



Home Office

Country Policy and Information Note

Ukraine: Minority groups

Version 1.0

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Preface

This note provides country of origin information (COI) and policy guidance to Home Office decision makers on handling particular types of protection and human rights claims. This includes whether claims are likely to justify the granting of asylum, humanitarian protection or discretionary leave and whether – in the event of a claim being refused – it is likely to be certifiable as ‘clearly unfounded’ under s94 of the Nationality, Immigration and Asylum Act 2002.

Decision makers must consider claims on an individual basis, taking into account the case specific facts and all relevant evidence, including: the policy guidance contained with this note; the available COI; any applicable caselaw; and the Home Office casework guidance in relation to relevant policies.

Country Information

The COI within this note has been compiled from a wide range of external information sources (usually) published in English. Consideration has been given to the relevance, reliability, accuracy, objectivity, currency, transparency and traceability of the information and wherever possible attempts have been made to corroborate the information used across independent sources, to ensure accuracy. All sources cited have been referenced in footnotes. It has been researched and presented with reference to the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), dated April 2008, and the [European Asylum Support Office’s research guidelines, Country of Origin Information report methodology](#), dated July 2012.

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email [the Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The Independent Advisory Group on Country Information (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to make recommendations to him about the content of the Home Office’s COI material. The IAGCI welcomes feedback on the Home Office’s COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. IAGCI may be contacted at:

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Information about the IAGCI’s work and a list of the COI documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector’s website at <http://icinspector.independent.gov.uk/country-information-reviews/>

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Policy guidance

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1. Introduction

1.1 Basis of claim

1.1.1 Fear of persecution or serious harm by state or non-state actors due to the person's membership of a minority group.

1.2 Points to note

1.2.1 For the purposes of this note, 'minority group' means Roma; Jews; ethnic Russians, Belarusians, and Moldovans; Muslims and Tatars; and people of African descent.

1.2.2 Unless otherwise stated, this note refers to the position with regard to the treatment of minority groups in the government-controlled areas of Ukraine. For information and guidance on the situation in Crimea and the Donbas, see the country policy and information note on [Ukraine: Crimea, Donetsk and Luhansk](#).

1.2.3 Where a claim is refused, it must be considered for certification under section 94 of the Nationality, Immigration and Asylum Act 2002 as Ukraine is listed as a designated state.

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2. Consideration of Issues

2.1 Credibility

2.1.1 For information on assessing credibility, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

2.1.2 Decision-makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).

2.1.3 Decision-makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Assessment of risk

a. General points

2.2.1 There is wide variation in the treatment of Ukraine's different minority groups. Roma in particular are reported to suffer significant discrimination and disadvantage, whereas others, such as Jews, Belarusians and Moldovans, are integrated within the general population and suffer little, if any, discrimination or disadvantage (see [Situation for minority groups](#) and [Jews](#)).

2.2.2 Minority groups are able to participate freely in political affairs in Ukraine. However, their voting and representation in parliament has been hindered by

factors including the conflict in the Donbas; illiteracy and lack of identity documents for many Roma; and rules against running as an independent for many local, district, and regional offices (see [Situation for minority groups](#)).

- 2.2.3 In general, while some members of minority groups in Ukraine experience discrimination by either the state or non-state actors, it is unlikely to meet the high threshold required to constitute persecution or serious harm, but each case must be assessed on its own merits. The onus is on the person to demonstrate that they are at real risk of persecution or serious harm on return to Ukraine.

b. Roma

- 2.2.4 Roma are reported to face barriers in accessing housing, education, health care, social services and employment due in part to discriminatory attitudes against them. There are reports that that police forcibly evict, harass, extort and arbitrarily detain Romani individuals, at times beating or mistreating them (see [Current situation](#) and [Treatment by the state](#)).
- 2.2.5 The authorities are however reported to have become more responsive to Romani community concerns (see [Roma](#)). In 2013 the government adopted a seven-year action plan to implement a strategy for protecting and integrating the Roma into society. However this has not as yet led to significant improvements for Roma (see [Treatment by the state](#)).
- 2.2.6 There are reports of a rise in racist hate speech and discriminatory statements in recent years, including by public and political figures and in the media, in particular on the internet and during rallies, directed mainly against minorities, including Roma (see [Situation for minority groups](#)).
- 2.2.7 However, in general, the level of state discrimination faced by members of Roma in Ukraine is not such that it will reach the level of being persecutory or otherwise inhuman or degrading treatment, although each case should be examined on its own merits.
- 2.2.8 Roma are believed to be the group which experiences most societal discrimination in Ukraine, both as individuals and as a community. There are reports of widespread social prejudice, hate speech and ethnically-motivated hate crime. This includes threats and violence resulting in physical assaults, acts of vandalism and arson, most of which are committed by groups driven by extreme nationalist and racist ideology (see [Societal treatment of Roma](#)).
- 2.2.9 Furthermore, there are reports that those Roma who have fled the conflict in the Donbas region face prejudice and xenophobia in the government-controlled areas. Although civil society organisations and churches have provided assistance with accommodation and food, conditions remain difficult for Roma IDPs (see [Roma as IDPs](#)).

c. Jews

- 2.2.10 There is no evidence of mistreatment of Jewish people by the state. Senior government officials and politicians from various political parties continue to speak out against anti-Semitism (see [Jews](#)).
- 2.2.11 There are reports of a small number of incidents of anti-Semitic violence and vandalism which have included spray-painting swastikas on the grave of a

Jew, smashing headstones at a Jewish cemetery and vandalising Holocaust memorials, monuments and museums (see [Societal treatment of Jews](#)).

d. Ethnic Russians, Belarussians and Moldovans

- 2.2.12 There is no evidence of mistreatment of ethnic Russians, Belarussians or Moldovans by the state (see [Ethnic Russians](#)).
- 2.2.13 Despite the ongoing conflict in the Donbas region, relations between ethnic Russians and the majority, which were historically good, have remained so (see [Situation for minority groups](#) and [Ethnic Russians](#)).

e. Muslims and Tatars

- 2.2.14 Ukraine's small Muslim population is comprised in the main of Tatars, the majority of whom lived in Crimea. Many Muslims from Crimea and the Donbas have moved to the government-controlled areas of Ukraine. There is no evidence of mistreatment of Muslims or Tatars by the state, which has taken measures to protect Crimean Tatars, particularly those who left Crimea after 2014, although some are reported to face difficulties in accessing employment, social services and education (see [Muslims and Crimean Tatars](#)).
- 2.2.15 Relations between Ukrainians and Muslims and Tatars in the government controlled areas are reportedly very positive, with Crimean Tatars viewed as patriotic for protesting about the Russian invasion of Crimea. Those Crimean Tatars who moved to government-controlled areas following the Russian invasion of Crimea have largely been welcomed, although there have been some reports of violence, hate crimes and attacks against their property (see [Muslims and Crimean Tatars](#)).

f. People of African descent

- 2.2.16 There is evidence of discrimination towards people of African descent by the Ukrainian police but it was not possible to ascertain whether action is taken if complaints are made (see [People of African descent](#)).
- 2.2.17 There is evidence of violence, hate speech, prejudice and discrimination, such as the denial of entry to people of African descent to certain public places, including water parks, for example, on the basis of skin colour (see [Situation for minority groups](#) and [People of African descent Non-Governmental assistance](#)).
- 2.2.18 For further guidance on assessing risk, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.3 Protection

- 2.3.1 Where the person's fear is of ill-treatment or persecution at the hands of the state, they will not be able to avail themselves of the protection of the authorities.
- 2.3.2 Ukraine has a legislative and policy framework that is generally consistent with international standards. The right to equality and non-discrimination is enshrined in the Ukrainian Constitution and the Criminal Code criminalises inciting hatred or discrimination based on nationality, race, or religion,

including insulting the national honour or dignity of persons in connection with their religious and political beliefs, race, or skin colour. Premeditated killing on grounds of racial, ethnic, or religious hatred carries a 10- to 15-year prison sentence. Penalties for other hate crimes include a fine or imprisonment for up to five years (see [Law](#)).

- 2.3.3 Whilst there is evidence of hate crime being investigated and prosecutions brought, it is reported that cases are not always adequately and effectively investigated and that those responsible are not prosecuted and punished. The number of cases of racial discrimination registered, investigated and brought to domestic courts and other bodies is low (see [Implementation of the law](#)).
- 2.3.4 The government of Ukraine has adopted various strategies aimed at tackling discrimination on the basis of race and ethnic origin. However these have been hampered by a lack of coordination across government bodies and, in some cases, under-resourcing (see [Government initiatives](#)).
- 2.3.5 There are also non-governmental organisations that advocate for minority groups and may be able to assist the person to avail themselves of the protection of the state (see [Situation for minority groups](#) and [Non-Governmental assistance](#)).
- 2.3.6 In general, effective state protection is likely to be available. Decision-makers need to consider each case on its facts. The onus is on the person to demonstrate why they would not be able to seek and obtain effective state protection.
- 2.3.7 For further guidance on assessing the availability or not of state protection, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#)

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2.4 Internal relocation

- 2.4.1 Where the person's fear is of persecution or serious harm at the hands of the state, they will not be able to relocate to escape that risk.
- 2.4.2 Where the person's fear is of persecution or serious harm at the hands of non-state actors – including rogue state agents – internal relocation is likely to be an option to escape such risk.
- 2.4.3 The onus will be on the person to demonstrate why they would be unable to internally relocate to a part of the country where they would not face difficulties in the proposed new location.
- 2.4.4 See also the country policy and information note on [Ukraine: Background including actors of protection and internal relocation](#).
- 2.4.5 For further guidance on internal relocation, see the [Asylum Instruction on Assessing Credibility and Refugee Status](#).

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2.5 Certification

- 2.5.1 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002. This

is because in general the mistreatment feared, even if it did occur, is unlikely to amount to persecution or serious harm and in general effective state protection is available.

- 2.5.2 For further information on certification, see the [Appeals Instruction on Certification of Protection and Human Rights claims under Section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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3. Policy Summary

- 3.1.1 There is wide variation in the treatment of Ukraine's different minority groups. Roma in particular are reported to suffer significant discrimination and disadvantage, whereas others are integrated within the population and reportedly suffer little, if any, discrimination or disadvantage by either the state or non-state actors.
- 3.1.2 There have been an increasing number of suspected racially motivated incidents and hate crimes since 2014. Furthermore, societal discrimination and social and economic inequalities persist, including discrimination in employment and access to education, healthcare, housing and social security. In general the treatment faced by minority groups in Ukraine is not such that it will on its own reach the level of being persecutory or otherwise inhuman or degrading treatment. Each case must be assessed on its own merits.
- 3.1.3 In general effective state protection is likely to be available for members of minority groups who face discriminatory societal treatment.
- 3.1.4 Furthermore, if a person is at real risk from non-state actors in their home area, they would in general be able to relocate to a part of the country where they would not be at risk and it would not generally be unreasonable to expect them to do so.
- 3.1.5 Where a claim is refused, it is likely to be certifiable as 'clearly unfounded.'

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4. The legal position

4.1 Law

- 4.1.1 The report of the UN Special Rapporteur on Minority Issues, following her mission to Ukraine in April 2014, noted:

‘The Constitution of Ukraine (art. 11) requires that the State “promotes the consolidation and development of the Ukrainian nation, of its historical consciousness, traditions and culture, and also the development of the ethnic, cultural, linguistic and religious identity of all indigenous peoples and national minorities”. The right to equality and non-discrimination is enshrined under article 24, which prohibits “privileges or restrictions based on race, colour of skin, political, religious and other beliefs, sex, ethnic and social origin, property status, place of residence, linguistic and other characteristics”...’¹

- 4.1.2 The US Department of State’s 2015 Report on International Religious Freedom for Ukraine, published on 10 August 2016, described the law regarding religion and belief:

‘The constitution provides for freedom of religion and worship, a right that “may be restricted by law only in the interests of protecting public order, the health and morality of the population, or protecting the rights and freedoms of other persons.” The constitution provides for the separation of church and state and stipulates that “no religion shall be recognized by the state as mandatory.”’²

- 4.1.3 The United Nations Special Rapporteur on minority issues reported on her mission to Ukraine in April 2014, stating:

‘Ukraine has a legislative and policy framework and environment that are generally consistent with the provisions of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and that are generally conducive to the protection of minority rights, including their civil and political and economic, social and cultural rights.’³

¹ United Nations General Assembly; Human Rights Council. ‘Report of the Special Rapporteur on minority issues, Rita Izsak, on her mission to Ukraine (7-14 April 2014),’ dated 27 January 2015 (paragraph 9).

http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_64_Add_1_en.doc Date accessed: 24 November 2016

² US Department of State. ‘2015 Report on International Religious Freedom; Ukraine,’ dated 10 August 2016 <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256253> Date accessed: 28 November 2016.

³ United Nations General Assembly; Human Rights Council. ‘Report of the Special Rapporteur on minority issues, Rita Izsak, on her mission to Ukraine (7-14 April 2014),’ dated 27 January 2015 (paragraph 70).

http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_64_Add_1_en.doc

4.1.4 The report of the UN Special Rapporteur on Minority Issues further noted that:

'The 2001 Criminal Code of Ukraine criminalizes (art. 161) inciting national, racial or religious enmity and hatred, humiliation of national honour and dignity, insulting citizens' feelings with respect to their religious convictions, and any direct or indirect restriction of rights, or granting direct or indirect privileges to citizens based on race, colour of skin, political, religious and other convictions, sex, ethnic and social origin, property status, place of residence, linguistic or other characteristics. In 2009 amendments expanded the scope of provisions and penalties for inciting racial, national and religious hatred, intolerance and discrimination...'⁴

4.1.5 The US Department of State's Country Report on Human Rights Practices in 2015, published in April 2016, noted that

'The law criminalizes deliberate actions to incite hatred or to discriminate based on nationality, race, or religion, including insulting the national honor or dignity of citizens in connection with their religious and political beliefs, race, or skin color. The law imposes increased penalties for hate crimes; premeditated killing on grounds of racial, ethnic, or religious hatred carries a 10- to 15-year prison sentence. Penalties for other hate crimes include fines of 3,400 to 8,500 hryvnias [£102 to £256] ...or imprisonment for up to five years.'⁵

4.1.6 The US Department of State's 2015 Report on International Religious Freedom for Ukraine, published on 10 August 2016, described the law regarding religion and belief:

'The law requires religious groups to register with the State Registration Service (a part of the Ministry of Justice) and with the Ministry of Culture, the government's lead agency on religious affairs, or regional government authorities. To be eligible for registration, a religious group must have at least 10 adult members. The law does not specify which of the two registration procedures must be undertaken first.

'Registration is required for a religious group to receive status as a legal entity. Without legal entity status, a religious group may not own property, conduct banking activities, or publish materials. Nationwide religious organizations cannot be registered or recognized as legal entities and therefore cannot own property or conduct other business activities, although their registered constituent units can...

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⁴ United Nations General Assembly; Human Rights Council. 'Report of the Special Rapporteur on minority issues, Rita Izsak, on her mission to Ukraine (7-14 April 2014),' dated 27 January 2015 (paragraph 15).

http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session28/Documents/A_HRC_28_64_Ad_d_1_en.doc Date accessed: 24 November 2016

⁵ US Department of State. 'Country Reports on Human Rights Practices for 2015,' published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

'The law provides for antidiscrimination screening of draft legislation and government regulations, including on the basis of religion. The law specifies that screening will be conducted in accordance with instructions developed by the Cabinet of Ministers...

'The Office of the Parliamentary Human Rights Ombudsman is constitutionally required to release an annual report to parliament with a section on religious freedom.'⁶

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4.2 Implementation of the law

4.2.1 In October 2016, the United Nations Committee on the Elimination of Racial Discrimination was '...concerned that cases of hate crime or other racially motivated acts are not always adequately and effectively investigated and that those responsible are not prosecuted and punished. While noting that some cases have been addressed, the Committee remains concerned at the low number of cases of hate crime brought to domestic courts.'⁷

4.2.2 The same UN report stated:

'The Committee is concerned about the low number of cases of racial discrimination registered, investigated and brought to domestic courts and other bodies. It is also concerned about the lack of information related to remedies afforded to victims. The Committee notes that the State party has not provided comprehensive information concerning sanctions or compensation in cases of racial discrimination, including discrimination in employment, handled by the courts or by the Parliamentary Human Rights Commissioner. While noting the State party's comments about equal access to justice for all and the measures put in place in that regard, including legal assistance, the Committee remains concerned about the limited extent to which minorities can effectively report instances of racial discrimination and enjoy equal access to justice.'⁸

⁶ US Department of State. '2015 Report on International Religious Freedom; Ukraine,' dated 10 August 2016 (Legal framework)
<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256253> Date accessed: 28 November 2016.

⁷ United Nations. Committee on the Elimination of Racial Discrimination. 'Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine' (paragraph 13), dated 4 October 2016.
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhslSEby%2BBygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztigYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTpg50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

⁸ United Nations. Committee on the Elimination of Racial Discrimination. 'Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine' (paragraph 13), dated 4 October 2016.
<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhslSEby%2BBygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztigYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTpg50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

4.2.3 Interfax Ukraine, a Ukrainian news agency, reported the following in November 2015:

‘Ethnically and racially motivated cases of violence are not effectively investigated or tried by courts in Ukraine, with almost one half of the victims preferring not to contact the law enforcement agencies, rights activists say.

“The 'Diversity Initiative' network registered ten events of violent actions suspected of racial motivation, which affected 17 people in the first nine months of 2015. The victims include 13 expatriates coming from Nigeria, Ghana, Jordan, Syria, Afghanistan, the DR Congo, as well as Ukrainian citizens of Tajik and Jewish origins, the Muslim religion and of a mixed parentage,” the expert on counteracting racism and xenophobia at the International Organization for Migration in Ukraine, Yana Salakhova, told a press conference in the Interfax-Ukraine office in Kyiv.

‘These cases were recorded in four cities: four in Kyiv, four in Kharkiv, two in Dnipropetrovsk and one in Odesa, she said.

‘Nine such victims complained to the police and one case was dismissed, Salakhova said. All the other victims refused to file complaints with the law enforcement authorities. Salakhova pointed out that only one of all the documented cases contained hatred motive in the description of the nature of the offence.

“The main characteristic of this kind of crime is the fact that the attacker expresses intolerance - not just towards a certain individual, but to the entire community of such people possessing certain features,” Salakhova said.⁹

4.2.4 The UN Committee report of October 2016 stated that it was ‘concerned about reports that some organizations, such as the Right Sector, the Azov Civilian Corps and the Social National Assembly, promote activities that amount to incitement to racial hatred and racist propaganda. It is also concerned that such organizations are responsible for racially motivated violence against persons belonging to minority groups that has not been always punished (arts. 2 and 4).¹⁰

4.2.5 The OHCHR report of the human rights situation in Ukraine; 16 February to 15 May 2016 noted that ‘Overall, during the reporting period, the majority of religious communities in Ukraine could exercise their freedom of religion or belief. However, law enforcement failed to ensure effective investigations

⁹ Interfax Ukraine; Ukraine news agency. ‘Thirteen foreigners have become victims of racism in Ukraine so far this year – expert,’ dated 10 November 2015. <http://en.interfax.com.ua/news/press-conference/302860.html> Date accessed: 5 September 2016.

¹⁰ United Nations. Committee on the Elimination of Racial Discrimination. ‘Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine’ (paragraph 15), dated 4 October 2016. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhslSEby%2BygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTpg50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

into the few incidents concerning violations of the right to freedom of religion or belief were documented.’¹¹

4.2.6 The United Nations Committee on the Elimination of Racial Discrimination further stated that it was ‘concerned that requirements for the application of article 161 of the Criminal Code to acts of racial discrimination, such as the fact that the violation must take place during a public event and the necessity of an expert opinion, hamper the effectiveness of the article. The Committee is concerned that such requirements result in difficulties in proving racial motivation and that consequently hate offences are qualified as hooliganism (art. 2, 4, 6).’¹²

4.2.7 The US Department of State’s Country Reports on Human Rights Practices for 2015, published in April 2016, stated:

‘Human rights organizations stated that the requirement to prove actual intent, including proof of premeditation, to secure a conviction made application of the law difficult ... Police and prosecutors continued to prosecute racially motivated crimes under laws against hooliganism or related offenses.

‘According to the Prosecutor General’s Office, authorities registered 49 criminal cases involving racial, national, or religious hatred during the first nine months of the year [2015]. Of these authorities forwarded one case to court.’¹³

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4.3 Government initiatives

4.3.1 Equal Rights Trust noted the following in August 2015: ‘The government of Ukraine has... adopted various strategies aimed at tackling discrimination on the basis of race and ethnic origin such as Plans of Action to Combat Xenophobia and Racial and Ethnic Discrimination for the periods 2008–09 and 2010–12.’¹⁴

4.3.2 The European Commission Against Racism and Intolerance published a report in June 2015, which stated:

¹¹ UN Office of the High Commissioner for Human Rights. ‘Report on the human rights situation in Ukraine 16 February to 15 May 2016,’ dated 3 June 2016 (paragraph 91) http://www.ecoi.net/file_upload/1930_1470296708_ukraine-14th-hrmmu-report.pdf Date accessed: 22 December 2016

¹² United Nations. Committee on the Elimination of Racial Discrimination. ‘Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine’ (paragraph 17), dated 4 October 2016 <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhslSEby%2BygeUDwTljrN%2BvxKXdrKjgkLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTPq50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

¹³ US Department of State. ‘Country Reports on Human Rights Practices for 2015,’ published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

¹⁴ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015 (page 125). <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

‘According to the information supplied by the Ukrainian authorities, the office of the Parliamentary Commissioner for Human Rights adopted a “strategy for 2014-2017” in November 2013 with a view to structuring its activity in various fields, particularly the promotion of the principles of equality and non-discrimination, inter alia by developing a network with national and international bodies with a strategic role in this context...

‘ECRI acknowledges the various efforts made and initiatives undertaken by the Ukrainian authorities with a view to co-ordinating governmental work on combating racism and racial discrimination and concludes that its recommendation has been partially implemented.’¹⁵

4.3.3 In October 2016, the United Nations Committee on the Elimination of Racial Discrimination published a report which stated:

‘The Committee is concerned at reports according to which the institutional framework for dealing with minorities issues in the State party is underdeveloped, fragmented and ineffective. In particular, it is concerned that, since the departure of the government commissioner for ethnic and national policy, there is no specialized official institution mandated to deal with minority issues. The Committee is also concerned that the department for religions and nationalities of the Ministry of Culture, to which the mandate on minorities issues was transferred in 2016, lacks adequate human and financial resources to properly carry out its mandate. The Committee is further concerned at information that the council on inter-ethnic harmony is not functional...

‘The Committee recommends that the State party develop, in consultation with all minority representatives, a clear and coherent institutional framework on minority issues and establish a specialized institution mandated to deal with minority issues and provide it with all necessary human and financial resources.’¹⁶

4.3.4 The Organisation for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE ODIHR) provided the following information for 2015:

‘The National Police of Ukraine instituted a number of measures to improve efficiency in recording and investigating hate crimes in 2015. The main investigation department of the National Police issued an instruction, "on the

¹⁵ European Commission Against Racism and Intolerance. ‘ECRI Conclusions on the implementation of the recommendations in respect of Ukraine subject to interim follow-up’ (page 5), adopted on 19 March 2015, published on 9 June 2015 <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Ukraine/UKR-IFU-IV-2015-025-ENG.pdf> Date accessed: 25 November 2016

¹⁶ United Nations. Committee on the Elimination of Racial Discrimination. ‘Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine’ (paragraphs 9 and 10), dated 4 October 2016. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhslSEby%2B2BygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXq97yPKm2dGTpg50zA8RtKL4K16mKkVvZvAA%3D%3D> Date accessed: 25 November 2016.

provision of information concerning the investigation of criminal offenses committed on the grounds of racial, ethnic or religious intolerance."

'According to this instruction, individual employees who supervise the investigation of these criminal cases were assigned to the investigation departments of the National Police at the regional level, and are also to inform the main investigation department of the results of their investigations.

'An employee of the main investigation department of the National Police was assigned to monitor the unified register of pre-trial investigations on the progress and results of investigations of criminal proceedings initiated on the basis of racial, ethnic or religious intolerance, as well as the analysis and verification of information on hate crimes which appear in mass media.

'Specialists from the main investigation department of the National Police, in co-operation with representatives from the Lviv State University of Internal Affairs, developed recommendations on the "peculiarities of investigating crimes committed by bias motive," aimed at improving the skills of investigative units addressing these crimes.'¹⁷

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5. Demography

5.1.1 The US Central Intelligence Agency's World Factbook noted that the population of Ukraine was estimated at 44,209,733 in July 2016 and provided the following population breakdown by ethnic group:

'Ukrainian 77.8%, Russian 17.3%, Belarusian 0.6%, Moldovan 0.5%, Crimean Tatar 0.5%, Bulgarian 0.4%, Hungarian 0.3%, Romanian 0.3%, Polish 0.3%, Jewish 0.2%, other 1.8% (2001 est.)'¹⁸

5.1.2 For further information about demography, see the country policy and information note on [Ukraine: background information, including actors of protection and internal relocation](#).

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6. Situation for minority groups

6.1.1 In August 2015, Equal Rights Trust noted, 'The situation of Ukraine's different minority ethnic groups varies significantly, ranging from those (such as the Crimean Tatars [in Crimea and the Donbas regions] and the Roma) who suffer significant discrimination and disadvantage to those (such as the Belarusians and Moldovans) who are essentially integrated within the population and reportedly suffer little, if any, discrimination or disadvantage.'¹⁹

¹⁷ Organisation for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE ODIHR). 'Hate Crime Reporting; Ukraine, 2015.' <http://hatecrime.osce.org/ukraine> Date accessed: 24 November 2016

¹⁸ US Central Intelligence Agency. 'The World Factbook;' Ukraine, last updated 11 July 2016. <https://www.cia.gov/library/publications/the-world-factbook/geos/up.html> Date accessed: 18 July 2016.

¹⁹ Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,'

6.1.2 The Organisation for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE ODIHR) provided the following hate crime statistics for 2015:

Hate crimes recorded by police: 157

Prosecuted: 79

Sentenced: 3.

The source further explained that 'reported figures include number of cases of violation of equality (art 161 of the criminal code), which may have included violence' and breaks down the figures by the following bias motivation: racism and xenophobia [31]; bias against Roma and Sinti [3]; anti-Semitism [18]; bias against Christians and members of other religions [94]; bias against LGBT people [9]; bias against people with disabilities and other groups [2].

In comparison civil society recorded 213 incidents; 115 violent attacks, 15 threats and 83 attacks against property, for the following bias motivations: racism and xenophobia [32]; bias against Roma and Sinti [4]; anti-Semitism [55]; bias against Muslims [3]; bias against Christians and members of other religions [55]; bias against LGBT people [64].²⁰

6.1.3 In a report which covered events of 2015 and was published in July 2016, Minority Rights Group International stated:

'In [regions other than the Donbas and Crimea] during the year there was little in the way of substantive change in relation to minority rights. State financing of media for traditional minorities in their own languages was in fact reduced during 2015, while a survey of the implementation of the Strategy of Defence and Integration for the Roma National Minority, adopted in 2013, suggested that there had so far been little in the way of concrete impact for the community.

'In these circumstances, the problems facing traditional minorities in frontier zones, such as Bulgarians, Gagauzes and Moldovans in Odessa, and Hungarians and Romanians in Transkarpatia, are ongoing. A positive step for minorities nevertheless took place in Transkarpatia, where the Ukrainian Party of Hungarians (UPH) participated successfully in local elections in October 2015. Though no special quota system was in place, UPH took eight seats (12.5 per cent of the total) on the regional council and secured a significant number of deputy places in the region.'²¹

published August 2015 (page 123). <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

²⁰ Organisation for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE ODIHR). 'Hate Crime Reporting; Ukraine, 2015.' <http://hatecrime.osce.org/ukraine> Date accessed: 22 December 2016

²¹ Minority Rights Group International. 'State of the World's Minorities and Indigenous Peoples 2016 (Events of 2015);' Ukraine, published 12 July 2016. <http://minorityrights.org/wp-content/uploads/2016/07/Europe.pdf> Date accessed: 18 July 2016.

- 6.1.4 In October 2016, the United Nations Committee on the Elimination of Racial Discrimination published a report which stated: ‘The Committee is concerned at reports of a rise in racist hate speech and discriminatory statements in the public discourse, including by public and political figures and in the media, in particular on the Internet and during rallies, directed mainly against minorities, such as Roma, asylum seekers and refugees, among others.’²²
- 6.1.5 The UN Committee further stated that it was ‘concerned at reports of racially motivated incidents and hate crimes, including physical attacks targeting individuals on the basis of their ethnic origin, such as Roma, Jews, Africans and other minorities, that have taken place in some localities of the territory of the State party. The Committee is also concerned at information on denial to African and Indians, on the basis of colour, of entrance to some public places in Uzhorod, such as the local water park.’²³
- 6.1.6 In the report ‘Freedom in the World 2016,’ published in March 2016, Freedom House noted: ‘Ethnic minorities are able to participate freely in political affairs in Ukraine. However, their voting and representation has been hindered by factors including the conflict in the Donbas, illiteracy and lack of identity documents for many Roma, and rules against running as an independent for many local, district, and regional offices.’²⁴
- 6.1.7 The website for the Diversity Initiative explained how it came to be set up and what its objectives are:

‘The Diversity Initiative (DIN) strives to uphold the human dignity and well-being of migrants, refugees and visible minorities in Ukraine. It currently includes over 40 organizations from the international, civil, corporate, and government sectors as well as diplomatic missions and interested individuals. Additional members continue to join on a monthly basis...

‘Responding to an increasing number of suspected racially motivated attacks in Ukraine beginning in December 2006, IOM, the United Nations High Commissioner for Refugees (UNHCR), Amnesty International and other civil society organizations formed the Diversity Initiative in April 2007 to address the issue in a coordinated way.

²² United Nations. Committee on the Elimination of Racial Discrimination. ‘Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine’ (paragraph 11), dated 4 October 2016.

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhSISEby%2BygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTpq50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

²³ United Nations. Committee on the Elimination of Racial Discrimination. ‘Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine’ (paragraph 13), dated 4 October 2016.

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhSISEby%2BygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTpq50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

²⁴ Freedom House. ‘Freedom in the World 2016;’ Ukraine, dated 7 March 2016.

<https://freedomhouse.org/report/freedom-world/2016/ukraine> Date accessed: 1 September 2016.

‘What is the Diversity Initiative?’

‘The DIN is a platform to facilitate information exchange and identify common issues. It also serves as a mechanism for coordination and advocacy. Overall it seeks to raise awareness and promote diversity among the general population, and specifically seeks to support the Ukrainian government and populations in need of assistance after suffering from hate crimes.

‘There are three main areas of action:

- ‘Government liaison, which seeks to support government activities that encourage intercultural dialogue;
- ‘Legal affairs, which analyzes existing legislation in the area of discrimination and bias motivated crimes, and researches good legal practices from other countries; and
- ‘Advocacy, which seeks to engage civil society and the broader population, activities include researches and surveys, round tables, cultural events, monthly bulletins, fliers and debates.

‘The DIN has also developed a standardized system for collecting reports of suspected racially motivated incidents. Future plans include the establishment of a multi-stakeholder education coalition which will develop a tailored curriculum promoting diversity for use in Ukrainian primary and secondary schools.’²⁵ Further information is available on the [website](#).

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7. Roma

7.1 Demography

7.1.1 The International Renaissance Foundation, an organisation which states that its mission is to ‘foster an open, participatory, pluralist society based on democratic values in Ukraine,’ noted the following in March 2014:

‘According to official statistics, there are 48,000 Roma living in Ukraine. For a country with a population of 46 million the number is not surprising. But one must take into consideration that the official data was gathered more than 10 years ago - in 2001. Meanwhile, the Council of Europe estimates the Roma population of Ukraine to be 260,000.’²⁶ The US Department of State’s Country Report for Human Rights Practices for 2015 stated that ‘Romani rights groups estimated the Romani population to be between 200,000 and 400,000. Official census data placed the number at 47,600. The discrepancy

²⁵ International Organisation for Migration. ‘The Diversity Initiative: Fostering Cultural Understanding and Cooperation in Ukraine,’ undated. <https://www.iom.int/diversity-initiative-fostering-cultural-understanding-and-cooperation-ukraine> Date accessed: 5 September 2016.

²⁶ International Renaissance Foundation. ‘Brief overview of the situation of Roma in Ukraine,’ dated 25 March 2014. http://www.irf.ua/en/about/news_eng_n/brief_overview_of_the_situation_with_roma_in_ukraine/ Date accessed: 24 November 2016.

in population estimates was due in part to a lack of legal documentation for many Roma.²⁷

- 7.1.2 In March 2014 the International Renaissance Foundation reported that ‘The biggest population of Roma is in the Transcarpathian (Western Ukraine), Odesa (Southern Ukraine), and Cherkasy (Central Ukraine) regions. They live in settlements (“tabory”) isolated in large part from other communities.’²⁸ The US Department of State’s Country Report for Human Rights Practices for 2015 stated that ‘Romani settlements were mainly located in Zakarpattya, Poltava, Cherkasy, Volyn, Dnipropetrovsk, and Odesa.’²⁹

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7.2 Current situation

- 7.2.1 Equal Rights Trust stated the following in a report published in August 2015:

‘...the Roma are rightly considered to be the most discriminated ethnic group in the country. They are at the receiving end of a number of discriminatory practices ranging from discrimination by state agents to high levels of unemployment, poverty and poor quality education and housing resulting from less favourable treatment. Roma are exposed to widespread social prejudice, with levels of intolerance higher towards them than towards any other ethnic group, and this corresponds to high levels of hate speech and hate crime. Prejudice also has an impact on interaction with state agents, and our research documented numerous cases of discrimination by law enforcement officials... The Roma also experience discrimination and inequality in education, employment and housing.’³⁰

- 7.2.2 The US Department of State’s Country Report on Human Rights Practices for 2015, published in April 2016, noted:

‘Roma continued to face governmental and societal discrimination, although authorities had become more responsive to Romani community concerns... Roma experienced significant barriers accessing education, health care, social services, and employment due in part to discriminatory attitudes against them...’

‘According to the Parliamentary Ombudsman for Human Rights, 24 percent of Roma have never had any schooling, and only 1 percent of the Romani population had a university degree. Approximately 31 percent of Romani

²⁷ US Department of State. ‘Country Reports on Human Rights Practices for 2015,’ published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

²⁸ International Renaissance Foundation. ‘Brief overview of the situation of Roma in Ukraine,’ dated 25 March 2014. http://www.irf.ua/en/about/news_eng_n/brief_overview_of_the_situation_with_roma_in_ukraine/ Date accessed: 24 November 2016.

²⁹ US Department of State. ‘Country Reports on Human Rights Practices for 2015,’ published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

³⁰ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

children did not attend school. According to the ERRC [European Roma Rights Centre], more than 60 percent of Roma were unemployed, creating a vicious cycle leading to social exclusion and marginalization. According to the ombudsman, securing employment was the main problem for the Romani minority. Approximately 49 percent of Roma named it as their most significant challenge.

'...Authorities hampered access to education not only by a lack of documents, but also due to segregation of Romani children into special schools or lesser-quality classrooms.'³¹

7.2.3 In February 2016, the Roma Women's Fund, Chiricli, stated:

'European Roma Rights Centre research shows most Roma children either graduate illiterate or leave school at an early stage (Romani Children 2008). Generally there is in Roma communities a low level of formal education (in particular among women), a high level of unemployment, deplorable living conditions and poor health status. The Roma girls' rate of school attendance is lower than average, and their dropout rate, significantly higher (Ukraine 2014: 20). In segregated schools with majority of Roma children the level of teaching is much lower. Another recent study by the European Roma Rights Centre in the Odessa region shows that after 5 or 6 years of education in such schools some children do not even learn the basics of literacy (how to write their names or learn to count).

'Also the discrimination against Roma by medical professionals affects the access of Roma women to adequate health care. A majority of Roma women interviewed for the Alternative CEDAW Report said they faced discrimination and degrading treatment by doctors and other hospital staff, and in some cases in the outright denial of health care treatment (Written comments 2010).'³²

7.2.4 The State report to the Committee on the Elimination of Discrimination against Women noted in October 2015 that:

'In course of several studies, it was revealed that the Roma ethnicity women in Ukraine are subject to multiple/cross discrimination on the grounds of gender and ethnic factor. They face discrimination, inhuman and humiliating treatment on the part of doctors and hospital personnel, sometimes they are refused in medical assistance. [...] The direct discrimination is often institutional, as it is caused by the different public institutions: health care, education, job market, law-enforcement agencies.'³³

³¹ US Department of State. 'Country Reports on Human Rights Practices for 2015,' published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

³² Roma Women Fund, Chiricli. 'Early marriage in Roma communities in Ukraine: cultural and socioeconomic factors,' dated 3 February 2016. <http://www.chirikli.com.ua/index.php/en/news/item/164-early-marriage-in-roma-communities-in-ukraine-cultural-and-socioeconomic-factors> Date accessed: 2 September 2016.

³³ Government of Ukraine. UN Committee on the Elimination of Discrimination Against Women. Consideration of reports submitted by States parties under article 18 of the Convention; Eighth periodic report of States parties due in 2014; Ukraine [6 August 2015] [CEDAW/C/UKR/8], dated 15

7.2.5 The Equal Rights Trust noted:

'In preparing this report, the authors reviewed a number of cases collected, and conclusions made, by Poltava Media Club, an NGO with long experience of working with the Roma community in the Poltava oblast, and on monitoring Roma rights in the region. Using a wide range of sources, the Poltava Media Club considers that neither the Ukrainian state nor the Ukrainian people acknowledge that the Roma as a group are in a disadvantaged position. Even the publication of information detailing violations of Roma rights meets with incomprehension and sometimes indignation by non-Roma. Stereotypes forming part of the phenomenon of anti-Gypsyism are firmly rooted within the Ukrainian culture and society. ...'³⁴

7.2.6 For information about assistance available for Roma, see [NGO assistance for Roma](#).

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7.3 Housing

7.3.1 The European Commission against Racism and Intolerance (ECRI) published a report in February 2012, which stated:

'In its third report [published in February 2008], ECRI recommended that the Ukrainian authorities take urgent measures to address the issues facing Roma in accessing adequate housing. ECRI notes with concern that while the living conditions of Roma may vary from region to region, they remain in many cases extremely bad. Roma settlements are often isolated and their infrastructure underdeveloped; many Roma homes do not have access to running water or electricity. They are often leaky and poorly insulated, exposing Roma to serious health problems. Moreover, many Roma do not possess the necessary registration documents for their homes, leaving them vulnerable to eviction and homelessness. Local authorities are frequently reported to be little disposed to assist in resolving these problems and it does not appear that any significant progress has been made in this field since ECRI's third report.

'ECRI reiterates its recommendation that the Ukrainian authorities address the issues facing Roma in accessing adequate housing as a matter of urgency. Measures are needed to facilitate the registering of Roma housing, to improve the infrastructure in and around Roma settlements and to assist in improving the quality of Roma housing.'³⁵

7.3.2 Equal Rights Trust stated the following in a report published in August 2015:

October 2015 (paragraphs 153-155).

http://www.ecoi.net/file_upload/1930_1463658203_n1529929.pdf Date accessed: 22 December 2016

³⁴ Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,' published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

³⁵ European Commission against Racism and Intolerance (ECRI). 'ECRI Report on Ukraine (fourth monitoring cycle), adopted 8 December 2011, published 21 February 2012' (paragraphs 152-153). <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Ukraine/UKR-CbC-IV-2012-006-ENG.pdf> Date accessed: 6 December 2016.

'The Constitution provides a right of everyone in Ukraine to housing (Article 47, paragraph 1) and a right to social housing for citizens who require social assistance. However, the Housing Code of Ukraine provides only that citizens of Ukraine have a right to obtain social housing, sets out the criteria for people to be recognised as needing improvement in their housing conditions, and outlines mechanisms and processes to obtain housing. These provisions mean that Roma without personal documentation are often unable to benefit and access housing.

'In addition, there is evidence that the aforementioned hostility towards the Roma in law enforcement and the provision of state services is shared by local government bodies with responsibility for housing. Research undertaken for this report indicates that these authorities can prevent Roma families from acquiring housing, and even encourage hostile attitudes towards the Roma amongst the local population, accusing them of settling on "their territory".

'Eviction and threats of eviction are commonplace, often because Roma lack the necessary documents relating to home ownership.

'Most Roma live in housing which is of a lower standard than that of the rest of the population. Roma settlements are often isolated and with underdeveloped infrastructure. In 2014, the CESCR expressed concerns that:

"[T]he majority of Roma continue to live in substandard housing conditions without safe drinking water or sanitation facilities, electricity, heating, sewage, waste disposal or legal security of tenure, which exposes them to the risk of eviction."³⁶

- 7.3.3 For information about assistance available for Roma with regard to housing, see [NGO assistance for Roma](#).

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7.4 Identification documents

- 7.4.1 The US Department of State's Country Report on Human Rights Practices for 2015 noted that, 'According to the Romani women's foundation Chiricli, local authorities erected a number of barriers to prevent issuing passports to Roma.'³⁷

- 7.4.2 In August 2015 Equal Rights Trust noted that 'For a range of historical and social reasons, many Roma lack identification documents, and many experience problems today in trying to secure such documents, as a result of

³⁶ Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,' published August 2015 (pages 140-142). <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

³⁷ US Department of State. 'Country Reports on Human Rights Practices for 2015,' published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

discrimination by the relevant authorities. Lack of identification documents results in turn in difficulties in accessing social services and healthcare.³⁸

7.4.3 112.International, a Ukrainian news website, reported in November 2015:

‘Romani people in Ukraine suffer from complicated procedures of obtaining identification documents, stated Serhiy Ponomariov, the head of the non-discrimination department of Parliamentary Secretariat on Human Rights.

“The Ombudsman has highlighted the problem of Romani-people rights as a priority in 2012. Since then, representatives of the Office together with representatives of civil society organizations has been carrying a systematic monitoring and visits to the Roma community. They analyze the legislation in order to determine what prevents Romani people from the access to obtaining documents. The conducted monitoring showed that the situation in different regions of Ukraine varies. Thus, the most difficult situation is in the Zakarpatia, Odesa and Cherkasy regions, in other regions, these problems also exist, but it is less sharps,” said Ponomariov.

‘According to him, the situation is complicated because the representatives of ethnic group do not trust the public authorities. At the same time public authorities have rather passive attitude to the problems of the Roma community.’³⁹

7.4.4 For information about assistance available for Roma with regard to securing identity documents, see [NGO assistance for Roma](#).

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7.5 Societal treatment of Roma

7.5.1 In February 2016, The Roma Women Fund, Chiricli, stated:

‘In the minds of most ordinary Ukrainian citizens there is a strong stereotype of the Roma as an asocial group. The Kiev International Institute of Sociology’s yearly monitoring of ethnic prejudices in the Ukrainian population since 1994 shows that the most negative attitudes in Ukrainian society are expressed towards Roma people: 71% of Ukrainians don’t want to consider Roma people as citizens of Ukraine (Level of extremist orientations 2010; Paniotto 2008).’⁴⁰

7.5.2 The Equal Rights Trust published the following in August 2015:

³⁸ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

³⁹ 112.International. ‘Romani people in Ukraine face complicated procedures for getting IDs,’ dated 19 November 2016. <http://112.international/society/romani-people-in-ukraine-face-complicated-procedures-for-getting-ids-1535.html> Date accessed: 24 November 2016

⁴⁰ Roma Women Fund, Chiricli. ‘Early marriage in Roma communities in Ukraine: cultural and socioeconomic factors,’ dated February 2016. <http://www.chirikli.com.ua/index.php/en/news/item/164-early-marriage-in-roma-communities-in-ukraine-cultural-and-socioeconomic-factors> Date accessed: 2 September 2016.

'The Roma, both as individuals and as a community, face violence and other ethnically motivated hate crimes. In 2013, the HRC [Human Rights Committee] expressed its concern at:

“[R]eports of hate speech, threats and violence against members of ethnic groups (...) and national minorities, in particular Roma (...) resulting in physical assaults, acts of vandalism and arson, most of which are committed by groups driven by extreme nationalist and racist ideology.”

'Examples are commonplace. In June 2013, a group of men attacked and set fire to a Roma camp in Kyiv, leaving 40 people homeless and their property, including personal documents, destroyed. In early 2014, in Slovyansk, Donetsk oblast, a group of over 20 men targeted seven Roma households, entering the houses and beating Roma families, including children, demanding money and stealing anything of value. In February 2014, a group of about 15 people attacked four Roma households in Korosten, Zhytomir oblast, and in April 2014, a Roma family's house in Cherkassy was set on fire.'⁴¹

- 7.5.3 For information about assistance available for Roma, see [NGO assistance for Roma](#).

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7.6 Treatment by the state

- 7.6.1 The United Nations Committee on the Elimination of Racial Discrimination produced a report in October 2016 in which it declared itself 'concerned at the persistence of discrimination, stereotypes and prejudices against Roma, including reports of physical attacks and killings, such as those which occurred in eastern Ukraine, in localities, such as Slovyansk and Shchotove village in Luhansk Oblast in 2014, under the control of either the non-governmental armed groups or the Government of the State party.'⁴²

- 7.6.2 The US Department of State's Country Report on Human Rights Practices, which covered the year 2015 and was published in April 2016, stated:

'In 2013 the government adopted a seven-year action plan to implement a strategy for protecting and integrating the Roma into society. While observers saw the plan as a positive step, the European Roma Rights Center (ERRC) reported it had not led to significant improvements for Roma.

⁴¹ Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,' published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

⁴² United Nations. Committee on the Elimination of Racial Discrimination. 'Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine' (paragraph 19), dated 4 October 2016. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhslSEby%2BygeUDwTlJrN%2BvxKXdrKjLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTpg50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

The ERRRC monitored the plan in collaboration with the International Renaissance Foundation.⁴³

- 7.6.3 The OHCHR reported that ‘On 5 October [2016], the Parliamentary Committee on Human Rights, National Minorities and Interethnic Relations, concluded that the Government has inadequately implemented the Strategy for the Protection and Integration of the Roma National Minority and its Action Plan, echoing the concluding observations of the Committee on the Elimination of Racial Discrimination (CERD) released on 26 August 2016. Roma community representatives and civil society provided examples to OHCHR of difficulties that they continue to face in accessing healthcare and other basic public services...

‘Ukraine still lacks a comprehensive policy regarding national minorities. The most recent case of Roma forced eviction from Loshchynivka village, Odesa region, was a stark reminder of the need for a human rights-based approach at all levels of government.’⁴⁴

- 7.6.4 In the report dated August 2015, Equal Rights Trust stated:

‘State officials have, on occasion, made comments about the Roma which amount to hate speech. In May 2013, for example, Sergei Ilash, the Secretary of Yalta City Council, stated that all Roma women who are fortune-tellers and do not have passports should be either detained or evicted from the city and “Believe me, we will not cry over them”, before calling Roma and homeless people “little beasts”.’⁴⁵

- 7.6.5 On 30 October 2015, International Renaissance Foundation, an organisation which states that its mission is to ‘foster an open, participatory, pluralist society based on democratic values in Ukraine,’ issued a statement which read:

‘On 29 October 2015 inhabitants of Roma compact settlement in Zolotonosha city had to face severe discrimination from law-enforcement bodies. Indeed, police officers invaded houses without any sanction, arrested people. Illegal arrests were often accompanied by beatings and humiliation. Volodymyr Bambula, head of Zolotonosha municipal public organization “Romani Rota”, informed that 20 Roma were arrested and detained in nearest police department. This “raid” from the police was ignited by a conflict between a police officer and a local Roma. People were freed

⁴³ US Department of State. ‘Country Reports on Human Rights Practices for 2015,’ published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

⁴⁴ UN Office of the High Commissioner for Human Rights. ‘Report on the human rights situation in Ukraine; 16 August to 15 November 2016,’ dated 8 December 2016 (paragraphs 153 and 214). http://www.ohchr.org/Documents/Countries/UA/UAReport16th_EN.pdf Date accessed: 22 December 2016

⁴⁵ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

and attacks stopped only thanks to the immediate reaction from the Ombudsman office of Ukraine and help from human rights defenders.⁴⁶

7.6.6 The US Department of State's Country Report covering 2015, commenting on the incident described above, stated: 'An OSCE ODIHR [Organisation for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights] mission visited the settlement in November [2015], and the case remained under investigation by authorities at the end of the year.'⁴⁷ At the time of publication, CPIT could not find further information about the outcome of this investigation.

7.6.7 Having noted the incident in Zolotonosha described above, International Renaissance Foundation stated that:

'It is the third case of abusive discrimination of Roma from law-enforcement bodies. The first two happened in Izmail (Odessa region) and Uzhgorod (Zakarpattya region).

'Monitoring report "Roma rights in law enforcement", conducted by Roma public organizations in 2012, showed that police officers adopt systematic biased attitude towards Roma: unsanctioned verifications of ID papers, illegal arrests and examinations, constant questioning. People are bothered and abused by the police only because of their Roma ethnicity.'⁴⁸

7.6.8 The OHCHR reported that:

'Incidents of discrimination against minority groups on the basis of ethnic or sexual identity over the reporting period [16 August to 15 November 2016] have highlighted the ongoing need for measures to reinforce and build confidence that minority rights are protected by law and in practice. An incident involving violent destruction of Roma houses and forced eviction of Roma families took place in Loshchynivka village, Odesa region after local police disclosed the name and ethnicity of a man suspected of killing and raping an eight-year-old local girl on 27 August 2016. On 29 August, the local council decided to evict 24 Roma (including 15 children) without providing them alternative accommodation or any other guarantees, including ensuring continued education of children. OHCHR observed negligence by police at the scene, a lack of accountability for those who attacked and destroyed Roma homes, and use of hate speech and false information in national and local media. OHCHR and human rights NGOs have facilitated a dialogue between the Roma community and local authorities and advocated against the eviction of people outside the protections of the law. A complaint regarding police misconduct during the

⁴⁶ International Renaissance Foundation. 'Statement by International Renaissance Foundation,' dated 30 October 2015. http://www.irf.ua/en/allevents/news/zayava_mizhnarodnogo_fondu_vidrozhennya/ Date accessed: 24 November 2016.

⁴⁷ US Department of State. 'Country Reports on Human Rights Practices for 2015,' published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

⁴⁸ International Renaissance Foundation. 'Statement by International Renaissance Foundation,' dated 30 October 2015. http://www.irf.ua/en/allevents/news/zayava_mizhnarodnogo_fondu_vidrozhennya/ Date accessed: 24 November 2016.

incident was submitted to the Odesa regional prosecution office, and a criminal investigation was initiated on 22 September [2016]. OHCHR is concerned that the tacit consent of the forced eviction and absence of measures taken by police or local authorities to protect Roma in Loshchynivka village may amount to collective punishment.

'OHCHR also noted a rise in hate speech on social networks and incitement to violence against Roma after the incident in Loshchynivka. [...] OHCHR identified more than 40 reports in regional and national media outlets containing hate speech and inflammatory language, using offensive and stereotypical terms as "gypsies". Many reports referred to Roma as "murderers" and "criminals", contributing to further escalation of tensions and discriminatory attitude towards them. One Roma family that was forced to leave Loshchynivka has been treated as criminals and denied residence in other villages, impacting children and their access to education, and the rights of the family to adequate housing and secure tenure.'⁴⁹

7.6.9 In their report of August 2015, Equal Rights Trust stated:

'The police consider the Roma to be potential criminals and therefore encourage the spread of stereotypes among the population. Since the 1990s, there have been hundreds of documented cases of police brutality against Roma and taking unlawful action against them. Law enforcement agencies and officials from state and local authorities exploit the vulnerability of the Roma to extort money from them, as well as ignore complaints made by them...

'Research has found that the majority of the police consider Roma to be one of the population groups which is most inclined to commit crime. Roma have reported that the police (primarily investigators and district inspectors) often use offensive language towards them as a group and as individuals. As documented by international organisations, law enforcement officials regularly target the Roma community, in some instances requiring only identity checks, fingerprinting and verification of documents, but in others using unlawful violence, extorting bribes, unlawfully detaining people without a court order, or beating confessions out of people. However, unlawful acts by the police enjoy impunity: they are rarely punished by disciplinary action or prosecution.

'A series of police raids in Lviv in September and October 2011, for example, resulted in Roma individuals being taken to police stations, where they were fingerprinted, photographed and in some cases beaten up. In Uzhhorod, in January 2012, a Roma settlement was subjected to a violent police raid in which police used tear gas and rubber batons against local residents, including children, older people, and persons with disabilities.

⁴⁹ UN Office of the High Commissioner for Human Rights. 'Report on the human rights situation in Ukraine; 16 August to 15 November 2016,' dated 8 December 2016 (paragraphs 152 and 104). http://www.ecoi.net/file_upload/1226_1481709471_uareport16th-en.pdf Date accessed: 22 December 2016

'As noted by the European Commission against Racism and Intolerance (ECRI):

“Some sources suggest that police corruption and serious abuses are not only directed at Roma but also affect the broader population; however, most are clear that Roma are the main victims of such misconduct as they are perceived by the police as having little education or knowledge of their rights and, therefore, as easy targets. Representatives of civil society who attempt to report allegations of police misconduct often face reluctance to investigate or denial of the reported events by officials.”⁵⁰

7.6.10 The Equal Rights Trust report continued:

'A number of cases documented in research for this report show the high levels of harassment faced by the Roma. For example, Volodymyr Nikolaenko told the Trust's researchers that in July 2012, several officers from the Chutiv district police department in Poltava oblast came to his home and told him that "an order had come from Kyiv to register all the Roma" as there had been an increase in theft and robbery by Roma persons. As such, they were required to take his fingerprints and secure a commitment from him not to leave the district. Initially, Volodymyr refused, but the police told him that if he did not submit, he would be summoned to the police department where the talk would be "rather different". Under this pressure, he gave his fingerprints, provided personal information (his place of birth, details of his employment, his income, etc.) and signed a document confirming that he would not leave the district. Mr Nikolaenko stated that many other Roma in the Chutiv district have been treated the same way.

'In early 2010, police from the Novi Sanzhary district police department, also in Poltava oblast, used threats to force Hanna Boldyzhara to provide fingerprints and be photographed. The police told her that they were required to fingerprint "all people of Gypsy nationality" and to provide the information on them to the oblast department of the Ministry of Internal Affairs, due to the high number of crimes committed by "persons of Gypsy nationality".

'Olena Petrenko, a Romani woman, told Equal Rights Trust researchers about a case of racial abuse by police in Myrhorod, Poltava oblast. On the evening of 6 December 2010, Ms Petrenko and three of her relatives arrived at the railway station in Myrhorod in order to return home from a funeral that they had attended. Before their train departed, officers from the Myrhorod municipal police took the four Roma women to the police department, preventing them from boarding the train. At the municipal police department, the officers took their passports and money without officially registering the confiscation. The police verbally abused the women, calling them thieves, took their fingerprints and photographs, and forced them to confess to crimes they had not committed. One of the police sprayed one of the women's heads with deodorant before setting it alight with a cigarette lighter.

⁵⁰ Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,' published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

At around 1 am the next morning, they were released and told to return later that morning to collect their belongings. When they did so, only Olena Petrenko was given her money back; the others women's money was kept. The women complained about their treatment, but the acting chief of the municipal police department told them that he considered their detention to be lawful, that his officers had not exceeded their powers and that they would receive no apology. He told them that they were slandering his officers and that none of the police would corroborate their story.

'Another case documented for this report concerned Rayisa Markivska and seven of her relatives. In 2010, Ms Markivska and her relatives travelled to the Cherkasy oblast for a wedding. In Chyhyryn, Cherkasy oblast, their cars were stopped by the police and they were taken to the district police department. There they were detained for two hours in order to "check them through the database". Their fingerprints were taken, they were photographed, and then ordered to cover the expenses for the fuel that the police used to take them to the department to be checked. They were forced to pay 200 hryvnia (approximately 8 euro) in total to be released.'⁵¹

7.6.11 Equal Rights Trust also reported on a failure to investigate crimes committed against the Roma:

'On occasions, the police themselves commit crimes against the Roma which is followed by a failure properly to investigate. In 2012, the European Court of Human Rights issued its judgment in Fedorchenko and Lozenko v Ukraine, a case involving an arson attack against three Roma households committed by a police officer in retaliation for certain members of the households' failure to pay him a monthly bribe – whom he alleged to be drug traffickers – and in which a number of members of the household died. The Court held that there had been a failure properly to investigate the attack by the police and that:

“[G]iven the widespread discrimination and violence against Roma in Ukraine (...) it cannot be excluded that the decision to burn the houses of the alleged drug traffickers had been additionally nourished by ethnic hatred and thus it necessitated verification.”

'On this basis, the Court held that there had been a violation of Articles 14 of the ECHR taken in combination with Article 2.'⁵²

7.6.12 Equal Rights Trust further reported on a lack of trust in public authorities by the Roma:

'As a result of discrimination at the hands of state agents, there is a high degree of mistrust of public authorities among the Roma. The most strongly

⁵¹ Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,' published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

⁵² Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,' published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

negative attitudes the Roma have towards the police, hospitals and the departments for labour and social protection, that is, the state institutions tasked with ensuring Roma exercise on an equal basis with others their rights to security and safety of the person, access to justice, health, employment and social assistance. 74% of Roma do not trust public authorities entirely or in part. Maria Kolokolova of the Kharkiv Institute for Social Researches has summarised the position:

“An analysis of the public comments on the responses shows that this mistrust is primarily caused by the fact that the Roma encounter these state institutions most frequently, but the results of this interaction are mainly negative.”

‘As a consequence, the Roma in Ukraine struggle to use the law as a means of protection. They live largely segregated from the rest of society, instead utilising their own traditional forms of dispute resolution and community leaders to settle disputes. In particular, in Transcarpatia, where the highest numbers of Roma reside, the Roma tend not to go to lawyers or state authorities when faced with legal problems, but to members of their own community...’⁵³

- 7.6.13 For information about assistance available for Roma, see [NGO assistance for Roma](#).
- 7.6.14 See country policy and information note on [Ukraine: Background including actors of protection and internal relocation](#) for further information about the protection available in Ukraine.

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7.7 Roma as IDPs

- 7.7.1 In October 2016, the United Nations Committee on the Elimination of Racial Discrimination stated that it was ‘concerned at reports that some Roma are unable to flee the conflict zones [in Crimea and the Donbas region] owing to a lack of identity documents and that some Roma who fled those zones face xenophobia and are denied assistance.’⁵⁴
- 7.7.2 The US Department’s Country Report on Human Rights Practices for 2015 stated:

⁵³ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

⁵⁴ United Nations. Committee on the Elimination of Racial Discrimination. ‘Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine’ (paragraph 19), dated 4 October 2016. <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPrICAqhKb7yhslSEby%2BygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTpg50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

'During the year many Roma fled settlements in areas controlled by separatists and moved elsewhere in the country. According to Chiricli approximately 10,000 Roma fled separatist-controlled territory and were among the most vulnerable members of the country's IDP community. Because many Roma lacked documents, obtaining IDP assistance, medical care, and education was especially difficult.'⁵⁵

- 7.7.3 In August 2015, Equal Rights Trust stated that 'In a recent development, we discovered that Roma IDPs are treated less favourably than other IDPs from the Donbas area.' They further noted:

'The conflict in Donbas has had a significant impact upon the local Roma population. As of September 2014, Roma non-governmental organisations in Ukraine estimated that there were around 9,000 internally displaced Roma, largely women and children, from Eastern Ukraine. Anti-Roma prejudice has resulted in many of these internally displaced persons (IDPs) being treated with suspicion when they arrive in other parts of the country. There are reports of new Roma settlements being monitored by local authorities and the police, and even reports of Roma IDPs being told to leave.

'As many Roma IDPs lack identification documents, they have been unable to register as IDPs with the authorities. Yet more fear that registration might lead to detention or mistreatment. A monitoring visit by the NGO Chiricli to Kharkiv, where 3,000 Roma IDPs had settled, indicated that only 36% of 125 displaced Roma were registered as IDPs with the local authorities. In a series of monitoring visits Chiricli conducted in 2014, 82.8% of Roma IDPs interviewed spoke of a lack of concern from the local authorities which translated into lack of access to basic amenities such as accommodation and food: of 411 Roma IDPs interviewed, less than 30% had been provided with accommodation by the local authorities; as such, many resorted to living in train stations or parks. Instead of local authorities, civil society organisations and churches had provided the bulk of assistance in the form of accommodation and food. Even with this assistance, conditions were extremely difficult for many: Chiricli estimates that 85% of Roma IDPs did not have enough money even to provide for themselves and their families.'⁵⁶

- 7.7.4 For more detailed information on the situation of IDPs in the so called Donetsk People's Republic and Luhansk People's Republic, see:

Anti-Discrimination Centre 'Memorial,' Kharkiv Human Rights Protection Group, Alternative report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination by Ukraine; Prepared by Anti-Discrimination Centre 'Memorial' and Kharkiv Human Rights Protection Group for the 90th session of the UN CERD, 2016, available [here](#).

⁵⁵ US Department of State. 'Country Reports on Human Rights Practices for 2015,' published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

⁵⁶ Equal Rights Trust. 'In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,' published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

7.7.5 For information about assistance available for Roma, see [NGO assistance for Roma](#).

7.7.6 See the country policy and information note on [Ukraine: Crimea, Donetsk and Luhansk](#) for further information about these regions.

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8. Jews

8.1 Jewish community in Ukraine

8.1.1 In August 2015, Equal Rights Trust stated:

‘Ukrainian Jews have historically been subjected to severe repression, but are today relatively well-integrated into society... Jewish community leaders consider Ukrainian Jews to be sufficiently integrated so that most consider themselves Ukrainian citizens first and foremost. Nevertheless, interviewees did identify anti-Semitic incidents, which are a cause for concern, irrespective of the efforts of some Jewish leaders to downplay such racist acts.’⁵⁷

8.1.2 The US Department of State’s Country Report on Human Rights Practices for 2015, published in April 2016, stated:

‘According to census data and international Jewish groups, an estimated 103,600 Jews lived in the country, constituting approximately 0.2 percent of the population. According to the Association of Jewish Organizations and Communities (VAAD), there were approximately 300,000 persons of Jewish ancestry in the country, although the number may be higher. Before Russian aggression in eastern Ukraine and the attempted annexation of Crimea by Russia, approximately 30,000 Jewish persons lived in the Donbas and 10,000 lived in Crimea, according to VAAD.

‘Jewish community leaders reported that societal anti-Semitism was low, and authorities took steps to address problems of anti-Semitism when they arose. Institutional anti-Semitism was rare, and VAAD stated that attacks were isolated and individuals were responsible rather than organized groups. VAAD claimed that negative attitudes towards Jews and Judaism continued to be low, although some individuals continued to espouse anti-Semitic beliefs. VAAD believed that some attacks were provocations meant to discredit the government. In September the Jewish pilgrimage to the Uman burial site of Rabbi Nachman took place without significant incidents.’⁵⁸

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⁵⁷ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

⁵⁸ US Department of State. ‘Country Reports on Human Rights Practices for 2015,’ published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

8.2 Societal treatment of Jews

8.2.1 Interfax Ukraine, a Ukrainian news agency, reported the following in November 2015:

'The levels of the expression of anti-Semitism are relatively stable in the country, the Co-Coordinator of the Group for the Monitoring of Ethnic Minorities' Rights in Ukraine Tetiana Bezruk said. "According to preliminary estimates by the National Minority Rights Monitoring Group in Ukraine, only one case of physical violence based on hatred, in which some anti-Semitic rhetoric was used, took place in 2015," she said.'⁵⁹

8.2.2 The US Department of State's report covering the year 2015 further stated:

'On March 27 [2015], attackers severely beat a Jewish physician in Kharkiv in what he said was an assault with anti-Semitic overtones. Oleksandr Dukhovskoi, a pediatric neurosurgeon, told the media that he believed competitors ordered the assault, but that the attack was anti-Semitic in nature, as the assailants shouted, "Jew face, get out of town and out of the country." The incident remained under investigation at the end of the year.

'According to VAAD there were 16 incidents of anti-Semitic vandalism in the first nine months of the year, slightly more than at the same time in 2014. Graffiti swastikas continued to appear in Kyiv and other cities. For example, in February vandals in Kremenchuk spray-painted swastikas on the grave of Sarah, the daughter of Rabbi Nakhman of Breslov, and attempted to set it on fire. According to police between July 28 and August 1, vandals smashed 19 headstones at a Jewish cemetery in Uzhhorod. On August 28, vandals set fire to tires at a Holocaust memorial in Melitopol. Other Holocaust memorials, monuments, and museums desecrated included ones in Odesa, Nikopol, and Novomoskovsk.

'During the year attackers vandalized the Babyn Yar monument in Kyiv six times, a substantial increase over 2014. On four occasions vandals spray-painted swastikas on the monument and on one occasion in August doused it with a foul-smelling liquid. On September 13, vandals set fire to tires at the monument. The government responded by increasing security and posting guards at the site.'⁶⁰

8.2.3 The OHCHR report of the human rights situation in Ukraine from 16 August to 15 November 2015 noted that:

'HRMMU [United Nations Human Rights Monitoring Mission in Ukraine] is concerned about the incidents across Ukraine which targeted the Jewish community. On 5 September [2015], approximately 30 men attacked a camp of Hassidic Jews in Uman (Cherkasy region), a few days before the

⁵⁹ Interfax Ukraine. Ukraine news agency. 'Thirteen foreigners have become victims of racism in Ukraine so far this year – expert,' dated 10 November 2015. <http://en.interfax.com.ua/news/press-conference/302860.html> Date accessed: 5 September 2016.

⁶⁰ US Department of State. 'Country Reports on Human Rights Practices for 2015,' published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

beginning of the Rosh Hashannah pilgrimage. The attack took place on Shabbat, when the Jewish community could not defend themselves. The police reportedly observed the attackers dismantling the fence around the camp but did not intervene. On 6 September [2015], investigation into the incident was initiated under article 356 (unauthorized action) of the Criminal Code with no progress achieved as of 15 November 2015.⁶¹

8.2.4 The OHCHR report of the human rights situation in Ukraine; 16 February to 15 May 2016 noted that:

‘On 24 March 2016, in Cherkasy city, at the beginning of the Jewish holiday of Purim, graffiti were found on a building in the city centre (calling for “Death to the Jews” and alleging that “the Jews have occupied Ukraine”). The same night, a wreath that had been laid by the Israeli Minister of Justice at the Holocaust memorial in Kyiv was burnt down. A representative of the Jewish community also reported that in Kyiv, graffiti of swastikas were often painted on Jewish kindergartens and schools. The community is not aware of investigations into these incidents, despite security camera footage of the incidents being available’.⁶²

8.2.5 A 2016 Anti-Discrimination Centre ‘Memorial’; Kharkiv Human Rights Protection Group submission to the UN Committee on the Elimination of Racial Discrimination noted that ‘Most of cases of vandalism and hate-speech remind un-punished, the hate-crimes are mostly regarded to be “hooligan action”’.⁶³

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8.3 State treatment of Jews

8.3.1 The US Department of State’s Country Report for 2015 stated:

‘Senior government officials and politicians from various political parties continued efforts to combat anti-Semitism by speaking out against extremism and social intolerance and criticizing anti-Semitic acts.

‘In eastern Ukraine pro-Russian separatist leaders made anti-Semitic remarks throughout the year. On February 2, the so-called leader of separatists in Donetsk Oblast, Oleksandr Zakharchenko, stated that “miserable Jews” ran the Ukrainian government. On June 22, Igor Plotnitsky,

⁶¹ UN Office of the High Commissioner for Human Rights. ‘Report of the human rights situation in Ukraine; 16 August to 15 November 2015,’ dated 9 December 2015 (paragraphs 72-73) http://www.ecoi.net/file_upload/1930_1470297285_12th-ohchr-report-on-ukraine-en.pdf Date accessed: 22 December 2016

⁶² UN Office of the High Commissioner for Human Rights. ‘Report on the human rights situation in Ukraine, 16 February to 15 May 2016,’ dated 3 June 2016 (paragraph 92) http://www.ecoi.net/file_upload/1930_1470296708_ukraine-14th-hrmmu-report.pdf Date accessed: 22 December 2016

⁶³ Anti-Discrimination Centre ‘Memorial’; Kharkiv Human Rights Protection Group, Alternative report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination by Ukraine; Prepared by Anti-Discrimination Centre ‘Memorial’ and Kharkiv Human Rights Protection Group for the 90th session of the UN CERD, 2016 (pages 3-4) http://www.ecoi.net/file_upload/1930_1481111109_int-cerd-ngo-ukr-24614-e.doc Date accessed: 22 December 2016

the so-called leader of separatists in Luhansk Oblast stated that Jews were responsible for the Euromaidan movement and running the Ukrainian government. Separatists also seized a Jewish school in Luhansk.⁶⁴

- 8.3.2 The US Department of State's 2015 Report on International Religious Freedom for Ukraine, published on 10 August 2016 reported that:

'The Jewish community expressed concern with the failure of local government authorities to protect historical religious properties. The Ministry of Foreign Affairs (MFA) has not appointed anyone to the office of the Special Representative for Prevention and Combatting Anti-Semitism and Xenophobia.'⁶⁵

- 8.3.3 See Country Policy and Information Note on [Crimea, Donetsk and Luhansk](#) for further information about the situation in these areas.

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9. Ethnic Russians

9.1 Russian community in Ukraine

- 9.1.1 The report by Equal Rights Trust of August 2015 stated:

'Ethnic Russians are by far the largest ethnic minority in Ukraine, constituting almost one fifth of the population. In light of the conflict between pro-Russian separatists and the Ukrainian state in the Donbass region of eastern Ukraine, the Equal Rights Trust sought evidence of discrimination against this group, in order to establish whether discrimination was a factor in creating or perpetuating the conflict. Interviews conducted for the report, together with research undertaken by other independent actors, found that relations between ethnic Russians and the majority were historically good, and remained good at the personal level even as the war raged in the east. While there were grievances among ethnic Russians in the east and south prior to the conflict of 2013–2014, these did not appear to have been based on ethnicity per se. Rather than ethnicity, the dividing factor seems to have been political opinion: divergent geopolitical orientations to Russia and to the West and the related language preference among otherwise bilingual populations have been both the cause and the consequence of the armed conflict.

'Unsurprisingly, our research revealed that the conflict had antagonised ethnic Russians to a certain degree, even though political choice, experienced as a choice between two rather different civilisations, remained the much stronger marker of identity as late as April 2015. Some ethnic Russian respondents talked about an "identity crisis" for ethnic Russian Ukrainians, as aspects of identity which were historically compatible with

⁶⁴ US Department of State. 'Country Reports on Human Rights Practices for 2015,' published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

⁶⁵ US Department of State. '2015 Report on International Religious Freedom; Ukraine,' dated 10 August 2016 <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256253> Date accessed: 28 November 2016.

membership of a multi-ethnic Ukrainian state have begun to become associated with political preference for the present-day Russian state.⁶⁶

9.1.2 In May 2016, Kiev International Institute of Sociology (KIIS) carried out a study of the attitude of Ukrainians towards Russians:

‘According to the latest KIIS study, attitudes of the Ukrainians toward Russia split almost equally: share of those who are positively minded to Russia (42%) and share of those who feel bad about it (43%) are the same, the difference is not statistically significant. Also 67% of the Ukrainians hold a positive attitude toward residents of Russia, and 8% - toward the leadership of Russia...

- ‘Amount of negatively minded toward Russia in Ukraine decreased by 4 percentage points comparing to February of 2016 (from **47%** in February, 2016 to **43%** in May, 2016)...
- ‘As to distribution by regions, the share of positively minded Ukrainians has grown in Western (from **21%** to **28%**), Central (from **29%** to **39%**) and South (from **44%** to **54%**) regions. The reverse situation is observed in Eastern region: the share of positively minded Ukrainians decreased by 4 percentage points (from 55% to 51%) what is related to the fact that we could not poll the residents of uncontrolled part of Donbas (as we did in February) where people feel the most positive about Russia.
- ‘Similar changes by regions occurred with the negative attitude toward Russia. In Western region it decreased by 4 percentage points (from **65%** to **61%**), in Central region it decreased by 8 percentage points (from **55%** to **47%**), in South region the share of negatively minded toward Russia decreased by 10 percentage points (from **42%** to **32%**). The only region where it increased was the Eastern one (from **22%** to **28%**), it also happened due to the lack of uncontrolled Donbas territories in the sample.
- ‘Positive attitude of Ukrainians toward Russia is linked mostly to the positive attitude toward the Russians: while **42%** of the Ukrainians are positively minded toward Russia, **67%** of them have positive attitude toward the Russians, and **8%** - toward the leadership of Russia (see Table 5 and Table 6 in Addition). Attitude toward the latter is distributed by regions: less than 2% of respondents in Western region are positively minded toward the leadership of Russia, 6% - in Central region, 16% - in South region, 11% - in Eastern region (without Donbas), 23% - in the controlled territories of Donbas.⁶⁷

⁶⁶ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015. <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

⁶⁷ Kiev International Institute of Sociology. Press releases and reports. ‘Dynamics of changes in the attitude of the population of Ukraine toward Russia, and in the attitude of the population of Russia toward Ukraine: April, 2008 – May, 2016;’ Press release by Vladimir Paniotto, dated 22 June 2016. <http://www.kiis.com.ua/?lang=eng&cat=reports&id=632&page=2> Date accessed: 5 September 2016.

- 9.1.3 Volodymyr Paniotto, CEO of KIIS, noted, 'It might be that we also are getting used to the conflict, and the attitude toward Russia returns to being traditionally positive.'⁶⁸

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9.2 Crimeans with or without Russian passports

- 9.2.1 For full information about Crimea and its ethnic groups, including ethnic Russians, and Crimeans with or without Russian passports, see the country policy and information note on [Ukraine: Crimea, Donetsk and Luhansk](#).

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10. Muslims and Crimean Tatars

- 10.1.1 The US Department of State's 2015 Report on International Religious Freedom for Ukraine, dated 10 August 2016, stated that 'Government agencies and independent think tanks estimate the Muslim population at 500,000. According to government figures, the majority are Crimean Tatars numbering an estimated 300,000. Some Muslim leaders put the number at two million.'⁶⁹

- 10.1.2 In September 2016, Huffington Post reported:

'Ukraine's Muslim population is small, estimated at roughly 1 percent of the overall population. Crimean Tatars make up the majority of the Muslim community and the overwhelming majority of Crimean Tatars live in Crimea where they made up some 12 percent of the population, according to the last census, conducted in 2001. That concentration has previously made Crimea the core of Islam in Ukraine, with many Crimean Tatars living in tightly knit communities set up after they occupied land after returning from Central Asia.'⁷⁰

- 10.1.3 On 10 November 2016, Eurasia Review stated:

'Sheikh Said Ismagilov, the mufti of the Kyiv-based Muslim Spiritual Directorate (MSD) of Ukraine, told the QHA news agency that "100,000 Muslims from Crimea and the Donbass have moved to the territory under the control of the Ukrainian authorities."⁷¹ The same article noted that this move

⁶⁸ Kiev International Institute of Sociology. Press releases and reports. 'Dynamics of changes in the attitude of the population of Ukraine toward Russia, and in the attitude of the population of Russia toward Ukraine: April, 2008 – May, 2016;' Press release by Vladimir Paniotto, dated 22 June 2016. <http://www.kiis.com.ua/?lang=eng&cat=reports&id=632&page=2> Date accessed: 5 September 2016.

⁶⁹ US Department of State. '2015 Report on International Religious Freedom; Ukraine,' dated 10 August 2016 <http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm?year=2015&dliid=256253> Date accessed: 28 November 2016.

⁷⁰ Huffington Post. 'As Islamophobia rises in many countries, Muslims find unlikely sanctuary in Western Ukraine,' dated 13 September 2016. http://www.huffingtonpost.com/entry/muslim-sanctuary-ukraine_us_57d1d915e4b00642712ca9f0 Date accessed: 23 November 2016.

⁷¹ Eurasia Review. '100,000 Muslims have fled Russian-occupied regions of Ukraine,' dated 10 November 2016. <http://www.eurasiareview.com/10112016-100000-muslims-have-fled-russian-occupied-regions-of-ukraine-oped/> Date accessed: 23 November 2016.

was 'dramatically increasing the size of that community in areas with little experience with Islam.'⁷²

10.1.4 On 13 September 2016, Huffington Post reported on the situation of Muslims in mainland Ukraine:

'Lviv [western Ukraine] has a bloody history of ethnic cleansing of Jews and Poles in the 20th century, but in the 21st century it and the surrounding region have become an unlikely refuge for thousands of Muslim Crimean Tatars...

'...at a time when migration in much of Europe has become a hot-button issue, across Ukraine, Crimean Tatars have been welcomed with open arms. The Maidan revolution that ousted former Ukrainian President Viktor Yanukovich focused Ukrainian values on human rights and the freedom to assemble, expanding acceptance to groups historically discriminated against but seen to share those values. Crimean Tatars stood up for their right to assemble and be heard by protesting the Russian seizure of Crimea and became seen by many as the truest of Ukrainian patriots.

'For Crimean Tatars, it has been a massive change in image within Ukraine ...talk about the brotherhood between Crimean Tatars and Ukrainians is a central part of official speeches at rallies...

'Nayyem [Mustafa Nayyem, a journalist widely credited as an instigator of the Maidan protests] sees Maidan as having made Ukraine a more tolerant place, making Ukrainians for the first time actively question what their values are and placing freedom and tolerance at the center of a new values structure despite economic collapse and war...

'Shortly after Russia forcefully took control of the peninsula in 2014, Lviv Mayor Andriy Sadovyi said the city would take in people from Crimea forced to leave their homes, calling on people to "banish hatred and support unity." Those words were followed by actions when the city provided apartments, created a new Muslim section of the municipal cemetery and allowed the opening of a new Muslim cultural center that includes a mosque. Opening new mosques is usually a near impossibility even in major post-Soviet cities like Moscow where city officials regularly block the building of mosques on new plots...

'...In Ukraine, I have witnessed right-wing groups rally behind Crimean Tatars as fellow Ukrainian citizens, patriots and allies in the struggle with Russia...

'Since the conflict with Russia began, more Crimean Tatars have started living in other parts of Ukraine, forcing Crimean Tatar communities to adapt again, but also giving them a higher profile in Ukrainian society.'⁷³

⁷² Eurasia Review. '100,000 Muslims have fled Russian-occupied regions of Ukraine,' dated 10 November 2016. <http://www.eurasiareview.com/10112016-100000-muslims-have-fled-russian-occupied-regions-of-ukraine-oped/> Date accessed: 23 November 2016.

⁷³ Huffington Post. 'As Islamophobia rises in many countries, Muslims find unlikely sanctuary in Western Ukraine,' dated 13 September 2016. <http://www.huffingtonpost.com/entry/muslim-sanctuary->

10.1.5 An article published on 13 January 2016 by KHPG, the Kharkiv Human Rights Protection Group, provided the following information, but stated that this did not apply to Crimea or the Donbas:

‘Ukraine is unique, according to Said Ismagilov, Mufti of the Spiritual Directorate of Muslims of Ukraine, in that Muslims have been integrated into Ukrainian society for over a thousand years. Unlike in western countries where most Muslims are migrants who have come over the past 50-70 years and “have not yet adapted to a new mentality, new conditions and culture, Ukrainian Muslims from generation to generation, living here for over a thousand years, have fully adapted...”

‘Ukraine, a country with a large percentage of believers, is fortunate in having representatives of all faiths who are deeply committed to inter-faith dialogue and to Ukraine. This has been especially pronounced since Russia’s aggression first in Crimea, then in Donbas.’⁷⁴

10.1.6 The KHPG article further stated that in Ukraine, ‘Ukrainian Christians and Muslims, including internally displaced people (IDP) and immigrants demonstrate willingness for dialogue and lack of conflict. They note, however, that the credit for this lies in believers themselves and religious experts, with the government as yet not having formulated its religious policy...

‘Frustration was expressed by Mykhailo Yakubovych, a translator of the Koran into Ukrainian, that even the loss of Crimea and parts of Donbas where a lot of Muslims live (or lived) has not prompted the government to formulate its position with respect to Islam. Others also noted that the main role in building inter-faith harmony is played by religious experts and members of religious communities.

‘Said Ismagilov agrees, noting that in this respect Ukraine falls behind other European countries. There Muslims’ needs with respect to places of worship are not ignored, whereas in Ukraine it’s “virtually a feat” to build a mosque.

‘On the other hand, he believes that despite its officialdom’s failings, Ukraine is ahead of Europe in its building of inter-faith harmony. He says that there is no Islamophobia in Ukraine or enmity towards Muslims, including those who have come to the country as immigrants. “It’s very easy in Ukraine to hold dialogue. We don’t have any ghettos and there are no acts of terrorism”.’⁷⁵

10.1.7 Equal Rights Trust stated the following in a report published in August 2015:

‘Crimean Tatars are a Turkic ethnic group which was forcibly deported from Crimea in the early 1940s and returned there in the 1980s and 1990s. They

ukraine.us_57d1d915e4b00642712ca9f0 Date accessed: 23 November 2016.

⁷⁴ Kharkiv Human Rights Protections Group (KHPG). ‘Ukraine is ahead of the EU in terms of religious tolerance, Ukraine’s Mufti says,’ dated 13 January 2016. <http://khp.org/en/index.php?id=1449438021> Date accessed: 24 November 2016.

⁷⁵ Kharkiv Human Rights Protection Group (KHPG). ‘Ukraine is ahead of the EU in terms of religious tolerance, Ukraine’s Mufti says,’ dated 13 January 2016. <http://khp.org/en/index.php?id=1449438021> Date accessed: 24 November 2016.

face numerous, interwoven challenges: lack of access to land as a result of the seizure and redistribution of land during the period of their forced absence, high levels of hate speech and prejudice, including from the authorities, difficulties securing employment, barriers in using their language in education and lack of political representation...

‘Crimean Tatars face violence and hate crimes, and their property, including mosques and graveyards, is often attacked by extremists.’⁷⁶

10.1.8 The OHCHR report of the human rights situation in Ukraine; 16 February to 15 May 2016 noted that:

‘According to a Muslim religious leader, on 5 February 2016, in Vinnytsia city, worshippers leaving the Islamic cultural centre (which also serves as a mosque) following Friday prayers, were confronted by 10 officials from SBU and the Migration and State Border Services. They were requested to present their identification documents and allowed to leave but the officials then inspected the premises of the centre without providing grounds for such action. The Muslim community has been uniquely targeted for such ID-checks and inspections of places of worship.’⁷⁷

10.1.9 In a report dated October 2016, the United Nations Committee on the Elimination of Racial Discrimination stated:

‘While noting measures taken by the State party to protect Crimean Tatars, in particular those who fled Crimea after 2014, the Committee is concerned at reports that Crimean Tatars who went to regions under the authority of the State party face difficulties with regard to access to employment, social services and education and lack support. The Committee is also concerned that Crimean Tatars who returned may face difficulties in preserving their language, culture and identity (arts. 2 and 5).

‘The Committee recommends that the State party increase its efforts, in consultation with the Crimean Tatar community, to find durable solutions for an appropriate settlement of Crimean Tatars in Ukraine, including by providing or facilitating access to employment, social services and education and providing children with education in the Tatar language. It also recommends that the State party strengthen the measures aimed at ensuring favourable conditions for Crimean Tatars to preserve, develop and promote their identity, language and culture. The Committee further recommends that the State party, inter alia, provide adequate financial support to cultural organizations for their activities and create more

⁷⁶ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015 (pages IX and 147). <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

⁷⁷ UN Office of the High Commissioner for Human Rights. ‘Report on the human rights situation in Ukraine, 16 February to 15 May 2016,’ dated 3 June 2016 (paragraph 92). http://www.ecoi.net/file_upload/1930_1470296708_ukraine-14th-hrmmu-report.pdf Date accessed: 22 December 2016

opportunities for Crimean Tatars to promote and use their mother tongue in education and daily life.⁷⁸

- 10.1.10 For information about NGO assistance available for persons who have left Crimea and moved to mainland Ukraine, see [NGO assistance for IDPs from Crimea and the Donbas](#). For full information about Crimea and its ethnic groups, including ethnic Russians, and Crimeans with or without Russian passports, see the country policy and information note on [Ukraine: Crimea, Donetsk and Luhansk](#).

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11. People of African descent

- 11.1.1 In August 2015, Equal Rights Trust stated:

‘Research for this report identified evidence of xenophobia and discrimination against non-nationals in Ukraine, primarily manifested in discriminatory violence and hate crimes, as well as discriminatory treatment by law enforcement agencies. This appears to be more often the case when the person has a dark skin colour. The victims are often students and immigrants from countries which were not previously part of the USSR.

‘The most significant form of xenophobia towards foreign nationals and recent immigrants comes in the form of hate crime and hate speech. Complete statistics on the number of incidents are difficult to obtain. However, the Kharkiv Human Rights Protection Group documented 62 hate crimes in 2012, including 27 attacks resulting in 48 foreign nationals being injured; in 2011, 35 foreign nationals were attacked. While the Ministry of Internal Affairs for 2011 gave a similar figure for the number of attacks on foreign nationals (33), none of these was classified as hate crime. Skin colour is invariably the motivation for such attacks.

‘According to the ECRI, hate crimes are most commonly carried out by groups of skinhead youths who, while not necessarily members of structured rightwing organisations, may belong to a “skinhead subculture”.

‘Foreign nationals and recent immigrants commonly face discriminatory treatment by law enforcement agencies, primarily the police, who sometimes racially profile them for the purpose of identity checks or even to extort money.⁷⁹

⁷⁸ United Nations. Committee on the Elimination of Racial Discrimination. ‘Concluding observations on the twenty-second and twenty-third periodic reports of Ukraine’ (paragraphs 23 - 24), dated 4 October 2016.

<http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRICAqhKb7yhslSEby%2BBygeUDwTlJrN%2BvxKXdrKjqLH500J%2F4qhjepfztiqYzWA33nKWZuT54ddrOtiOFCMqY%2FyXo6X7jRagvTdy082frA%2FXg97yPKm2dGTPq50zA8RtKL4K16mKkWvZvAA%3D%3D> Date accessed: 25 November 2016.

⁷⁹ Equal Rights Trust. ‘In the Crosscurrents: Addressing Discrimination and Inequality in Ukraine,’ published August 2015 (pages 167-171). <http://www.equalrightstrust.org/resources/crosscurrents-addressing-discrimination-and-inequality-ukraine> Date accessed: 26 July 2016.

11.1.2 A 2016 Anti-Discrimination Centre "Memorial"; Kharkiv Human Rights Protection Group submission to the UN Committee on the Elimination of Racial Discrimination noted that 'The problems of xenophobia, hate speech and hate crime are still actual in Ukraine. There are number of hate crimes reported in 2015-2016 especially against African students...

'The notorious case of a violent attack against black Africans by the fans of the football team "Dinamo" (October 2015) was later interpreted by the head of Ukraine state as Russian provocation "created in order to accuse Ukraine in racism". However, the independent researchers proved that the football hooligans involved in the racist attack were connected to the well-known Corpus "Azov" and Verhovnaya (Supreme) Rada Deputy Andrey Biletsky...

'Corpus Azov members often express the extreme-right ideas and demonstrate neo-nazi symbols, but this is generally accepted by the state officials and sometimes even openly supported.'⁸⁰

11.1.3 An article published by Observer.com in November 2015 described the experiences of Zhan Beleniuk, whose mother is Ukrainian and whose father was from Rwanda:

'Zhan knows that there's still wide-spread racism in his homeland. Despite all the changes, he is still considered black first and Ukrainian second and often is asked when he is planning to visit his motherland – Rwanda. "My motherland is here in Ukraine," is his answer. "Now they [Ukrainian public] talk a lot about joining the EU. But I think that a lot of our folks are not ready for this", he said in the recent interview to the UNIAN, Ukrainian news agency.

'As a kid, he was traumatized by racist slurs of his peers, and often had to fight the offenders, but even today he hears insults behind his back from time to time...

'There are others in the country whose looks don't fit the profile of an Aryan Ukrainian, a profile celebrated by Ukrainian nationalists enjoying their moment in a lot of places of power in the country, other much more vulnerable than Zhan, who for different reasons came to Ukraine from Africa and now have to experience racism on the streets almost every day.

'In the end of July [2015], a number of Ukrainian newspapers broke the story of 23-year-old Asi, a refugee from the African state of Sierra Leone who came to Ukraine just six months ago. At the bus station at the town of Uzhgorod, which is in West Ukraine, the young woman and her 8-month-old son were trying to board the bus but were violently thrown off by the furious passengers who didn't want to travel in her company because she "was not like them." The violent attack was filmed by the angry crowd that was

⁸⁰ Anti-Discrimination Centre 'Memorial'; Kharkiv Human Rights Protection Group, Alternative report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination by Ukraine; Prepared by Anti-Discrimination Centre 'Memorial' and Kharkiv Human Rights Protection Group for the 90th session of the UN CERD, 2016 (pages 3-4). http://www.ecoi.net/file_upload/1930_1481111109_int-cerd-ngo-ukr-24614-e.doc Date accessed: 22 December 2016

shouting “Tie her to the fence together with the kid!” The bus driver called police, who upon arrival ... hand-cuffed and took away the unfortunate victim of racial abuse who was hysterically screaming in English, facing the hostile crowd of Ukrainian “Europeans” who couldn’t understand her pleas.

‘This was not the first racial incident in Uzhgorod. The town’s local aqua-park denied entrance to the black-skinned students of local university who happened to be from India and Nigeria. The pool’s owner, former mayor of Uzhgorod and deputy to the Supreme Parliament, Serhei Ratushnyak, explained his pool’s policy by mentioning concern about the public health of the town residents in the face of the danger caused by “syphilitic and tuberculosis Gypsyhood of the area and of the whole world.”

“During last year,” he stated, “we had a 14-fold increase in AIDS cases in town. I demand compensation for all my expenses on buying and building [of the pool complex in case the “Gypsies” are allowed into his aqua-park by the authorities]”, he said.

“We let in the residents of Uzhgorod [only], we let in [only] the white people” – these was the explanations given to the reporter by the on duty entrance guard – white blond-haired lady in her forties...

‘To this day, there have been no consequences for the perpetrators who threw the hapless young woman off the bus and wanted to tie her to the fence along with her eight-month-old baby.’⁸¹

11.1.4 The following article was written in January 2015 by a black American man who spent time in Ukraine in 2009/2010:

‘A local real estate agent had promised several months earlier to secure an apartment for me before my arrival... Sergei ... welcomed me. Then he explained why his apartment search had failed: “Your skin color has been causing us a lot of problems.”

‘Sergei explained that he had called numerous landlords saying that an American wanted to lease a flat. He thought emphasizing my American citizenship would expedite the leasing process. But when a landlord asked if I was black, Sergei was forced to reveal my race – and the conversation would quickly end. We spent hours that day visiting flats throughout Kiev. Each time, the flat owner refused to rent to me – until we finally met one agreeable landlord just as the sun was setting.

‘...Over my next 18 months in Ukraine, race would remain a constant obstacle to normal life and interactions with Ukrainians...

‘But racism in Ukraine was much more blunt [than in the US] – always in my face, unabashed and in plain view. I never had to guess whether a person’s remarks carried racist undertones or if an officer’s stop was fueled by prejudice. Ukrainians always let me know where I stood with them, good or bad. And I appreciated it.

⁸¹ Observer.com. ‘In modern Ukraine, people of colour need not apply,’ dated 8 November 2015. <http://observer.com/2015/08/in-modern-ukraine-people-of-color-need-not-apply/> Date accessed: 25 July 2016.

'My acclimation to Eastern Europe's brand of racism didn't come immediately. I spent my first six weeks in Ukraine simply getting used to the most extreme forms of anti-black hatred. Occasionally, I'd encounter young men dressed in black shirts and Doc Martins who would throw up the Nazi salute in my direction. Other times, my skin color would attract open curiosity and such overwhelming kindness that I would wonder if I had been mistaken for a celebrity...

'Of course, my arrival in Ukraine wasn't the first time the country had welcomed a black person. The highest number of black people arrived there through the former Soviet Union during the 1960s, after the decolonization of Africa. Soviet leadership granted thousands of African students generous scholarships to attend university throughout the 15 republics...

'Racism was overt and ubiquitous. One of my most blatant encounters came when I was headed to Russian class. I was purchasing a token at the Central Train Stop, when I spotted a young cop glaring at me... The officer walked toward me, gave a Soviet-style military salute and demanded that I present my passport. He looked it over before telling me to follow him into a mini-police unit inside the station. Once there, I asked the cop why I was being held. In Russian, he responded, "You're a [racist term used] and I know you're bringing drugs into our country," he said. "Where are the drugs?"

'Another cop soon joined him in interrogating me, demanding to know the real reason I was in Ukraine. They insisted I was posing as a student to mask my real intent: smuggling drugs. Even after showing them my Fulbright documents, they continued to harass me. Only after nearly 30 minutes of questioning did they realize I was clean and release me...

'...when I experienced racism in Eastern Europe, it was frequently harsh, even though I had the distinct advantage of being an American. Africans were treated far worse.'⁸²

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12. Other minority groups

12.1.1 Al-Jazeera reported on the multi-ethnic region of Transcarpathia in May 2015, focussing particularly on Ruthenians and Hungarians:

'Like many Ukrainians, [Olha Prokup is] worried about the war. But as a member of a minority group, Prokup, 75, doesn't understand why a year ago, the mostly Russian-speaking region of Donbass began the uprising that led to all the brutality.

"We don't understand what they were complaining about," she said, referring to claims by the pro-Russian rebels that the new EU-leaning

⁸² Washington Post. 'A cop in Ukraine said he was detaining me because I was black. I appreciated it,' dated 2 January 2015. <https://www.washingtonpost.com/posteverything/wp/2015/01/02/a-cop-in-ukraine-said-he-was-detaining-me-because-i-was-black-i-appreciated-it/> Date accessed: 25 July 2016

government in Kiev was oppressing ethnic Russians and Russian speakers in Ukraine. “You see, even here we speak Russian, Ukrainian, even our native Ruthenian language. Nobody here is asking to leave Ukraine.”

‘Minority groups in Transcarpathia, where Prokup lives, say that is not the way the Russian media would like the world to see things. As the conflict between Moscow-backed separatists and Kiev’s forces rages on in eastern Ukraine, minority groups say Russia’s state-owned media have been trying to provoke dissent in the multicultural region of Transcarpathia, on the edge of the European Union.

‘Transcarpathia is wedged into the westernmost corner of Ukraine against the borders with Hungary, Romania, Slovakia and Poland. It was the last region to officially join Ukraine, after Czechoslovakia ceded it to the Soviet Union in 1945, and almost everyone has a relative living across one of its four borders.

‘The region’s population of 1.3 million is a mixture of all the bordering nationalities, plus Ukrainians, Russians, Ruthenians and a large population of Roma. In the regional capital’s squares and cobblestoned streets, it’s as common to hear Hungarian as it is Russian or Ukrainian. Bilingual signs can be found across the region, particularly in areas where there is a heavy concentration of one group.

‘Some in the region say that through a campaign of embellished and often outright fabricated news reports, the Kremlin has tried to paint a picture of frustration and distress among Ukraine’s minority groups living under an unsympathetic far-right nationalist government in Kiev.

‘The most recent example of this is a mid-March [2015] report aired on a popular Kremlin-owned channel claiming that some 10,000 Ruthenians, an eastern Slavic people with a large concentration in Transcarpathia, convened a congress and were demanding autonomy.

‘Prokup, a Ruthenian and the director of a local Ruthenian choir, Babchyna Spivanka, never heard of the meeting. Nor had the de facto leader of the Ruthenian community, Yevhan Zhupan, until he received a frantic phone call from a friend the night of the report.

‘Prokup and Zhupan said there was no meeting of thousands of members of the close-knit Ruthenian community in March and no call for autonomy. The report was simply made up, just as a similar one was the year before, Zhupan said...

‘The reports are a familiar tactic used by the Kremlin-controlled media and social media trolls. Kiev and the West have accused Moscow of using information warfare to fuel the separatist movement, first in Crimea and then in eastern Ukraine.

“The strategy is to show that there is a lot of unhappiness in Ukraine and to show the Ukrainian authorities are incapable,” said Margo Gontar, the editor and a co-founder of StopFake.com, a fact-checking project developed last year that aims to counter Russian propaganda. “If everything appears to be falling apart, an impression is created that Ukraine is not really a working state.”

'In Transcarpathia, most people seem to have dismissed the provocative reports...

'Like the Ruthenians, the local Hungarians say they have been the target of Russian provocations. There are an estimated 150,000 ethnic Hungarians in Transcarpathia. Per Ukrainian law, there are Hungarian schools, and city councils can opt to use Hungarian as the administrative language. But many Hungarians would like to see greater representation in the central government. There has been a strong lobby for the creation of a consolidated voting district that would guarantee one of their own makes it to parliament.

'Last year Hungarian Prime Minister Viktor Orban, one of Putin's close allies in Eastern Europe, called for autonomy for Ukraine's Hungarian population. The call was met by an angry response from Kiev, and Koszeghy said the statement didn't reflect the sentiment of the majority of Transcarpathia's Hungarians.

"There are many people who aren't satisfied with the current Kiev authorities, but I don't think there's much fertile ground here for separatism," he said. "We don't need autonomy. Administrative reform would be enough for us."

'The Ruthenian population, however, is in a more difficult position, he said.

'Academics have debated for decades about the ethnic status of Ruthenians, also known as Rusyns or Ruthens. Their Slavic roots are so closely connected to Ukrainians' that Kiev recognizes them as a subgroup in the Ukrainian ethnicity and their Slavic language as a dialect.

'Officially, there are 10,000 Ruthenians in Transcarpathia; Ruthenians say the number is more like 800,000.

'The Soviet Union forbade the recognition of the Ruthenians or their language out of fear that nationalist fervor would inspire the population to rise up against the communist regime. As a result, many of the region's Ruthenians simply adopted the Ukrainian label.

'After Ukraine became independent in 1991, Ruthenians began looking for recognition as a separate ethnic group. Government recognition would grant support for Ruthenian schools, language development and other advantages granted to recognized minorities such as Romanians and Hungarians.

"We lost our national identity after we became part of the Soviet Union. They closed our schools and took away our status," Zhupan said. "Now it's our dream to be recognized as the Hungarians are."

'What the Ruthenians say they aren't interested in is autonomy or a people's republic.

"Our issues with Kiev will be resolved only in a legal way," Zhupan said. "We are Europeans, and we intend to go to Europe with the rest of Ukraine."⁸³

⁸³ Al-Jazeera. 'Ukraine's minority groups see Russian provocations,' dated 4 May 2015.

13. Non-Governmental assistance

13.1 NGO assistance for Roma

13.1.1 The European Roma Rights Centre stated:

'The European Roma Rights Centre (ERRC) is a Roma-led international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education.

'Since its establishment in 1996, the ERRC has endeavoured to provide Roma with the tools necessary to combat discrimination and achieve equal access to justice, education, housing, health care and public services.

'The ERRC has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations. The ERRC has been the recipient of numerous awards for its efforts to advance human rights respect of Roma: in 2013, PL Foundation Freedom Prize; in 2012, Stockholm Human Rights Award; in 2010, the Silver Rose Award of SOLIDAR; in 2009, the Justice Prize of the Peter and Patricia Gruber Foundation; in 2007, the Max van der Stoep award given by the High Commissioner on National Minorities and the Dutch Foreign Ministry; and in 2001, the Geuzenpenning award (the Geuzen medal of honour) by Her Royal Highness Princess Margriet of Netherlands.⁸⁴

13.1.2 The European Roma Rights Centre (ERRC) stated:

'The ERRC has a longstanding paralegal project working with Roma to secure identity documents. The ERRC is supporting the paralegals and a local lawyer to litigate some of the trickier cases, with a view to exposing and eliminating obstacles that leave Roma without documents and, in some cases, vulnerable to statelessness.'⁸⁵

13.1.3 The European Roma Rights Centre included the following in a list of their achievements in assisting Roma people across Europe in 2015:

'We helped a Roma community living in Uzhgorodo, Ukraine to legalise their homes...

'Roma are often denied personal documents just for being Roma. 2015 was another successful year of our paralegal project in Ukraine, which has, in three years, secured 16 birth certificates, 24 internal passports and 3 external passports for Roma who were living without documents.

<http://america.aljazeera.com/articles/2015/5/4/ukraines-minority-groups-see-russian-provocations.html> Date accessed: 20 July 2016.

⁸⁴ European Roma Rights Centre. 'About us; who we are,' undated. <http://www.errc.org/about-us-overview> Date accessed: 9 December 2016.

⁸⁵ European Roma Rights Centre. Domestic cases: Identity documents; Ukraine; Paralegal project, dated 7 March 2016. <http://www.errc.org/article/domestic-cases-identity-documents/4409> Date accessed: 2 September 2016.

'We have to make sure that National Action Plans for Roma inclusion are really benefiting Roma. With our help, Roma civil society organisations in Ukraine are now actively engaged in advocacy with relevant authorities to improve and implement that country's plan.'⁸⁶

13.1.4 See [Identification documents](#) and [Housing](#) for further information on these subjects for Roma people. For further information about the work of the European Roma Rights Centre, see their [website](#).

13.1.5 Chiricli, the Roma Women Fund, stated that it is a 'partner organization with the European Roma Rights Center (ERRC Budapest), CoE (Roma division, Strasbourg), International Organization of Migration (Kiev), Ukrainian Jews Fund and Ukrainian Roma Council.

'The main goals of the organization are:

- Creating of good conditions for the saving of historical traditions and developing of Roma culture.
- Improvement of social-economic and political position of Roma.
- Combating racial and ethnic discrimination and intolerance.
- Propaganda of brotherhood ideas and tolerance among different nations and religious confessions.
- Protection of cultural, social, education and medical rights of Roma people.'⁸⁷

13.1.6 Chiricli further stated:

'Since 2004 we trained more than 20 Roma leaders, helped to establish and coordinate seven NGOs dedicated to Roma and Roma-related issues and helped them to develop the programs on health, pre-school education, human rights as well as to organize conferences, educational workshops, trainings, press-conferences, round-table discussions, festivals, publications in media etc., to raise Roma issues on national and regional level, to make their working results more visible and to change the situation of the Roma communities for better. Our organization was the First in Ukraine to raise the question of Roma women.'⁸⁸

13.1.7 Further information about the work of Chiricli is available [here](#).

13.1.8 The US Department of State's Country Report on Human Rights Practices for Ukraine, published in April 2016, noted, 'According to experts there were

⁸⁶ European Roma Rights Centre. '12 results in 2015 that will make Europe a better place for Roma,' dated 29 December 2015. <http://www.errc.org/article/12-results-in-2015-that-will-make-europe-a-better-place-for-roma/4441> Date accessed: 2 September 2016.

⁸⁷ Roma Womens' Fund, Chiricli. International Charitable organization 'Roma women fund Chiricli,' undated. <http://chirikli.com.ua/index.php/en/about-fund/item/34-international-charitable-organization-roma-women-fund-chiricli> Date accessed: 9 December 2016.

⁸⁸ Roma Women Fund, Chiricli. 'Achievement of the Fund,' undated. <http://www.chirikli.com.ua/index.php/en/about-fund/item/35-achievements-of-the-fund> Date accessed: 2 September 2016.

more than 100 Romani NGOs but most lacked capacity to act as effective advocates or service providers for the Romani community.⁸⁹

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13.2 NGO assistance for Jews

13.2.1 The Association of Jewish organisations and communities of Ukraine stated:

‘The Association of Jewish Organizations and Communities (VAAD) of Ukraine was created on January 14 1991 and registered by the Justice Ministry of Ukraine. 265 organizations from 94 cities of Ukraine come under the VAAD, including 63 religious communities, 56 city communities, 15 social structures, 17 Jewish schools, 55 cultural organizations, 10 associations of prisoners of ghettos and concentration camps, 19 youth organizations, as well as 5 associated member organizations.

‘The Association is a part of interstate Jewish Confederation - the VAAD (CIS), the European Council of Jewish Communities, the European and Eurasian Jewish Congresses, the founder of the Jewish Confederation of Ukraine...

‘At the present time the Jewish life is presented in more than 80 cities by nearly 250 organizations and communities that are united into 3 structures: Va'ad of Ukraine (210), Jewish Council of Ukraine (150), and the Union of Jewish religious communities of Ukraine (74). Many organizations and communities participate in the activities of all three mentioned structures...

‘All the main Jewish "umbrella" organizations are officially recognized by the authorities of Ukraine; cooperate in a number of programmes with the State ministries and departments. Representatives of the Jewish organizations often attend meetings at different State levels, including the highest level...

‘The main achievement of the Jewish community of Ukraine for the last five years is creation of the permanent working professional communal structures in all the fields of the Jewish life: social defense and education, culture and religion, Jewish studies and work with the youth, repatriation and preservation of the Jewish heritage, information, etc. For five years period all the mentioned programmes as well as many others, from separate amateur actions, have turned out to be a serious professional work. All current professional structures render their services to the Jews of Ukraine mainly free of charge.⁹⁰

13.2.2 For further information about the work of VAAD and its partner organisation, see the VAAD [website](#).

⁸⁹ US Department of State. ‘Country Reports on Human Rights Practices for 2015,’ published 13 April 2016. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2015&dliid=252911> Date accessed: 18 July 2016.

⁹⁰ The Association of Jewish organisations and communities of Ukraine. ‘The Association of Jewish Organizations and Communities (VAAD) of Ukraine’ and ‘The regeneration of the Jewish community in Ukraine,’ undated. <http://www.vaadua.org/content/association-jewish-organizations-and-communities-vaad> Date accessed: 9 December 2016

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13.3 NGO assistance for IDPs from Crimea and the Donbas

13.3.1 Crimea SOS described its main objectives as follows:

‘The overall goal of Crimea SOS is to support peacebuilding efforts and improve the cultural, social and economic situation in Ukraine. The NGO focuses on helping internally displaced people from Crimea and Eastern Ukraine within various programmes, from emergency humanitarian and legal aid work to supporting the integration of IDPs and searching for long-term solutions. Its other key focus is the human rights situation in Crimea and conducting advocacy on Crimean issues.’⁹¹

13.3.2 Further information can be found about the work of Crimea SOS on its [website](#). For further information about Muslims who have left Crimea and moved to mainland Ukraine, see [Muslims and Crimean Tatars](#).

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13.4 NGO assistance for all groups

13.4.1 The Kharkiv Human Rights Protection Group explained its work as below:

‘The Kharkiv Human Rights Protection Group works to help people whose rights have been violated and investigates cases involving such abuse, as well as assessing the overall human rights situation in Ukraine. The Group also seeks to develop awareness of human rights issues through public events and its various publications.’⁹²

13.4.2 Further information about the work of the Kharkiv Human Rights Protection Group can be found on its [website](#).

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⁹¹ Insight on Conflict. Crimea SOS, undated. <https://www.insightonconflict.org/conflicts/ukraine/peacebuilding-organisations/crimea-sos/> Date accessed: 9 December 2016.

⁹² Kharkiv Human Rights Protection Group. Undated. <http://khpg.org/en/> Date accessed: 9 November 2016.

Version control and contacts

Contacts

If you have any questions about this note and your line manager, senior caseworker or technical specialist cannot help you or you think that this note has factual errors then email [the Country Policy and Information Team](#).

If you notice any formatting errors in this note (broken links, spelling mistakes and so on) or have any comments about the layout or navigability, you can email [the Guidance, Rules and Forms Team](#).

Clearance

Below is information on when this version of the guidance was cleared:

- version 1.0
- valid from 30 January 2017

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