

2015-01-21

Fråga-svar

Ukraina. 4 politiska partier och myndighetsskydd

Fråga

Beskriv statusen för följande partier och deras medlemmar:

- Batkivshchyna i östra Ukraina
- Rysk Enighet på Krim
- Regionernas Parti
- Högra sektorn

Hur fungerar myndighetsskyddet i Ukraina?

Svar

Fäderneslandsförbundet / All-Ukrainian Union "Fatherland" /

Batkivshchyna

European Parliament/Think Tank (2015):

Batkivshchyna (Fatherland): from driving force to smallest party in Verkhovna Rada [Ukrainas parlament]

Yulia Tymoshenko's Batkivshchyna party was founded in 1999 and was one of the most important political parties in Ukraine until 2014, when Yatsenyuk left and founded the People's Front. Voters' support fell to 5.68% (19 seats), down from 13% in the May presidential election. The centre-right, pro-European party advocates a military solution to the conflict in Donbas. (s. 2)

Kyiv Post (2014-10-13):

It also shows hers as the only party returning from the current parliament, after Yanukovich's former ruling Party of Regions decided not to run.

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"Batkivshchyna is one of the oldest Ukrainian parties. It is one of the most stable and strongest parties concerning the number of regional offices and is one of the most developed political projects

in Ukraine. Along with Party of the Regions, Batkivshchyna has the most serious structure,” said Berezovets.

Händelser i östra Ukraina under 2014:

Reuters rapporterade i april om en anhängare till Batkivshchyna vid namn Rybak som förts bort i Donetskreionen och mördats. Den självutnämnde separatistiske borgmästaren i Slaviansk, där Rybaks kropp återfanns, anklagade Högra sektorn för att ha utfört mordet. Ukrainas säkerhetstjänst SBU förkunnade att det var en avhoppad SBU officer och en officer i ryska militära underrättelsetjänsten GRU som mördat Rybak (Reuters 2014-04-23).

Enligt UN Human Rights Council (UNHRC) kidnappades den 22 maj en medlem av Batkivshchyna av supportrar till Donetsk People's Republic. Han torterades och förhördes om sina kopplingar till Högra sektorn, Euromaidan och resor till Kiev (UNHRC 2014-09-19).

Amnesty International (AI 2014) har intervjuat en affärsman i Severodonetsk som i juli anhållits av soldater i LNR, Luganskaya Narodnaya Respublik. Han anklagades för samröre med Batkivshchynapartiet och fördes till polisens häkte.

Den första augusti stängde enligt Atlantic Council polis på Krim ned tv-stationen Chornomorska, som ägs av Andriy Senchenko, parlamentsledamot för Batkivshchyna. Chornomorska var en av de sista oberoende ukrainska mediekanalerna på Krim. Senchenko är även bannlyst på Krim (Atlantic Council 2014-08-07). Även Batkivshchynas partiledare Yulia Tymoshenko och Högra sektorns ledare Dmytro Yarosh är enligt Interfax förbjudna att korsa gränsen till Krim (QHA Crimean News Agency 2014-04-02).

Rysk Enighet / Russian Unity / Russkoja ediutvo

I en artikel i Time sammanfattas Rysk Enighets Sergei Aksyonovs väg till makten på Krim. Time (2014-03-10):

A month ago, when Ukraine's old regime was just starting to crack under the pressure of a revolution, few people in the country had ever heard of Sergei Aksyonov. He was then a marginal figure even in the local politics of the region of Crimea. His Russian Unity party had only three seats in the regional legislature and no representation anywhere else. But that has not stopped him from taking charge. In late January, as the protesters in Kiev began seizing government buildings, Aksyonov started to form an army on the Crimean peninsula. Now he is the de facto leader of the entire region, a post that has thrust him into the center of the most dire political crisis Europe has confronted in years.

From the beginning, the stated aim of his paramilitary force was to defend against the revolutionary wave that was sweeping across Ukraine and, ultimately, to break away from the country entirely. Its first battalion of 700 men came from the youth group of Aksyonov's political party, and as he continued calling in the proceeding weeks for a "full scale mobilization," hundreds of others joined his Crimean self-defense brigades. By Feb. 21, the day the Kiev uprising toppled the Ukrainian government, Aksyonov was in

command of several thousand troops. "All of them," he says, "answer to me."

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So far, the most revealing aspect of his time in power has been the way he came to possess it. Before dawn on Feb. 27, at least two dozen heavily armed men stormed the Crimean parliament building and the nearby headquarters of the regional government, bringing with them a cache of assault rifles and rocket propelled grenades. A few hours later, Aksyonov walked into the parliament and, after a brief round of talks with the gunmen, began to gather a quorum of the chamber's lawmakers.

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In 2010, Aksyonov formed the Russian Unity party and went on to win 4% of the vote in that year's Crimean parliamentary elections, securing three out of the chamber's 100 seats, one for himself.

When the revolution broke out in Ukraine late last year, his party was one of the main organizers of pro-Russian rallies in Crimea, hyping the threat from the Ukrainian nationalist parties that were helping overthrow the government.

Rysslands inblandning i händelseförloppet har rapporterats av åtskilliga källor, exempelvis av The Jamestown Foundation (2014-03-21):

The nationalist Party of Russian Unity had received merely 4 percent of the votes in Crimea's last parliamentary elections. It operated as a marginal opposition group in Crimea, and was practically unknown to Moscow's policy makers, until Moscow decided in the third week of February to seize Crimea from Ukraine. Senior Russian politicians descending on Crimea identified the Party of Russian Unity as the main political agent for the military-led coup (see EDM, February 28).

Utveckling under 2014:

The Guardian skrev i en artikel i mars att Rysk Enighet öppet organiserat attacker på tatarers egendomar och vanhelgat kyrkogårdar. Under samma period utsågs partiets ledare Sergey Aksyonov till Krim premiärminister (The Guardian 2014-03-13).

Också i mars, i en artikel av Human Rights Watch (HRW), rapporterades att självförsvarsgrupper och paramilitära styrkor attackerat och trakasserat aktivister och journalister på Krim. Grupperna bedömdes av HRW verka fritt från restriktioner och kontroll av polisen, och "the self-defense units are often accompanied by or operate together with Cossacks, as well as large groups of fully uniformed masked men without insignia, widely believed by the locals to be members of Russian armed or special forces." Enligt HRW lät myndigheterna i Krim dessa grupper få fritt spelrum, samt att grupperna började synas aktivt från slutet av februari 2014 (HRW 2015-03-14).

TASS rapporterade den 15 april att Rysslands president Vladimir Putin utsett Aksyonov till interimsledare av Republiken Krim (TASS 2014-04-15).

I en OHCHR-rapport står att Kievs tingsrätt den 30 april olagligförklarade Rysk Enighet och lade fram bevis för att Aksyonov har fört en antistatspolitik med syfte att kränka Ukrainas territoriella integritet och dess oberoende (OHCHR 2014-05-15, s. 18).

RT rapporterade att premiärminister Aksyonov i oktober röstades fram som republikens nya ledare av ett enhälligt regionalt parlament (RT 2014-10-09).

Regionernas parti / Party of Regions / Partiya rehioniv

Canada: Immigration and Refugee Board of Canada (2014-07-02a):

... a professor at the Graduate School of Public and International Affairs of the University of Ottawa, who has written for the international press on political issues and has conducted research on Russian history, military history and defence policy, indicated that the Party of Regions "has gained most of its support in the east and south of the country, though it has pockets of support elsewhere throughout Ukraine" (Professor 18 June 2014). A professor at the School of Political Studies of the University of Ottawa, whose research focuses on politics in Ukraine, Russia and Moldova, similarly stated that in the 2012 parliamentary elections, the PR received the largest amount of support in eastern and southern Ukraine, particularly in the Donetsk and Luhansk regions, as well as in Crimea (Professor of political science 22 June 2014). The Professor of political science explained that the PR lost its de facto power in all of the regions after the overthrow of Yanukovych because of defections of many of its activists and members and dismissals of the heads of regional administrations by the new acting president [of Ukraine]. Pro-Russian separatists with help of force and direct or indirect Russian support seized control from the central government and the Party of Regions over Crimea and large parts of Donbas. A part of [the] leading members of the Party of Regions, primarily at [the] regional and local levels, supported or joined the separatists, but the newly elected leadership of the party publicly distanced themselves and condemned separatism. (ibid.)

Without providing details, the Professor of political science further stated that, according to a survey conducted by the Kyiv International Institute of Sociology in April and May 2014, although the PR's "popularity dropped significantly," it remained "most popular in Donetsk, Luhansk and Kharkiv regions" (ibid.). Further or corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

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The Professor stated that in the aftermath of the fall of Yanukovych, there were "numerous reports" of physical attacks on members of the PR, as well as reports of the party's offices being attacked and "in some cases burnt down" (Professor 18 June 2014). He added that some of the PR's members were forced to resign from local councils (ibid.). The Professor of political science also stated that

[a] Party of Regions office in Kyiv was attacked and burned down by the Maidan self-defense and the protesters on February 18, 2014. The same happened with Party of Regions offices in several other regions, primarily in Western Ukraine. (Professor of political science 22 June 2014)

Utveckling under 2014:

Regionernas parti är Viktor Janukovyts gamla parti som idag leds av Borys Kolesnikov. I februari 2014 rapporterade Interfax att antalet parlamentariker som hoppat av Regionernas Parti uppgår till 28. Tidigare hade Regionernas Parti 205 platser av totalt 450 i Ukrainas parlament (Interfax-Ukraine 2014-02-21).

I september tillkännagav partiet att de inte skulle ställa upp i parlamentsvalet den 26 oktober (Sputnik International 2014-09-14).

Enligt Kyiv Post hade partiets popularitet i oktober sjunkit till historiskt låga tal, men det nyformade Oppositionsblocket sägs fånga upp en del av de tappade väljarna. Oppositionsblocket beskrivs bestå av politiker från Regionernas Parti tillsammans med partiets avhoppade medlemmar och andra partier sammankopplade med Yanukovych regim. Liksom Regionernas Parti uppges Oppositionsblocket ha sitt primära väljarstöd i regionerna Donetsk och Luhansk. Även likt Regionernas Parti har kritiker beskrivit Oppositionsblocket som Rysslands femtekolonnare, med en målsättning att skydda det ryska språkets status som regionalt språk och att förhandla med Ryssland om fred i östra Ukraina. Oppositionsblocket vill också bevara landets neutrala status och förhindra inträde i NATO (Kyiv Post 2014-10-24).

Efter valet stod det klart att Oppositionsblocket fick 9.43 % av rösterna, eller 27 platser i parlamentet (Interfax-Ukraine 2014-11-10). Enligt UN Human Rights Council (UNHRC) har Regionernas Parti sitt största stöd i Ukrainas östra delar (UNHRC 2014-09-19). Det bekräftas av RT, som skriver att majoriteten av rösterna kom från väljare i sydöstra Ukraina - Kharkov, Lugansk, Zaporozhye, Dnepropetrovsk och Donetsk. Det var enbart möjligt att rösta i områden kontrollerade av Kiev, så områden kontrollerade av People's Republics of Donetsk och Lugansk deltog inte (RT 2014-10-29).

Av Foreign Policy beskrivs valdeltagandet i Donetsk som högt och Oppositionsblockets resultat som relativt bra, men dock som signifikant sämre än valresultatet 2012. I Donetsk fick de pro-Ukrainska partierna tillsammans bättre resultat än Oppositionsblocket (Foreign Policy 2014-11-03).

Högra sektorn / Right Sektor / Pravy Sektor

AP (2014-03-14):

Demonized by Russian state propaganda as fascists and accused of staging attacks against Russian-speakers and Jews, the Right Sector has been used by Moscow as the main reason it has sent troops into Crimea and warned about the need to protect Russian-speakers in the east.

But many [in Kiev] downplay the group's importance — and the threat it represents. The group has not received any posts in the new government and observers say it has little real clout or support in the polls. The Associated Press and other international news organizations have found no evidence of hate crimes. Ukraine's Jewish leaders have also spoken in support of the Maidan protests and the new government they have brought to power, and some Jews have served in the Maidan's self-defense units side-by-side with the Right Sector.

The Independent (2014-05-07):

The Right Sector, an extreme nationalist group, has become a bogeyman in the south and east of the country, accused of carrying out the Kiev administration's dirty war. The few I met in Odessa did not seem capable of killings; they were rather a nasty, homophobic and racist lot who talked tough. They would not last long, one felt, on the streets of separatist Slovyansk.

UNHRC (2014-09-19):

Right Sector (Ukrainian: Pravyi Sektor) is a Ukrainian nationalist paramilitary collective of several organizations, described as having far right views. The group's membership has been growing and has been estimated to be about 5,000. The group first emerged at the end of November 2013 at the Euromaidan protests in Kiev, as an alliance of far-right Ukrainian nationalist groups. (s. 18)

AI (2014):

Anybody sympathizing with the Ukrainian viewpoint is commonly labelled as being "Praviy Sektor" in eastern Ukraine. (s. 5)

Händelser och utveckling under 2014:

Enligt United States Congressional Research Service (CRS) uppgav Ukrainas regering i mars att den skulle avvärja beväpnade grupper, i förhoppningen att några av de avvärjda skulle gå med i armén eller det nybildade nationella gardet. Detta till följd av ett antal våldsamma incidenter inbegripande Högersektorn och andra nationalistiska grupperingar, inklusive sammandrabbningar i centrala Kiev (CRS 2014-05-08).

Organization for Security and Co-operation in Europe (OSCE) fick i april höra att Högersektorn börjat rekrytera till sina paramilitära trupper och att ett hundratal paramilitärer redan skickats till Donetsk (OSCE 2014-04-17). Samma månad rapporterade RT att Högersektorn flyttat sitt högkvarter från Kiev till Dnepropetrovsk för att bättre kunna övervaka utvecklingen i östra Ukraina. Yarosh uppgav vid samma tillfälle att han skapat en specialstyrka vid namn Donbass som kommer att innefatta ungefär 800 man, vars syfte är

att stabilisera och ta kontroll över sydöstra Ukraina. I mars efterlyste även Ryssland Yarosh för anstiftan till terrorism (RT 2014-04-24).

I maj registrerades Högersektorn som ett officiellt parti i Ukraina (Interfax-Ukraine 2014-05-22). I valet den 26 oktober fick partiet 1.8 % av alla röster och hamnade under 5 % -gränsen till parlamentet (Interfax-Ukraine 2014-11-10).

I augusti rapporterade Reuters att tolv medlemmar ur Högersektorn dödats i en militär operation i närheten av Donetsk (Reuters 2014-08-13).

I december förhindrade en grupp, som uppgav sig vara del av Högersektorn, en humanitär konvoj från att beträda rebelledda delar av Donetsk.

Anledningen sades vara att förnödenheter inte skulle nå städer som inte kontrolleras av Ukraina (Interfax-Ukraine 2014-12-17).

Myndighetsskydd

UN Office of the High Commissioner for Human Rights (OHCHR) (2014-11-15):

163. In the ‘Donetsk people’s republic’ and ‘Luhansk people’s republic’ various armed groups have performed quasi-judicial functions: issuing arbitrary sentences, deciding on the detentions of civilians and members of the armed groups on charges of looting, desertion, drinking, and other alleged acts. Detention by the armed groups is often accompanied by ‘correctional labour’, and physical punishment. Armed groups have also established ad hoc martial tribunals as was the case in Sloviansk in May-June, rendering death sentences against their own members and civilians suspected of activities directed against the ‘Donetsk people’s republic’. A ‘resolution on field courts’ apparently adopted on 17 August by the ‘supreme council’ of the ‘Donetsk people’s republic’ provided for the establishment of field and martial courts. So far, the HRMMU has received no information on the existence of such bodies.

164. The ‘Donetsk people’s republic’ is also reportedly in the process of establishing its own ‘judiciary system’, with two key officials already appointed. On 23 September, the former ‘prosecutor general’ of the ‘Donetsk people’s republic’ was appointed as ‘head’ of the ‘supreme court’ and a ‘minister of justice’ of the ‘Donetsk people’s republic’ was also appointed. On 10 October, the ‘Donetsk people’s republic’ invited all eligible candidates with a background in law to apply for the vacant positions in its ‘supreme court’.

165. In areas controlled by the Government of Ukraine, the HRMMU [UN Human Rights Monitoring Mission] was presented with numerous due process violations, both in civil and administrative cases. Public authorities and courts sometimes justified non-compliance with international human rights standards by the “actual state of war” in the country. The HRMMU is also concerned with the neglect of procedural rights of detainees. In the Odesa region in particular, the HRMMU collected evidence of systematic violations of the Criminal Procedure Code, which should

lead to the immediate release of the detainee (for example, the late presentation of a written notice of suspicion and/or violation of the terms of detention, apprehension and house search without the order of an investigating judge or a court). However, during the court hearings judges have tended to systematically ignore these violations, which in turn constitute a violation of fair trial standards. (s. 32)

The Guardian (2014-11-03):

Most of those who supported a unified Ukraine left Donetsk as things turned nastier, while the ones who have remained have kept quiet in an atmosphere of fear, in which those suspected of pro-Kiev sympathies could be arrested or worse.

FIDH - Center for Civil Liberties (augusti 2014):

Abductions and torture intensified in the context of the civil war in Eastern and Southern Ukraine, involving pro-Russian militia, sometimes with the help of Russians, according to several testimonies from abducted people. The purpose of the kidnappings is to put pressure on the activists and leaders of the opposing camp and to obtain information, notably on their purported links with the far-right Pravy Sektor movement. Rarely are these cases of abduction and torture followed up by serious investigations or legal proceedings, which allows the armed groups to pursue their actions with impunity. (s. 4)

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On March 9, 2014, Andrei Schekun, President of the Crimean Centre of Cultural Cooperation, “Ukrainian House”, and Anatoly Kovalsky, were kidnapped at the train station in Simferopol /.../ According to their testimony, they were interrogated and beaten every day. The questions focused on their connections with the protest movement Maidan and the far-right Pravy Sektor organization (“Right Sector”). (s. 4)

OHCHR (2014-07-15):

Impunity in the east

The armed groups do not recognize the authority of the Ukraine Government. In the areas of the east that they control the rule of law has collapsed. The police are de facto under the control of armed groups. Police investigations concerning crimes attributed to armed groups are not conducted. During evening hours, the police do not respond to phone calls made on the emergency line. Some courts continue operating, but even in these there have been examples of hearings being interrupted by armed groups entering the courtroom. (s. 14-15)

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The Ukrainian security operation involves the army, the military police (National Guard), the National Security Service (SBU) and a

number of volunteers' battalions. The involvement of battalions of volunteers (Donbas, Azov, Aydar, Dnipro, Ukraina, etc.) raises important questions. While they nominally operate under the command of the Ministry of the Interior or the Ministry of Defence, they would appear to enjoy a large degree of autonomy in their operation. There are allegations of human rights violations committed by these battalions. (s. 15)

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There are disturbing reports of cases, including journalists, politicians and of people allegedly supporting the armed groups, of having been arrested by the Ukrainian forces but whose whereabouts could not be ascertained for a long period of time or are still not known. These cases constitute a violation of the right to liberty and security, which implies a prohibition of arbitrary arrest or detention, and of the 'minimum guarantees', such as the right to a counsel, that every person deprived of liberty is entitled to benefit from under international human rights law. (s. 16)

Canada: Immigration and Refugee Board of Canada (2014-07-02b):

In correspondence with the Research Directorate, a professor at the Graduate School of Public and International Affairs of the University of Ottawa /.../ indicated that "within government-controlled areas of Ukraine, Yanukovich's opponents are not in danger as they now control the government" /.../ Both Professors indicated that the situation in separatist-controlled regions [such as Luhansk and Donetsk (Professor 18 June 2014)] is not the same (Professor 18 June 2014; Professor of political science 22 June 2014). According to the Professor, "[t]here were reports of beatings, kidnappings, and arrests of supporters of the current government in those areas" (18 June 2014). The Professor of political science similarly stated that there were reports of pro-Ukrainian political activists and local officials being detained and beaten by the pro-Russian separatists in Donetsk and Luhansk regions, as well as in Crimea (Professor of political science 22 June 2014). A UN press release similarly states that armed separatists in eastern Ukraine "have used killings, abductions and torture to instill a 'climate of intimidation and fear'" (UN 18 June 2014).

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The Professor expressed the opinion that Ukrainian government "is not in a position to provide any protection in the areas under rebel control" (Professor 18 June 2014).

Canada: Immigration and Refugee Board of Canada (2014-07-02a):

According to the Professor, "[t]he presidential election in Ukraine in May 2014 has not altered the security situation, which remains very poor. The government is in control of most of the country, but the provinces of Luhansk and Donetsk are in open rebellion" (Professor 18 June 2014).

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The Professor indicated that

[t]he police are unwilling or unable to protect the public in most instances [...]. In government-controlled areas, the police have not protected opponents of the current government from intimidation by paramilitary groups. Similarly, in rebel-controlled areas, the police have either transferred their loyalty to the rebels or are standing to one side and unwilling to confront them. (Professor 18 June 2014)

The Professor of political science similarly stated that the Ukrainian police force often acts with "political inclination, and it is engaged in political discrimination" (Professor of political science 22 June 2014). He further explained that

the police is often unable or unwilling to prevent or stop violence by the far right organizations and their paramilitary formations and the Maidan self-defence. Several violent incidents perpetrated by these groups took place in Kyiv. The Ministry of Interior established under its formal jurisdiction special police battalions led and staffed by far right organizations, such as the Right Sector and the Social-National Assembly/Patriot of Ukraine. Additional such battalions are in process of formations, including one by Svoboda. These formations [were] deployed in Donbas against pro-Russian separatists, and they were involved in attacks, beatings, illegal detention, indiscriminate shelling, wounding and killings of unarmed protesters or civilians in the separatist-held regions. (ibid.)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Denna sammanställning av information/länkar är baserad på informationssökningar gjorda under en begränsad tid. Den är sammanställd utifrån noggrant utvalda och allmänt tillgängliga informationskällor. Alla använda källor refereras. All information som presenteras, med undantag av obestridda/uppenbara fakta, har dubbelkontrollerats om inget annat anges. Sammanställningen gör inte anspråk på att vara uttömmande och bör inte tillmätas exklusivt bevisvärde i samband med avgörandet av ett enskilt ärende. Informationen i sammanställningen återspeglar inte nödvändigtvis Migrationsverkets officiella ståndpunkt i en viss fråga och det finns ingen avsikt att genom sammanställningen göra politiska ställningstaganden. Refererade dokument bör läsas i sitt sammanhang.

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