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## Conflict in Ukraine enters its fourth year with no end in sight – UN report

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KYIV/GENEVA (13 June 2017) – Parties to the armed conflict in eastern Ukraine have repeatedly failed to implement ceasefire agreements, allowing hostilities to escalate and claim more lives as the conflict moved into its fourth year, a UN report published today says.

The report covers the period from 16 February to 15 May 2017, during which the UN Human Rights Monitoring Mission in Ukraine (HRMMU) recorded 36 conflict-related civilian deaths and 157 injuries – a 48 per cent increase on the previous reporting period from 16 November 2016 to 15 February 2017.

There were daily ceasefire violations and routine use of small arms and light and heavy weapons in the conflict zone. Such attacks and the resulting damage to critical infrastructure, including schools, hospitals and water facilities, raise serious concerns for the protection of civilians, the report notes. The report warns that, as summer approaches, there is a risk of further escalation in hostilities, as in previous years.

From the start of the conflict in mid-April 2014 up to 15 May 2017, at least 10,090 people, including 2,777 civilians, have been killed, and at least 23,966 injured. This is a conservative estimate based on available data, and the actual figures are likely to be higher. More than 1.6 million people fled their homes and became internally displaced, while some three million remained in territory controlled by armed groups. Among these people, there is growing despair and uncertainty.

Among the issues highlighted in the report:

The socio-economic deprivation in the east of the country has been deepening. Among the causes, a cumbersome verification procedure introduced in 2016 deprived more than 400,000 citizens of Ukraine of their pensions. The report recommends abolishing the requirement that pensioners from armed-group controlled territory should register as internally displaced persons to receive their pension. This is key to ensure the equal treatment of all citizens of Ukraine wherever they reside as this will contribute to future reconciliation.

The contact line continues to divide families and communities, infringing daily the right to freedom of movement. Long queues at the checkpoints reached a record peak in March and April, with over 900,000 crossings each month, compared with 550,000 in February.

The Ukrainian Government’s ban on transportation of cargo, including coal and metal products, across the contact line, as well as the seizure of some 54 enterprises by the armed groups in areas under their control, may have a significant impact on human rights. A number of enterprises, including power thermal plants, halted or reduced operations, resulting in increased uncertainty for thousands of people regarding their employment, income, and livelihoods. In addition, armed groups forced a major

private organization providing humanitarian assistance to 500,000 people to halt operations in the self-proclaimed 'Donetsk people's republic', increasing the suffering of the most vulnerable people with scarce economic means.

The report contains new cases of individuals unlawfully or arbitrarily deprived of their liberty or subjected to enforced disappearances and abductions, particularly in the territory controlled by armed groups. In a number of cases, the victims' families did not have access to those detained and had no information on their whereabouts.

The practice of torture has persisted, with new incidents recorded on both sides of the contact line. There are concerns that ineffective investigations of torture are fuelling a sense of impunity.

Access to places of deprivation of liberty in territory controlled by armed groups by the UN Human Rights Monitoring Mission and other independent international monitors, is still sought to guarantee protection for detainees and ensure they can exercise their rights. In territory controlled by the Government of Ukraine, the Human Rights Monitoring Mission continued to have effective access to official places of detention.

The report notes that 14 pre-conflict prisoners were transferred from territory controlled by the 'Donetsk people's republic' to Government-controlled territory during the period under review, bringing the total number transferred since 2015 to 147. With an estimated 9,500 pre-conflict prisoners still in detention beyond the contact line, the transfers that have taken place highlight how dialogue between the parties can produce concrete results. The report encourages the parties to continue to pursue the means for dialogue on a range of issues with a view to furthering human rights protection.

For the first time since the annexation of Crimea, 12 pre-conflict prisoners were transferred to mainland Ukraine, following direct negotiations between the Ombudspersons of Ukraine and the Russian Federation. The UN Human Rights Monitoring Mission interviewed all transferred individuals, documenting gross violations of the right to physical and mental integrity they suffered in prisons in Crimea as well as in the Russian Federation, where they had been transferred in violation of international humanitarian law. In addition, the report highlights violations of fair trial guarantees for members of Crimean Tatar community, decisions affecting property rights, and diminishing space for Ukrainian as a language of instruction in education.

The UN Human Rights Monitoring Mission in Ukraine observed systemic violations of the right to a fair trial on conflict-related charges. In addition, there appears to be a selective approach to investigations and prosecutions in high-profile cases, such as the killings of protestors at Maidan and the 2 May 2014 violence in Odesa. To date, three years on, none of the senior officials responsible for killings or violent deaths during those events has been brought to account.

The report raises concern about continued development of parallel structures in armed-group controlled territory. The Human Rights Monitoring Mission documented instances when these structures did not comply with basic principles and standards of fair trial and the right to liberty and security of person, and failed to provide effective remedy.

The report also tracks the progress in the selection and appointment of the Ukrainian Parliament Commissioner for Human Rights (Ombudsperson), since the term of the incumbent has expired. The UN Human Rights Office recalls that the existing procedure has to be revised, ensuring transparent, merit based and participatory selection. This will guarantee the independence of, and public confidence in, the national human rights institution.

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*BACKGROUND: The report contains findings based on in-depth interviews with 252 victims and witnesses of human rights violations, as well as site visits to both sides of the contact line. In relation to the human rights situation in Crimea, the monitoring was conducted in accordance with the two General Assembly Resolutions - Resolution 68/262 on the "Territorial integrity of Ukraine" of 27 March 2014 and Resolution 71/205 on the "Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol" of 19 December 2016.*

To read the full report in English, please visit:

[http://www.ohchr.org/Documents/Countries/UA/UAReport18th\\_EN.pdf](http://www.ohchr.org/Documents/Countries/UA/UAReport18th_EN.pdf)

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