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Ukraine: The Authorities' Inaction Emboldens Rising Violence by The Far-Right

The authorities in Ukraine have consistently failed to prevent and punish violence by “far-right” groups, which has grown steadily since at least 2015. The victims of this violence and threats of violence, including women and LGBTI rights activists, “left-wing” political activists, Roma families, and other individuals and groups targeted by member of “far-right” groups, remain vulnerable to further attacks, intimidation and harassment. With rare exceptions, as was the case with Kyiv Pride in June 2017, they remain without effective protection, and there is no indication that comprehensive protection measures are being considered, let alone rolled out. Moreover, the authorities' consistent failure to address the problem of violence by far-right groups emboldens their members to plan and implement further attacks, in the full knowledge of their near-total impunity for such acts. This failure by the authorities amounts to a patent disregard for the rights to freedom of expression and peaceful assembly, as well as the right to liberty and security, of the targeted groups and individuals. The Ukrainian authorities must respond to this issue with clear policy of “zero-tolerance” of such violence and immediate actions that seek to bring the perpetrators to account and protect the victims.

Over the last 14 months, Amnesty International has registered no fewer than 30 such attacks by members of “far-right” groups. In all but one of these reported cases so far, their perpetrators have enjoyed impunity for their actions. This has emboldened them to plan and execute further attacks, as well as harass and intimidate their intended targets online and offline, and escalation of this issue is a clear trend. Notably, the Ukrainian authorities' chosen strategy seems to be a lack of adequate response to attacks on “left wing” and marginalised communities. In most cases, members of far-right groups plan and perpetrate such attacks openly, and often boast about their violent actions on social media and offline. In many cases, they make their plans known in advance of a specific event, through both closed and open online forums and by other means. Given this, taking sufficient and effective pre-emptive measures, as well as identifying and prosecuting the perpetrators of past attacks, would appear to be an entirely plausible and achievable task for the Ukrainian law enforcement agencies. However, with very few exceptions, this is not happening.

The effective protection of Kyiv Pride in 2017 and 2016 have been among the exceptions to the general rule of lack of effective protection of LGBTI-themed events and LGBTI rights activists in particular. Prosecution of the perpetrators of attacks against any of the right-wing groups' regular targets is even less common. In just one case from among those documented by Amnesty International over the last 14 months, the attack on the Festival of Equality in the city of Zaporizhia in September 2017, the perpetrators were identified, arrested and put on trial (which was still ongoing at the time of writing). One of the most recent attacks was the disruption of an open public event, “The Offensive against LGBTI Rights as a Form of Censorship: The Russian experience”, which was due to be held at the privately hired Underhub venue in Kyiv on 10 May. Amnesty International's Kyiv Office was the organiser of this event,

and representatives of Amnesty International attended as speakers alongside Human Rights Watch and KyivPride, which enabled the three organisations to give first-hand accounts of this event – the details of which have been similar to numerous documented attacks against others.

On that day, shortly before the event was due to start, more than 20 far-right activists arrived at the venue and threatened the participants with violence unless they left immediately. Three members of a private security firm, hired by the event organisers, shielded the doorway into the conference room with their bodies and thus prevented the threat from being realised, with the far-right activists remaining in the corridor. However, the organisers and some of the participants of the event remained blocked inside and unable to proceed with the event. Meanwhile five officers from Pechersk District Police force, who were present at the site from the start, refused to intervene. Their commanding officer told the event organisers that his five-strong unit was not sufficient to confront the assailants, and remarked: “They are not beating you up, are they?” Some intended participants arrived later and were left outside and unable to enter the venue, and witnessed the same officer speaking amicably with a leader of the group of the assailants. They also overheard members of the police unit using homophobic language. At some point in the beginning of the incident an owner, or a man representing the owners, of the venue came and told the organizers to cancel the event and vacate the premises. The same man told the assailants – whom he addressed as “normal” (a homophobic reference to distinguish them from LGBTI rights activists) – that had he known that the event was going to be about LGBTI rights he would not have agreed to rent the venue for it. In about an hour, a group of City Patrol Police (a different branch of police service) arrived. Meanwhile the event organisers spoke with a senior member of the City Patrol Police who promised them support and protection. Indeed, it was only after City Patrol Police’s arrival that event participants were able to leave the venue safely. They were escorted outside in small groups and had to travel home in taxis for fear of attacks by the assailants en route: such attacks are common after the events that are effectively protected by police.

The attack against the event on 10 May came as no surprise. The organisers had been receiving advance threats from members of far-right groups with promises to disrupt it, and they had informed the police accordingly. This accounts for the police’s presence at the event from the start. However, it was quite apparent that the police officers initially present at the scene either had little or no intelligence about the planned violence, or if they did, they had not come adequately prepared for it. The participants’ observations and the conversations of police officers present at the site which they overheard, strongly suggested that the police present at the scene had no clear operational plan for the scenario that unfolded on the night and that was all too predictable. Yet, key information had been readily available, from online sources and from the experience of similar past events targeted by members of far-right groups in Kyiv. It was only after the arrival of the additional force, from the City Patrol Police, who were armed and present in sufficient numbers, that the participants could be safely evacuated. However, the assailants achieved their main intended goal – disruption and cancellation of the event – of which some of them subsequently boasted online, in some cases with photos of those who took part on their side. None of the assailants were apprehended at the time, and none have been brought to account by the time of writing.

The circumstances of this event were similar in many ways to other attacks by far-right groups in numerous other incidents.

On 8 March 2018 alone, there was a series of attacks by far-right groups across Ukraine against participants of peaceful demonstrations for women’s rights.

In Kyiv, at least five participants of the Women’s March received injuries as a result. Two women had non-washable green antiseptic liquid poured all over them. Journalist Bogdan Novak and one other male participant had pepper spray aerosol sprayed into their eyes. Assailants forcibly took placards from several demonstrators. There is a publicly available video showing assailants trying to snatch a placard from

women activists while police officers present at the scene are trying to convince the women to fold it away in order to avoid “provocations”.

Moreover, following the Women’s March in Kyiv, the authorities accused one of the organisers, Director of the NGO Insight Olena Shevchenko, of breaching rules of public assembly for a purportedly “provocative” banner carried by some of the demonstrators. The banner in question, which has since been widely circulated on the social media, featured amongst other things a female figure and a trident (one of Ukraine’s national symbols) pointing at her buttocks. This was interpreted as offensive material and formed the basis for the charges against Olena Shevchenko under the Code of Administrative Offences of Ukraine. The hearing in the case against the activist was scheduled for 12 March at Shevchenkivski District Court in Kyiv. However, before it started, some 20 aggressive looking men came into the courtroom. According to the activist and her lawyer, these men were carrying foldable batons and pepper spray gas canisters, and their presence was intimidating and a manifest form of open pressure on the court. In the event, the hearing was adjourned by the judge until 15 March, on which date numerous activists, accompanied by journalists and diplomatic observers, filled up the courtroom first. The court ruled that Olena Shevchenko had committed no offence, and closed the case against her.

In Lviv, in western Ukraine, participants of the demonstration “Sisterhood. Support. Solidarity” on 8 March were also attacked by an aggressive crowd, who similarly used the same non-washable green liquid. One of the male demonstrators sustained a serious head injury and had to be hospitalised. On the same day in Uzhgorod, also in western Ukraine, activists who marched for women’s rights were attacked by a group of six counter-protesters who threw red paint at them. As a result, one of the organisers, Vitalina Koval, received chemical injury to both her eyes. Police arrested the assailants and charged four of them, all four women, with hooliganism and hate crime (Articles 296 and 161 of the Criminal Code of Ukraine), and released them later the same day. In the days that followed, local women rights activists began receiving threats through the social media.

On the evening of 20 April 2018, members of the local right-wing group which calls itself C14, attacked the camping site used by a group of Roma families in Lysa Hora park in Holosiyivskiy District of Kyiv. Prior to the attack, the site was visited by C14 representatives and individuals who introduced themselves as members of Holosiyivskiy District administration on at least two occasions, two months previously and shortly before the attack. The visitors demanded that the Roma families promptly leave the site. According to eyewitnesses, during the attack the assailants used pepper spray gas, knives and other cold steel arms, and possibly firearms. They burnt down 15 наметів and chased out the residents. The following day, in reply to media queries, the police stated that they had not received any complaints about the incident and added that they could not comment on it. Meanwhile, members of C14 reported the event online as their successful initiative, and claimed – in deliberately ambiguous language – that they used “persuasion” but not violence to achieve their goal. It was not until 25 April, when a video taken during the attack, was published online by LB.ua news site (<http://bit.ly/2HwXUCn>) that Minister of the Interior Arsen Avakov condemned the attack as ethnically motivated, on his Twitter account, and the police officially confirmed

that it was investigating the incident. The video clearly showed men violently chasing women with children; they can also be seen throwing objects and spraying gas from canisters.

At the time of writing, the investigation into the attack against Roma families is still ongoing, and no results have been reported. However, this was not the first such attack against Roma families in recent years in Ukraine. There have been no reports of prosecutions ensuing after other such incidents. The list attacks perpetrated by members of far-right groups in Ukraine is growing, and so is the scale of the problem.

The Ukrainian authorities should recognise the problem of growing violence by far-right groups across the country, and take immediate and effective steps to address it. In particular they should:

Publicly acknowledge this problem and its growing scale, rebuke all forms of violence and threat of violence by far-right groups, and commit to a clearly stated “zero-tolerance” policy seeking to ensure security and protection of their victims and intended victims, and effective investigation and prosecution of the perpetrators;

As part of this policy, commit to ensure full respect for, and effective protection of, fundamental human rights for all in Ukraine, including the rights to freedom of expression and peaceful assembly, and the right to liberty and security, and commit to fight violence and discrimination by state and non-state actors, especially where committed for discriminatory purposes on the basis of race, ethnicity, gender, sexuality, peacefully held beliefs and other protected grounds;

Investigate promptly, effectively and impartially all reported violent incidents and all documented threats of violence, identify their perpetrators and bring them to account if fair trial proceedings, and thereby put an immediate end to impunity enjoyed by those who plan and carry out such crimes;

Take effective pre-emptive measures against every reasonably believable threat of a premeditated attack, including by providing effective protection to planned events held by the groups and individuals who have been consistently violently targeted by far-right groups, such as women and LGBTI rights activists, left-wing political activists, as well as to Roma families, amongst others;

Abstain from any actions that would signify explicit or implicit support to groups that engage in, or advocate human rights violations or abuses, including discrimination on the basis of ethnic, sexual or gender identity, or of peacefully held beliefs;

Investigate all reported incidents of the use of discriminatory and homophobic language by members of police force and other state officials, and take the necessary disciplinary and other action, as appropriate, against the identified offenders;

Issue the police with clear guidance and operational instructions with regards to protection of individuals and groups, and their events, targeted by far-right groups, and provide all relevant police forces with the necessary resources and training as required for such purposes;

Create a taskforce to review, and improve if necessary, police’s intelligence-gathering regarding planned attacks, harassment and threats against individuals and groups regularly targeted by members of far-right groups, to increase effectiveness of pre-emptive actions and effective protection of vulnerable groups and individuals;

Actively engage the existing expertise and initiative represented by civil society organisations, journalists, academics and others for the purpose of achieving these goals.

Public Document

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