma basis, not knowing the charges their client faces or the stage of the 'proceedings'.

The report notes a 210 per cent increase in the number of violations against media professionals and civil society activists documented in this reporting period. Not only are the numbers alarming, but also the increased brutality of some incidents detailed in the report. More broadly, on both sides of the contact line, the UN Human Rights Monitoring Mission documented 45 violations and abuses related to fundamental freedoms, the right to non-discrimination and equal protection under the law.

In Government-controlled territory, extreme right-wing groups perpetrated at least eight separate attacks within the reporting period, often with impunity. These included a killing of one Roma man and violence against Roma communities, attacks on journalists and lawyers, beatings of LGBTQI activists and disruption of their gatherings.

While there is already little or no space for dissent in territory controlled by armed groups, the report raises concern over new restrictions imposed to further limit or formalize limiting freedom of religion, freedom of expression and peaceful assembly. It highlights cases when people were detained, among other reasons, for their publications in social media and reiterates that at least two bloggers remain in detention in Donetsk.

The report details human rights and international humanitarian law violations in the Autonomous Republic of Crimea and the city of Sevastopol.^{***} Despite not having access to the peninsula, the UN Human Rights Monitoring Mission documented 47 violations in Crimea, through remote monitoring.

The report gives recommendations that urge all parties involved in the hostilities to improve protection of civilians, especially for the upcoming winter. The report concludes that Ukraine will soon enter an election campaign, and it reiterates heightened concern over the increasing frequency and gravity of violence threatening civic space. "During this time, we expect a clear message from the Government of Ukraine that it will not tolerate impunity. The message should come in the form of swift investigations, leading to accountability and justice", said Fiona Frazer, the Head of the UN Human Rights Monitoring Mission in Ukraine.

* The report is based on 177 in-depth interviews with victims and witnesses of human rights violations and abuses, as well as site visits in both government-controlled and armed group-controlled territory. During this reporting period the UN Human Rights Monitoring Mission in Ukraine documented 160 violations and abuses which affected a total of 282 victims.

** 105 documented conflict-related civilian casualties compared to 81 in the previous reporting period from 16 February to 15 May 2018

*** On 13 September 2013 the UN Human Rights Office published a dedicated report on the human rights situation in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, covering the period from 13 September 2017 to 30 June 2018. The report is available online –

https://www.ohchr.org/Documents/Countries/UA/CrimeaThematicReport10Sept2018_EN.pdf

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To read the full report **in English**, please visit:

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