

UKRAINE 2021 HUMAN RIGHTS REPORT

Note: Except where otherwise noted, references in this report do not include areas controlled by Russia-led forces in the Donbas region of eastern Ukraine or Russia-occupied Crimea. At the end of this report is a section listing abuses in Russia-occupied Crimea.

EXECUTIVE SUMMARY

Ukraine is a republic with a semipresidential political system composed of three branches of government: a unicameral legislature (Verkhovna Rada); an executive led by a directly elected president who is head of state and commander in chief and a prime minister who is chosen through a legislative majority and as head of government leads the Cabinet of Ministers; and a judiciary. In 2019 Volodymyr Zelenskyy was elected president in an election considered free and fair by international and domestic observers. In 2019 the country held early parliamentary elections that observers also considered free and fair.

The Ministry of Internal Affairs is responsible for maintaining internal security and order and oversees police and other law enforcement personnel. The Security Service of Ukraine is responsible for state security broadly defined, nonmilitary intelligence, and counterintelligence and counterterrorism matters. The Ministry of Internal Affairs reports to the Cabinet of Ministers, and the Security Service reports directly to the president. The State Border Guard Service under the Ministry of Internal Affairs implements state policy regarding border security, while the State Migration Service, also under the Ministry of Internal Affairs, implements state policy regarding migration, citizenship, and registration of refugees and other migrants. Civilian authorities generally maintained effective control over security forces in the territory controlled by the government. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings by the government or its agents; torture and cases of cruel, inhuman, or degrading treatment or punishment of detainees by law enforcement personnel; harsh and life-threatening prison conditions; arbitrary

arrest or detention; serious problems with the independence of the judiciary; serious abuses in the Russia-led conflict in the Donbas, including physical abuses or punishment of civilians and members of armed groups held in detention facilities; serious restrictions on free expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, and censorship; serious restrictions on internet freedom; refoulement of refugees to a country where they would face a threat to their life or freedom; serious acts of government corruption; lack of investigation of and accountability for gender-based violence; crimes, violence, or threats of violence motivated by anti-Semitism; crimes involving violence or threats of violence targeting persons with disabilities, members of ethnic minority groups, and lesbian, gay, bisexual, transgender, queer, or intersex persons; and the existence of the worst forms of child labor.

The government generally failed to take adequate steps to prosecute or punish most officials who committed abuses, resulting in a climate of impunity. The government took some steps to identify, prosecute, and punish officials involved in corruption.

In the Russian-instigated conflict in the Donbas region, Russia-led forces reportedly engaged in unlawful or widespread civilian harm, enforced disappearances or abductions, and torture and physical abuses or punishment. Other significant human rights issues included credible reports of: harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; serious restrictions on free expression and the press; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; severe restrictions of religious freedom; serious restrictions on freedom of movement across the line of contact in eastern Ukraine; restrictions on political participation, including unelected governments and elections that were not genuine, free, or fair; and unduly restricted humanitarian aid.

Significant human rights issues in Russia-occupied Crimea included credible reports of: unlawful or arbitrary killings, including extrajudicial killings; forced disappearance; torture and cruel, inhuman, or degrading treatment or punishment by Russia or Russia-led “authorities,” including punitive psychiatric incarceration;

harsh and life-threatening prison conditions and transfer of prisoners to Russia; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, and the existence of criminal libel; serious restrictions on internet freedom; substantial interference with freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental organizations and civil society organizations; severe restrictions of religious freedom; restrictions on freedom of movement; serious restrictions on political participation including unelected governments and elections that were not genuine, free, or fair; serious government restrictions on or harassment of domestic and international human rights; crimes involving violence or threats of violence targeting members of national/racial/ethnic minority groups, or indigenous people, including Crimean Tatars and ethnic Ukrainians; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, and intersex persons (see Crimea subreport).

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were reports indicating that the government or its agents possibly committed arbitrary or unlawful killings. The State Bureau for Investigations (SBI) is responsible for investigation of crimes allegedly committed by law enforcement agencies.

Human rights organizations and media outlets reported deaths due to torture or negligence by police or prison officers. For example, the Zhytomyr District Prosecutor's Office initiated criminal proceedings in July against medical workers of the Zhytomyr Medical Service who allegedly misclassified the cause of death of a prisoner who died at the Zhytomyr Pretrial Detention Facility on July 18. The medical workers originally reported that prisoner Oleg Bereznyi had died of acute heart failure, but a forensic expert determined that the cause of death was a blunt

chest injury that produced multiple rib fractures, lung damage, and shock from being beaten. The Zhytomyr Regional Prosecutor's Office announced in late July that it opened criminal proceedings regarding the failure of prison staff to properly supervise and protect prisoners.

Impunity for past arbitrary or unlawful killings remained a significant problem. As of early November, the investigation into the 2018 killing of public activist Kateryna Handziuk continued. In 2019 a court in Dnipropetrovsk Oblast convicted five persons who carried out the fatal 2018 acid attack against Handziuk on charges of deliberately causing grievous bodily harm resulting in death. They were sentenced to terms of three to six and one-half years in prison. Each suspect agreed to testify against those who ordered the killing. In August 2020 a Kyiv court began hearings for the head of the Kherson regional legislature, Vladyslav Manger, and a suspected accomplice, Oleksiy Levin, on charges of organizing the fatal attack on Handziuk. As of late October, both suspects were to remain in custody until December 11. Former parliamentary aide Ihor Pavlovsky was charged in 2019 with concealing Handziuk's murder. In October 2020 as part of a plea bargain Pavlovsky testified that Manger organized the attack on Handziuk. The court gave Pavlovsky a suspended sentence of two years, releasing him in November 2020. Human rights defenders and Handziuk supporters alleged additional organizers of the crime likely remained at large and that law enforcement bodies had not investigated the crime fully.

Exiled Belarusian human rights activist Vitaly Shyshou (often reported as Vitaliy Shishov) disappeared on August 2 after leaving his Kyiv home for his morning jog, according to his girlfriend. On August 3, authorities found his body hanged from a tree in a park near his home. Shyshou had been in Kyiv since fall 2020 and helped to found Belarus House, a nongovernmental organization (NGO) that assists Belarusians fleeing to Ukraine from Alyaksandr Lukashenka's crackdown on civil society, members of the opposition, and ordinary citizens in Belarus. Belarus House representatives said they believed Shyshou's death was an act of transnational repression by the Belarusian State Security Committee (KGB) in line with the Lukashenka regime's continuing crackdown and repression against civil society activists. As of early September, an investigation into Shyshou's death was underway.

On January 4, the National Police announced an investigation into leaked audio, believed to have been recorded in 2012, in which alleged Belarusian KGB officials discussed killing prominent Belarusian-Russian journalist Pavel Sheremet, who was killed by a car bomb in 2016 in Ukraine. As of October no additional suspects had been identified as a result of the investigation of the leaked recordings, and trial proceedings against the three original suspects who were arrested in December 2019 were underway in a Kyiv court.

Law enforcement agencies continued to investigate killings and other crimes committed during the Revolution of Dignity protests in Kyiv in 2013-14. Human rights groups criticized the low number of convictions and frequent delays despite the existence of considerable evidence and the establishment in 2020 of a special unit for investigating Revolution of Dignity cases by the SBI, an investigative body with the mandate to investigate malfeasance by high-ranking government officials and law enforcement authorities. The Office of the UN High Commissioner for Human Rights Monitoring Mission in Ukraine (HRMMU) noted some progress had been made in investigating the killings. As of August the SBI had identified more than 60 alleged perpetrators of Revolution of Dignity killings, most of whom absconded and were wanted. Several perpetrators were sentenced for Revolution of Dignity-related crimes during the year, although courts had not yet found any perpetrators directly responsible for any of the 55 Revolution of Dignity-related killings under investigation.

During the year the SBI served notices of suspicion to 39 individuals, filed 19 indictments against 28 persons (five judges, 15 law enforcement officers, and eight civilians), and made three arrests for Revolution of Dignity-related crimes. On April 15, for example, the SBI arrested a fourth suspect in a case involving the kidnapping and torture of two activists and the murder of one of them (see section 1.b.).

On August 5, a Kyiv court declared Viktor Shapalov, a former Berkut special police unit commander on trial for his alleged role in the killing of Revolution of Dignity protesters in 2014, wanted after he failed to appear for a hearing. On September 23, a Kyiv court sentenced Yuriy Krysin to eight years in prison for his role in the 2014 abduction and torture of journalist Vladyslav Ivanenko.

On August 2, a court in Kyiv authorized the SBI to proceed with its pretrial investigation of former president Victor Yanukovich in absentia. In May 2020 the Pechersk District Court in Kyiv authorized the arrest of Yanukovich, his former defense minister, and two former heads of law enforcement agencies on charges of criminal involvement in the killings of protesters in Kyiv in 2014.

The HRMMU did not note any progress in the investigation and legal proceedings in connection with the 2014 trade union building fire in Odesa that stemmed from violent clashes between pro-Russia and Ukrainian unity demonstrators. During the clashes and fire, 48 persons died. The HRMMU noted that systemic problems, such as a shortage of judges and underfunded courts as well as COVID-19 pandemic-related restrictions and a lack of political will, continued to cause trial delays.

There were reports of civilian casualties in connection with Russian aggression in the Luhansk and Donetsk Oblasts (see section 1.g.).

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

In connection with abuses during the 2013-14 Revolution of Dignity protests in Kyiv, a fourth suspect was arrested on April 15 for his suspected involvement in the abduction and torture of Revolution of Dignity activists Ihor Lutsenko and Yuriy Verbitsky and the killing of Verbitsky. On April 16, a Kyiv court convicted and sentenced Oleksandr Volkov to nine years in prison for the abduction and torture of Verbitsky and Lutsenko but acquitted him of more serious charges, which included murder. On August 8, a court in Bila Tserkva allowed two suspects who were standing trial for involvement in the same case to move from detention to house arrest. As of late October, 12 other suspects in the case remained at large.

A 2018 law to assist in locating persons who disappeared in connection with the conflict in eastern Ukraine calls for the creation of a commission that would establish a register of missing persons. The commission was established in July 2020. On May 19, the Cabinet of Ministers approved an action plan with the stated purpose of ensuring the commission's effectiveness. As of mid-September,

however, the commission was not fully operational, and the register had not been created. According to the Ombudsperson's Office, as of August, 258 Ukrainians, including 67 servicemen, were considered missing in the areas of Donetsk and Luhansk controlled by Russia-led forces.

There were reports of politically motivated disappearances in connection with Russia's aggression in Donetsk and Luhansk Oblasts (see section 1.g.).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution and law prohibit torture and other cruel and unusual punishment, there were reports that law enforcement authorities engaged in such abuse. While courts cannot legally use confessions and statements made under duress to police by persons in custody as evidence in court proceedings, there were reports that police and other law enforcement officials abused and, at times, tortured persons in custody to obtain confessions.

Abuse of detainees by police remained a widespread problem. For example on February 5, police in Cherkasy detained a 28-year-old man on suspicion of theft and took him to the Horodyshe district police station for further questioning. According to the SBI, during the interrogation officers struck the suspect repeatedly with a metal chair. The officers then handcuffed the suspect and continued striking his face and limbs with a plastic water bottle and the hose of a fire extinguisher. The suspect received injuries to his face, head, and back and had teeth knocked out. On February 7, the SBI reported that the two police officers involved in the incident were under investigation for torture. On August 28, Odesa police deployed more than 1,000 officers to protect the participants of a lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) pride parade from an estimated 300 counterprotesters, mostly from the violent radical group Tradition and Order. Shortly after the march, Tradition and Order counterprotesters attacked police, firing tear gas and dousing police with green dye. Police detained 51 individuals and reported 29 officers were injured in the clashes, mostly from tear gas exposure. Videos of the clashes posted on Telegram and YouTube showed instances of police stepping on the face of a detained counterprotester, beating an already subdued individual with a nightstick, and dragging handcuffed individuals

by their arms.

Reports of law enforcement officers using torture and mistreatment to extract confessions were reported throughout the year. For example the HRMMU reported that on January 14, a group of plainclothes police officers in Zhytomyr stopped two car-theft suspects as they were walking along the side of a road and beat them. A uniformed police officer who arrived at the scene shortly thereafter reportedly pressed an unloaded pistol to the forehead of one of the suspects and pulled the trigger before striking him with the pistol and kicking him. The HRMMU reported the men were subsequently forced to confess to the car theft. The SBI opened an investigation into the incident, and on July 26, prosecutors charged four individuals, including at least one police officer, with torture, a crime punishable by up to five years in prison.

Impunity for abuses committed by law enforcement was a significant problem. The HRMMU reported that a pattern of lack of accountability for abuses by law enforcement persisted but noted a considerable increase since 2018 in the number of investigations and prosecutions of cases of alleged torture and abuse by law enforcement officials. The SBI and a specialized department within the Office of the Prosecutor General were responsible for investigating such allegations. According to the Kharkiv Human Rights Protection Group (KHPG), individuals who experienced torture during pretrial detention often did not file complaints due to intimidation and lack of access to a lawyer; the KHPG also noted that prisoners often withheld complaints to prison officials due to fear of torture.

In the Russia-controlled areas of Donetsk and Luhansk over which the Ukrainian government had no control, there were reports that Russia-led forces continued to torture detainees and carry out other cruel, inhuman, or degrading treatment or punishment (see section 1.g.). The HRMMU noted instances of torture were likely underreported, due to the lack of confidential access to detainees of international monitors, and reports indicating large-scale abuses and torture continued to emerge (see section 1.g.). Victims of abuses committed by Russia-led forces in the “Donetsk People’s Republic” (“DPR”) and “Luhansk People’s Republic” (“LPR”) had no legal recourse to attain justice.

Prison and Detention Center Conditions

Prison and detention center conditions remained poor, did not meet international standards, and at times posed a serious threat to the life and health of prisoners. Physical abuse, lack of proper medical care and nutrition, poor sanitation, and lack of adequate light were persistent problems.

Physical Conditions: Overcrowding remained a problem in some pretrial detention facilities, although human rights organizations reported that overcrowding at such centers decreased because of reforms in 2016 that eased detention requirements for suspects. In August monitors from the KHPG reported that living conditions at Lviv Oblast's Lychakivska correctional colony No. 14 were poor, as they observed mold on cell walls and ceiling and noted an unbearable stench throughout the premises. There was almost no daylight in some cells due to the small size of the windows, and the water pipes in the bathroom were broken, which caused flooding.

While authorities generally held adults and juveniles in separate facilities, there were reports that juveniles and adults were not separated in some pretrial detention facilities.

Physical abuse by guards was a problem. On March 18, the Council of Europe's Committee for the Prevention of Torture (CPT) reported that, during its most recent visit, in 2020, it received several credible allegations of physical abuse by prison staff at Colony No. 11 in Temnivka. According to the report, prisoners alleged abuse including punches, kicks, baton strikes, use of stress positions, squeezing of the testicles, and threats of rape. On March 18, the Ministry of Justice reported that a pretrial investigation of the allegations was underway.

There were reports of prisoner-on-prisoner violence. In its March 18 report, the CPT stated that prison staff routinely allowed "duty prisoners," a select group of prisoners appointed by staff to maintain discipline, to punish newly arrived prisoners who refused to comply with their orders. The punishment consisted of first forcing a prisoner to undress and lie on the floor in the prone position and then beating the soles of the prisoner's feet and buttocks with a plastic pipe as other inmates held the prisoner down.

Most detention facilities were old and needed renovation or replacement. According to a June KHPG report, conditions in many places of detention constituted inhuman or degrading treatment. The KHPG reported that some cells and facilities had very poor sanitary conditions. Some detainees reported that their cells were poorly ventilated and infested with insects. Conditions in police temporary detention facilities and pretrial detention facilities were harsher than in low- and medium-security prisons. Temporary detention facilities often had insect and rodent infestations and lacked adequate sanitation and medical facilities. Detainees in temporary detention facilities often had to take turns sleeping due to a lack of beds, according to the KHPG.

The quality of food in prisons was generally poor. According to the 2019 report of the UN special rapporteur on torture and other cruel, inhuman, or degrading treatment or punishment, inmates received three meals a day, although in most places the food was described as “inedible,” leading inmates to rely on supplementary food they received through parcels from family. According to the CPT, in some prisons inmates had access to showers only once a week. The UN special rapporteur stated that most hygienic products, including toilet paper, soap, and feminine hygiene products, were not provided and that detainees relied on supplies provided by family or donated by humanitarian organizations. In some facilities, cells had limited access to daylight and were not properly heated or ventilated.

UN and other international monitors documented systemic problems with the provision of medical care. The CPT observed a lack of medical confidentiality, poor recording of injuries, and deficient access to specialists, including gynecological and psychiatric care. There was a shortage of all kinds of medications, with an overreliance on prisoners and their families to provide most of the medicines. Conditions in prison health-care facilities were poor and unhygienic. Bureaucratic and financial impediments prevented the prompt transfer of inmates to city hospitals, resulting in their prolonged suffering and delayed diagnoses and treatment.

The condition of prison facilities and places of unofficial detention in Russia-controlled areas remained harsh and life threatening. According to the Justice for Peace coalition, there was an extensive network of unofficial places of detention in

the Russia-controlled Donbas located in basements, sewage wells, garages, and industrial enterprises. There were reports of severe shortages of food, water, heat, sanitation, and proper medical care. The HRMMU continued to be denied access to detainees held by Russia-led forces in eastern Ukraine, preventing it from investigating what it described as credible claims of torture and abuse in detention centers with conditions that did not meet international human rights standards.

The HRMMU continued to report systemic abuses against prisoners in the “DPR” and “LPR,” such as torture, starvation, denial of medical care, solitary confinement, and forced labor. According to Human Rights Watch, female detainees were denied appropriate medical care, including sexual and reproductive health care.

Administration: Although prisoners and detainees may file complaints concerning conditions in custody with the human rights ombudsperson, human rights organizations stated that prison officials continued to censor or discourage complaints and penalized and abused inmates who filed them. Human rights groups reported that legal norms did not always provide for confidentiality of complaints, and authorities did not always conduct proper investigations of complaints. During an April 26 visit to Colony No. 77 in Berdyansk, parliamentary monitors received reports from 21 newly arrived inmates of having been beaten with batons by members of the National Guard as they disembarked from the train that had transferred them to the prison. To investigate the reports, a prison doctor documented the injuries. According to the Kharkiv Human Rights Protection Group, the doctor was subsequently fired. On November 8, the Ministry of Justice revoked the license of the prison. As of mid-November, the prison was renamed Colony No. 145 and operated under new leadership.

While officials generally allowed prisoners, except those in disciplinary cells, to receive visitors, prisoner rights groups noted some families had to pay bribes to obtain permission for visits to which they were entitled by law.

Independent Monitoring: The government generally permitted independent monitoring of prisons and detention centers by international and local human rights groups, including the CPT, Ombudsperson’s Office, and HRMMU.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for the right of any person to challenge the lawfulness of his or her arrest or detention in court, but the government did not always observe these requirements.

The HRMMU and other monitoring groups reported numerous arbitrary detentions in connection with the conflict between the government and Russia-led forces on the territory of the Donetsk and Luhansk Oblasts (see section 1.g.).

Arrest Procedures and Treatment of Detainees

By law authorities may detain a suspect for three days without a warrant, after which a judge must issue a warrant authorizing continued detention. Authorities in some cases detained persons for longer than three days without a warrant.

Prosecutors must bring detainees before a judge within 72 hours, and pretrial detention should not exceed six months for minor crimes and 12 months for serious ones. Persons have the right to consult a lawyer upon their detention. According to the law, prosecutors may detain suspects accused of terrorist activities for up to 30 days without charges or a bench warrant. Under the law citizens have the right to be informed of the charges brought against them. Authorities must promptly inform detainees of their rights and immediately notify family members of an arrest. Police often did not follow these procedures. Police at times failed to keep records or register detained suspects, and courts often extended detention to allow police more time to obtain confessions.

The NGO Association of Ukrainian Monitors on Human Rights in Law Enforcement continued to report a widespread practice of unrecorded detention, in particular the unrecorded presence in police stations of persons “invited” for “voluntary talks” with police and noted several allegations of physical mistreatment that took place during a period of unrecorded detention. Authorities occasionally held suspects incommunicado, in some cases for several weeks. The association also reported that detainees were not always allowed prompt access to an attorney of their choice. Under the law the government must provide attorneys for indigent defendants. Compliance was inconsistent because of a shortage of defense attorneys or because attorneys, citing low government compensation,

refused to defend indigent clients.

The law provides for bail, but many defendants could not pay the required amounts. Courts sometimes imposed travel restrictions as an alternative to pretrial confinement.

Arbitrary Arrest: The HRMMU and other NGO human rights monitors reported a continued pattern of arbitrary detention by authorities. According to the HRMMU, an estimated 60 percent (approximately 2,300) of all conflict-related detentions made by authorities between 2014 and 2021 were arbitrary. Most of these arbitrary detentions were carried out by Security Service of Ukraine officials and took place in 2014 and 2015. The arbitrary detentions usually involved confinement of detainees in unofficial places of detention and denial of contact with lawyers or family members. The HRMMU noted it had not recorded any cases of prolonged confinement of conflict-related detainees by authorities in unofficial places of detention since 2016.

Arbitrary arrest was reportedly widespread in Russia-controlled territory in the Luhansk and Donetsk Oblasts. The HRMMU reported arbitrary detention was a “daily occurrence” in the “DPR” and “LPR” and found that a large majority of “preventive detentions” or “administrative arrests” carried out by Russia-led forces in Russia-controlled eastern Ukraine since 2014 amounted to arbitrary arrests. Under a preventive arrest, individuals may be detained for up to 30 days, with the possibility of extending detention to 60 days, based on allegations that a person was involved in crimes against the security of the “DPR” or “LPR.” During preventive arrests detainees were held incommunicado and denied access to lawyers and relatives.

The HRMMU documented 532 cases of conflict-related detention in the “DPR” and “LPR” between 2014 and April 30 and noted that most of these individuals experienced torture or mistreatment, including sexual violence.

Pretrial Detention: The Kharkiv Human Rights Protection Group noted that pretrial detention usually lasted two months but could be extended. When cases were delayed, precautionary measures were usually eased, such as permitting house arrest or temporary release.

Since the beginning of the armed conflict in 2014, the UN Office of the High Commissioner for Human Rights (OHCHR) documented 16 cases in which, following a court-ordered release, prosecutors pressed additional conflict-related criminal charges, enabling police to rearrest the defendant. In one case prosecutors charged a soldier with treason after he had been charged with desertion and granted release by a court.

e. Denial of Fair Public Trial

While the constitution provides for an independent judiciary, courts were inefficient and remained highly vulnerable to political pressure and corruption. Confidence in the judiciary remained low.

Despite efforts to reform the judiciary and the Office of the Prosecutor General, systemic corruption among judges and prosecutors persisted. Civil society groups continued to complain of weak separation of powers between the executive and judicial branches of government. Some judges claimed that high-ranking politicians pressured them to decide cases in their favor, regardless of the merits. Some judges and prosecutors reportedly took bribes in exchange for legal determinations. Other factors impeded the right to a fair trial, such as lengthy court proceedings, particularly in administrative courts, inadequate funding and staffing, and the inability of courts to enforce rulings.

Attacks on lawyers were often associated with their defense of clients in politically sensitive criminal cases. Such attacks undermined the ability of lawyers to adequately perform their duties and protect the rights of their clients. In one such case, on June 7, unknown assailants attacked lawyers Roman Zhyrun Girvin and Yaroslav Symovonnyk outside of Symovonnyk's home in Ivano-Frankivsk. The assailants allegedly shoved the lawyers to the ground and kicked them repeatedly, leaving Symovonnyk with a fractured nose and facial wounds that required stitches. The lawyers claimed the attack was likely in retaliation for their professional work representing the owners of a storage facility cooperative in lawsuits against a company that was found to have illegally seized part of the cooperative's land. Police reportedly registered the case, but as of late October, no one had been charged for the attack.

Judges, defendants, and defense lawyers sometimes faced intimidation by members of violent radical groups. For example on July 20, approximately 50 members of violent radical groups, including National Resistance and Foundation of the Future, attacked Belarusian anarchist Oleksiy Bolenkov and his supporters as Bolenkov entered the Shevchenkivskyy District Court building in Kyiv for a hearing regarding his petition to appeal the Security Service of Ukraine's decision to deport him. Video of the incident showed the attackers, who had gathered near the court's entrance to block Bolenkov from entering, spraying Bolenkov with an irritant, throwing eggs at him, and beating him. At least five persons, including Bolenkov, were injured in the attack. Telegram channels associated with these groups justified the actions as retaliation for Bolenkov's participation in anarchist groups that were allegedly involved in an attack on a Ukrainian veteran of the conflict in eastern Ukraine, Dmitry Verbical, although Bolenkov denied involvement in the attack. Despite pressure from violent radical groups, the court ruled in favor of Bolenkov's July 21 appeal against deportation.

Outcomes of trials sometimes appeared predetermined by government or other interference. On February 23, a district court in Odesa sentenced anticorruption activist and blogger Serhiy Sternenko to seven years and three months in prison and confiscation of one-half of his property after convicting him on kidnapping and robbery charges. Court-monitoring groups criticized procedural violations in the investigation and trial, including improper reliance on hearsay evidence and written witness testimony. Human rights NGOs attributed these alleged violations to possible biases of the judges and political pressure from senior justice and law enforcement officials. On May 31, an Odesa Appeals Court overturned Sternenko's robbery conviction and ruled that the statute of limitations had lapsed on a kidnapping conviction, thus precluding sentencing.

Trial Procedures

The constitution and law provide for the right to a fair and public trial. Human rights groups noted that ineffective investigations and misuse of trial extensions by judges and defense lawyers sometimes caused undue trial delays.

The law presumes defendants are innocent, and they cannot be legally compelled to testify or confess, although some pointed to high conviction rates as a reason to

call into question the legal presumption of innocence. Defendants have the right to be informed promptly and in detail of the charges against them, with interpretation as needed; to a public trial without undue delay; to be present at their trial; to communicate privately with an attorney of their choice (or have one provided at public expense if unable to pay); and to have adequate time and facilities to prepare a defense. The law also allows defendants to confront witnesses against them, to present witnesses and evidence, and to appeal.

Trials are open to the public, but some judges prohibited media from observing proceedings, often justifying these measures as necessary to contain the COVID-19 pandemic. (Through much of the year the country had a high COVID-19 infection rate). An OHCHR survey of 121 lawyers concluded COVID-19 restrictions made it more difficult to access court registries and conduct confidential meetings with clients held in detention, increasing trial delays. While trials must start no later than three weeks after charges are filed, prosecutors seldom met this requirement. Human rights groups reported officials occasionally monitored meetings between defense attorneys and their clients.

The HRMMU documented violations of the right to a fair trial in criminal cases related to the Russia-led conflict in the Donbas region, notably the right to a trial without undue delay and the right to legal counsel. The government's lack of access to Russia-controlled areas complicated investigations into human rights violations there. As a result perpetrators of such violations were rarely prosecuted. As of September only five former members of illegal armed groups in the Russia-controlled areas of Luhansk and Donetsk Oblasts had been convicted for crimes against civilians during the year, a relatively low number considering law enforcement agencies identified more than 1,600 war crimes committed since February 2014. In May parliament amended the criminal code to allow investigations to be conducted in absentia, removing what human rights groups considered a key obstacle to investigations into human rights abuses committed in the Donbas. Authorities also failed to effectively investigate and prosecute perpetrators for interfering in investigations and manipulating court proceedings. Court monitoring groups reported that judges sometimes admitted hearsay as evidence and allowed witnesses to submit testimony in writing rather than appear in person.

Undue delays continued to slow criminal proceedings in cases related to Russia-controlled territory in eastern Ukraine.

Russia-led forces terminated Ukrainian court system functions on territories under their control in 2014. The “DPR” and “LPR” did not have an independent judiciary, and the right to a fair trial was systematically restricted. The HRMMU reported that in many cases individuals were not provided with any judicial review of their detention and were detained indefinitely without any charges or trial. In cases of suspected espionage or when individuals were suspected of having links to the Ukrainian government, closed-door trials by military “tribunals” were held. The “courts” widely relied on confessions obtained through torture and coercion. There were nearly no opportunities to appeal the verdicts of these tribunals. Observers noted that subsequent “investigations” and “trials” seemed to serve to create a veneer of legality to the “prosecution” of individuals believed to be associated with Ukrainian military or security forces. The HRMMU reported that Russia-led forces generally impeded private lawyers from accessing clients and that “court”-appointed defense lawyers generally made no effort to provide an effective defense and participated in efforts to coerce guilty pleas.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees in the government-controlled area of Ukraine.

According to the Security Service, as of mid-October, Russia-led forces kept an estimated 296 hostages in the Donbas region (see section 1.g.).

Politically Motivated Reprisal against Individuals Located Outside the Country

Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence: On April 3, media outlets reported that Ukrainian intelligence operatives allegedly kidnapped former Kyiv judge Mykola Chaus in Moldova and brought him to an undisclosed location in Ukraine following a Moldovan court’s rejection of his asylum request in March. Foreign Minister Dmytro Kuleba denied allegations that Ukrainian government officials were involved in the incident. In 2016 the National Anticorruption Bureau of Ukraine charged Chaus with accepting a \$150,000 bribe, but Chaus subsequently fled to

Moldova. As of late August Chaus was under house arrest in Ukraine.

Civil Judicial Procedures and Remedies

The constitution and law provide for the right to seek redress for any decisions, actions, or omissions of national and local government officials that violate citizens' human rights. An inefficient and corrupt judicial system limited the right of redress. Individuals may also file a collective legal challenge to legislation they believe may violate basic rights and freedoms. Individuals may appeal to the human rights ombudsperson and to the European Court of Human Rights after exhausting domestic legal remedies.

Property Seizure and Restitution

The country endorsed the 2009 Terezin Declaration on Holocaust Era Assets and Related Issues but had not passed any laws dealing with the restitution of private or communal property, although the latter was partly resolved through regulations and decrees. In recent years most successful cases of restitution took place because of tacit and behind-the-scenes lobbying on behalf of Jewish groups.

For information regarding Holocaust-era property restitution and related issues, please see the Department of State's *Justice for Uncompensated Survivors Today (JUST) Act* report to Congress, released publicly in July 2020, at <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, but there were reports authorities generally did not respect the prohibitions.

By law the Security Service of Ukraine may not conduct surveillance or searches without a court-issued warrant. The Security Service and law enforcement agencies, however, sometimes conducted searches without a proper warrant, which human rights groups partially attributed to the Security Service's wide mandate to conduct both law enforcement and counterintelligence tasks. In an emergency, authorities may initiate a search without prior court approval, but they must seek

court approval immediately after the investigation begins. Citizens have the right to examine any dossier in the possession of the Security Service that concerns them; they have the right to recover losses resulting from an investigation. There was no implementing legislation, authorities generally did not respect these rights, and many citizens were not aware of their rights or that authorities had violated their privacy.

There were reports that the government improperly sought access to information regarding journalists' sources and investigations (see section 2.a.).

Law enforcement bodies monitored the internet, at times without appropriate legal authority, and took significant steps to block access to websites based on "national security concerns" (see section 2.a.).

g. Conflict-related Abuses

The Russian government controlled the level of violence in eastern Ukraine, intensifying it when it suited its political interests. Russia continued to arm, train, lead, and fight alongside forces in the "DPR" and the "LPR." Russia-led forces throughout the conflict methodically obstructed, harassed, and intimidated international monitors, who did not have the access necessary to record systematically cease-fire violations or abuses committed by Russia-led forces.

International organizations and NGOs, including Amnesty International, Human Rights Watch, and the HRMMU, issued periodic reports documenting abuses committed in the Donbas region on both sides of the line of contact. As of August the Organization for Security and Cooperation in Europe (OSCE) fielded 1,314 persons supporting a special monitoring mission, which issued daily reports on the situation and conditions in most major cities.

According to the HRMMU, since the start of Russia's aggression against Ukraine, more than three million residents left areas of Donetsk and Luhansk Oblasts controlled by Russia-led forces. As of mid-September the Ministry of Social Policy had registered more than 1.4 million internally displaced persons (IDPs).

The HRMMU noted that hostilities continued to affect the lives of 3.4 million civilians residing in the area. Regular exchanges of fire across the line of contact

exposed those residents to the constant threat of death or injury, while their property and critical infrastructure continued to be damaged in the fighting.

Killings: As of June 30, OHCHR reported that since the start of the conflict, fighting had killed at least 13,200 to 13,400 individuals, including civilians, government armed forces, and members of armed groups. The HRMMU reported that at least 3,393 of these were civilian deaths. This figure included the 298 passengers and crew on board Malaysian Airlines flight MH17, shot down by a missile fired from territory controlled by Russia-led forces in 2014 over the Donbas region. OHCHR recorded 84 civilian casualties (18 fatalities and 66 injuries) between January 1 and September 30.

The HRMMU noted significant numbers of civilians continued to reside in villages and towns close to the contact line and that both government and Russia-led forces were present in areas where civilians resided. According to media reports, on August 11, an elderly man in Novoselivka in the Russia-controlled part of Donetsk Oblast was killed in his home by shrapnel from a 122-mm artillery round fired by Russia-led forces. Media also reported that on February 23, an elderly man in Khutir Vilnyy in the government-controlled part of Luhansk Oblast was fatally wounded when an antitank projectile launched by Russia-led forces exploded in his yard. Ukrainian military personnel administered first aid and transported him to a hospital, where he died shortly after arrival. OHCHR reported the presence of military personnel and objects within or near populated areas on both sides of the line of contact.

The HRMMU also regularly noted concerns regarding the dangers to civilians from land mines, booby traps, and unexploded ordnance. According to the NGO Landmine and Cluster Munition Monitor, 7,000 square miles of both government-controlled territory and territory controlled by Russia-led forces in Donetsk and Luhansk Oblasts needed humanitarian demining. According to the HRMMU, 11 civilians were killed and 38 injured by mines and explosive ordnance from January through September 30. Civilian casualties due to mines and explosive ordnance accounted for 60 percent of total civilian casualties during the year. Most cases took place in the areas controlled by Russia-led forces, where humanitarian access was limited.

According to the OSCE, on April 2, a five-year-old boy was killed by shrapnel from an explosion that occurred nearby while he was outside his grandmother's home in Oleksandrivske in the Russia-controlled part of Donetsk Oblast. The OSCE investigated the scene but was unable to determine what type of ordnance caused the explosion.

According to human rights groups, more than 1,000 bodies in government-controlled cemeteries and morgues, both military and civilian, remained unidentified, mostly from 2014.

Abductions: As of August more than 800 missing persons were registered with the International Committee of the Red Cross (ICRC) and the Ukrainian Red Cross as unaccounted for, approximately one-half of whom were civilians. According to the ICRC, approximately 1,800 applications requesting searches for missing relatives were submitted since the beginning of the conflict in eastern Ukraine.

There were reports of abductions or attempted abductions by Russia-led forces. According to the HRMMU, as of July there had been no new cases of forced disappearances committed by Ukrainian security services since 2016, although impunity for past disappearances persisted, and the Security Service continued to detain individuals near the contact line arbitrarily for short periods of time.

According to the head of the Security Service of Ukraine, Russia-led forces held 296 Ukrainian hostages in the Donbas region as of mid-October. Human rights groups reported that Russia-led forces routinely kidnapped persons for political purposes, to settle vendettas, or for ransom. The HRMMU repeatedly expressed concern regarding “preventive detention” or “administrative arrest” procedures used in the “LPR” and “DPR” since 2018, which it assessed amounted to incommunicado detention and “may constitute enforced disappearance” (see section 1.d.).

In one example on May 14, representatives of the “ministry of state security” of the “DPR” carried out an “administrative arrest” of Oksana Parshina, a woman who was 10 weeks pregnant, on suspicion of espionage. According to Human Rights Watch, Parshina fled Donetsk in 2014 after shelling destroyed her house and returned in May to visit her sister. As of early September, Parshina remained in a

temporary detention facility, and “authorities” denied her sister’s requests to visit her. As of April 30, the HRMMU estimated 200 to 300 individuals had died since 2014 while detained by Russia-led forces.

Physical Abuse, Punishment, and Torture: Both government and Russia-led forces reportedly abused civilians and members of armed groups in detention facilities, but human rights organizations consistently cited Russia-led forces for large-scale and repeated abuses and torture. Abuses reportedly committed by Russia-led forces included beatings, physical and psychological torture, mock executions, sexual violence, deprivation of food and water, refusal of medical care, and forced labor. Observers noted that an atmosphere of impunity and absence of rule of law compounded the situation.

In government-controlled territory, the HRMMU continued to receive allegations that the Security Service detained and abused individuals in both official and unofficial places of detention to obtain information and pressure suspects to confess or cooperate. The HRMMU did not report any cases of conflict-related torture in government-controlled territory, but it suspected such cases were underreported because victims often remained in detention or were afraid to report abuse due to fear of retaliation or lack of trust in the justice system. Based on interviews with nine detainees early in the year, the HRMMU reported on May 31 that detainees continued to report having been beaten and being detained in unofficial places of detention. The HRMMU noted, however, that allegations of torture or mistreatment had lessened since 2016.

According to the HRMMU, the lack of effective investigation into previously documented cases of torture and physical abuse remained a concern.

There were reports that Russia-led forces committed numerous abuses, including torture, in the territories under their control. According to international organizations and NGOs, abuses included beatings, forced labor, psychological and physical torture, public humiliation, and sexual violence. The HRMMU reported that, of the 532 cases of conflict-related detentions by Russia-led forces in the self-proclaimed “republics” from 2014 to April 30, at least 280 of the individuals were tortured or otherwise abused, including in some cases with sexual violence.

According to a July 5 Human Rights Watch report, Russia-led forces allegedly detained Olha Mozolevska in 2017 and took her to the Izolatsiya detention facility, where she was beaten, including being hit in the face, smashed against the wall, and tortured to force her to confess to espionage. She was reportedly not allowed to call her family during her first six months under incommunicado detention. She was transferred to another detention facility in May. International organizations, including the HRMMU, were refused access to places of deprivation of liberty in territory controlled by Russia-led forces and were therefore not able to assess fully conditions in the facilities.

In a July report, the HRMMU noted it had documented 35 cases of sexual and gender-based violence committed by government authorities against individuals detained in relation to the conflict since 2014 but had not documented any cases occurring after 2017. The HRMMU noted Russia-led forces continued to commit sexual and gender-based abuses, and most cases occurred in the context of detention. In these cases both men and women were subjected to sexual violence. Beatings and electric shock in the genital area, rape, threats of rape, forced nudity, and threats of rape against family members were used as methods of torture and mistreatment to punish, humiliate, or extract confessions. The HRMMU noted that women were vulnerable to sexual abuse at checkpoints along the line of contact between Ukrainian and Russia-led forces.

There were reports that in territory controlled by Russia-led forces, conditions in detention centers were harsh and life threatening (see section 1.c.). In areas controlled by Russia-led forces, the Justice for Peace in Donbas Coalition indicated that sexual violence was more prevalent in “unofficial” detention facilities, where in some cases women and men were not separated. The HRMMU reported that based on the percentage of cases in which detainees reported being sexually abused, the total number of victims of sexual violence while under detention by Russia-led forces could be between 170 and 200. The reported forms of abuse included rape, threats of rape, threats of castration, intentional damage to genitalia, threats of sexual violence against family members, sexual harassment, forced nudity, coercion to watch sexual violence against others, forced prostitution, and humiliation.

Russia-led forces continued to employ land mines without fencing, signs, or other

measures to prevent civilian casualties (see subsection on Killings, above). Risks were particularly acute for persons living in towns and settlements near the line of contact as well as for the approximately 50,000 persons who crossed it monthly on average.

Other Conflict-related Abuse: On June 7, a Dutch court in The Hague started hearing evidence regarding the criminal case connected to the 2014 downing of Malaysian Airlines flight MH17 in the Donbas region. In 2019 the Netherlands' chief public prosecutor announced the results of the activities of the Joint Investigation Group, and the Prosecutor General's Office subsequently issued indictments against three former Russian intelligence officers and one Ukrainian national. In 2018 the investigation concluded that the surface-to-air missile system used to shoot down the airliner over Ukraine, killing all 298 persons on board, came from the Russian military.

Russia-led forces in Donetsk Oblast restricted international humanitarian organizations' aid delivery to civilian populations inside Russia-controlled territory. As a result, prices for basic groceries were reportedly beyond the means of many persons remaining in Russia-controlled territory. Human rights groups also reported severe shortages of medicine, coal, and medical supplies in Russia-controlled territory. Russia-led forces continued to receive convoys of Russian "humanitarian aid," which Ukrainian government officials believed contained weapons and supplies for Russia-led forces.

The HRMMU reported the presence of military personnel and objects within or near populated areas on both sides of the line of contact.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution and law provide for freedom of expression, including for the press and other media, but authorities did not always respect these rights. The government banned, blocked, or sanctioned media outlets and individual journalists deemed a threat to national security or who expressed positions that

authorities believed undermined the country's sovereignty and territorial integrity. Other problematic practices continued to affect media freedom, including self-censorship, so-called *jeansa* payments (publishing unsubstantiated or biased news articles for a fee), and slanted news coverage by media outlets whose owners had pro-Russia political views, close ties to the government, or business or political interests to protect. Government failure to investigate or prosecute attacks on human rights defenders and peaceful protesters also led to de facto restrictions on freedom of assembly and association.

In the Donbas region, Russia-led forces suppressed freedom of speech and the press through harassment, intimidation, abductions, and physical assaults on journalists and media outlets. They also prevented the transmission of Ukrainian and independent television and radio programming in areas under their control.

Freedom of Expression: With few exceptions, individuals in areas under government control could generally criticize the government publicly and privately and discuss matters of public interest without fear of official reprisal.

The law criminalizes the display of communist and Nazi symbols as well as the manufacture or promotion of the St. George's ribbon, a symbol associated with Russia-led forces in the Donbas region and Russian irredentism. During the May 9 celebration of World War II Victory Day, police opened 17 criminal proceedings and filed 22 administrative offense citations against individuals in Odesa, Zakarpattya, Lviv, Zaporizhzhya, and Luhansk Oblasts for carrying banned communist and Nazi symbols.

The law prohibits statements that threaten the country's territorial integrity, promote war, instigate racial or religious conflict, or support Russian aggression against the country, and the government prosecuted individuals under these laws (see subsections on Censorship and National Security).

Freedom of Expression for Members of the Press and Other Media, Including Online Media: The NGO Freedom House rated the country's press as "partly free." Independent media and internet news sites were active and expressed a wide range of views, but the government took some actions that restricted media and freedom of expression.

On February 2, President Zelenskyy signed a decree imposing sanctions on Taras Kozak, a member of parliament from the Opposition Platform-For Life party, and eight companies, including three media outlets owned by Kozak (ZIK, 112, and NewsOne) that were forced to close on February 2, in accordance with the presidential decree citing national security grounds due to their affiliation with pro-Russia parliamentarian Viktor Medvedchuk. Further, the National Security and Defense Council (NSDC) requested YouTube, Facebook, and Twitter remove the channels' content from their platforms. Medvedchuk has been under international sanctions since 2014 for violating Ukraine's sovereignty and these sanctions remained in effect. Reactions of civil society organizations to media sanctions varied. Some local journalists and media organizations claimed the sanctions legitimately addressed concerns regarding the threat of terrorist financing. The HRMMU criticized the decision, noting it was not taken by an impartial authority and lacked proper justification and proportion.

On August 21, President Zelenskyy approved an NSDC decision to sanction several individuals, businesses, and media entities on what authorities deemed national security grounds for "spreading pro-Russian propaganda." To carry out the decision, the Security Service of Ukraine ordered Ukrainian internet providers to block access to sanctioned news outlets, including, among other sites widely considered to have a pro-Russia editorial slant, *Strana.ua*, *Sharif.net*, *Vedomosti*, and *Moskovsky Komsomolets*. As of late October, access to these news sites for users in Ukraine was only possible with a virtual private network (VPN). Individuals sanctioned included bloggers and politicians Anatoliy and Olga Shariy in response to their running a video blog and website that authorities considered too "pro-Russian." The OSCE media freedom representative expressed concerns regarding the decision's effect on the country's media freedom climate, noting, "Any sanctions on media should be subject to careful scrutiny, accompanied by effective procedural safeguards to prevent undue interference."

Privately owned media, particularly television channels, the most successful of which were owned by influential oligarchs, often provided readers and viewers a "biased pluralism," representing the views of their owners and providing favorable coverage of their allies and criticism of political and business rivals. The 10 most popular television stations were owned by businessmen whose primary business

was not in media. Independent media had difficulty competing with major outlets that operated with oligarchic subsidies. Editorial independence was particularly limited in media controlled by individuals and oligarchs supportive of or linked to the Russian government and Russian intelligence agencies.

There were reports of continuing financial and political pressure on the National Public Broadcasting Company, created to provide an independent publicly funded alternative to oligarch-controlled television channels. Local media outlets claimed that senior representatives from the Office of the President and other government bodies lobbied the broadcaster's supervisory board to support favored candidates for key leadership positions at the broadcaster. Despite this reported pressure, the selection process remained transparent and unbiased.

Jeansa, the practice of planting one-sided or favorable news coverage paid for by politicians or oligarchs, continued to be widespread. Monitoring by the Institute for Mass Information (IMI) of national print and online media for jeansa indicated a wide range of actors ordered political jeansa, including political parties, politicians, oblast governments, and oligarchs. Only seven of the 18 most-visited information sites did not contain jeansa, according to an IMI monitoring study conducted in April. The study found that the publishing of jeansa increased by 39 percent in the second quarter of the year.

Violence and Harassment: Violence against journalists remained a problem. Human rights groups and journalists blamed what they saw as government inaction in solving the crimes for the emergence of a culture of impunity. Government authorities sometimes participated in and condoned attacks on journalists.

According to the IMI, as of September 1, there had been 12 reports of attacks on journalists, compared with 14 cases during the same period in 2020. As in 2020, private, rather than state, actors perpetrated most of the attacks. As of September 1, there were 11 incidents involving threats against journalists, compared with 13 during the same period in 2020. The IMI and editors of major independent news outlets also noted online harassment of journalists by societal actors, reflecting a growing societal intolerance of reporting deemed insufficiently patriotic, a development they asserted had the tacit support of the government.

There were multiple reports of attacks on journalists by government officials. For example on February 1, Cherkasy City Council official Stanislav Kolomiyets and an accomplice allegedly forced entry into the editorial office of independent broadcaster Antena TV and attacked journalist Valeriy Vorotnyk. According to Vorotnyk, the attackers punched and kicked him in the head, causing him to lose consciousness, and destroyed one of his cameras. Vorotnyk said he believed the attack was in retaliation for his dispute with Kolomiyets over the use of Antena's copyrighted logo on social media. Police charged the attackers with attacking a journalist, and in May the prosecutor's office submitted an indictment to the court. As of early September, the trial had not begun, and Kolomiyets retained his city council position.

Media professionals asserted that they continued to experience pressure from the Security Service, the military, police, and other officials when reporting on sensitive issues. For example on July 2, several officers of the Dnipro "Municipal Guard," a subdivision of Dnipro City Council's Department of Public Order, attacked two cameramen and a reporter who were filming the removal of advertisements from billboards in Dnipro's city center. Ihor Hutnik, a cameraman for local television station OTV, and Serhiy Fayzulin, a cameraman for D1 local news, alleged a group of men, including Municipal Guard officers, suddenly began shouting at them to stop filming; the attackers punched and kicked the cameramen and smashed a camera. The two victims were hospitalized with serious head injuries. On July 3, police announced five suspects, including three Municipal Guard officers, had been arrested on charges of hooliganism and violence against a journalist. As of early September, the investigation was underway.

There were reports of attacks on journalists by nongovernment actors. On the night of February 1, journalist Olha Ferrar's car was vandalized in Rivne with a brick that shattered the car's side window. Ferrar said she believed she was targeted in retaliation for her journalistic activities and social media posts, particularly her coverage of the Rivne Oblast Council. Police classified the incident as "hooliganism" and opened an investigation. As of early September, the investigation continued.

On February 4, Nash TV journalist Oleksiy Palchunov was assaulted while reporting on a protest organized by violent radical groups against Nash TV, which

the protesters accused of spreading pro-Russia propaganda. According to the Kyiv City Prosecutor's Office, the assailant grabbed Palchunov's microphone to disrupt the journalist's video recording and punched Palchunov twice in the face. The police investigated the incident, and on July 29, the case was transferred to the court.

There were allegations the government prosecuted journalists in retaliation for their work (see section 1.e.).

Journalists reported receiving threats in connection with their reporting. For example, Volodymyr Yakymiv, editor of the online news site *Berezh.info*, claimed Ternopil Oblast Council deputy Oleh Valov threatened physical violence against him in an April 7 telephone conversation in response to his professional journalistic activities. Valov reportedly downplayed the incident as an emotional outburst in response to what he said were false accusations against his wife that were published on Yakymiv's site. Police opened an investigation into the threats in April. As of late October, the case remained under investigation.

Censorship or Content Restrictions: Human rights organizations frequently criticized the government for what they viewed as an overly broad approach to banning books, television shows, websites, and other content perceived by authorities to counter national security interests (see subsections on National Security and Internet Freedom, below).

There were instances in which the government practiced censorship, restricted content, and penalized individuals and media outlets for reportedly having pro-Russia views and disseminating Russian disinformation through imposing financial sanctions, banning websites, and blocking television channels. The government banned and penalized additional media outlets and television channels throughout the year and worked to prevent certain media outlets from advertising on Facebook, YouTube, and other social media platforms (see Freedom of Expression for Members of the Press and Other Media, Including Online Media, and National Security subsections).

Both independent and state-owned media periodically engaged in self-censorship when reporting stories that might expose their media owners or political allies to

criticism or might be perceived by the public as insufficiently patriotic or provide information that could be used for Russian propaganda.

Libel/Slander Laws: Libel is a civil offense. While the law limits the monetary damages a plaintiff can claim in a lawsuit, local media observers continued to express concern over high monetary damages awarded for alleged libel. Government offices and public figures used the threat of civil suits, sometimes based on alleged damage to a person's "honor and integrity," to influence or intimidate the press and investigative journalists.

National Security: In the context of the continuing Russia-led armed conflict in the Donbas region and Russian disinformation and cyber campaigns, authorities took measures to prohibit, regulate, and occasionally censor information deemed a national security threat, particularly those emanating from Russia and promoting pro-Russia lines or disinformation. Authorities also sanctioned media figures and outlets, as well as banned websites, and prevented advertising of media outlets and websites whose messages were deemed to be counter to national security interests (see Freedom of Expression for Members of the Press and Other Media, Including Online Media and Censorship and Content Restrictions subsections above).

Citing the continuing armed conflict with Russian-led forces, the government continued the practice of banning specific works by Russian actors, film directors, and singers, as well as imposing sanctions on pro-Russia journalists. According to the State Film Agency, as of mid-September approximately 815 films and television shows had been banned on national security grounds since 2014. The government maintained a ban on the operations of 1,848 legal entities, approximately 840 companies and 4,046 persons who allegedly posed a threat to the country's national security. Targets of the ban included companies and persons that allegedly posed a "threat to information and the cyber security of the state." The Ministry of Culture maintained a list of 204 cultural figures whose professional activities were banned for allegedly posing a "threat to the national security of Ukraine." The government maintained a ban on VKontakte and Odnoklasniki, two widely used social networks based in Russia, major Russian television stations, and smaller Russian stations that operated independently of state control.

The National Council on Television and Radio Broadcasting (Derzhkomteleradio) maintained a list of banned books seen to be aimed at undermining the country's independence; promoting violence; inciting interethnic, racial, or religious hostility; promoting terrorist attacks; or encroaching on human rights and freedoms. As of August the list contained 264 titles.

Some media freedom groups claimed the government used formal pretexts to silence outlets for being “pro-Russia” and for being critical of its national security policy (see Freedom of Press and Media, Including Online Media, above). On February 12, Derzhkomteleradio announced an unscheduled inspection of pro-Russia television station Nash TV, claiming Nash TV guest Olena Bondarenko's remarks during a January show regarding Ukrainian service members and the conflict in the Donbas might have amounted to “incitement of national enmity” in violation of national security laws. During the following several months, Derzhkomteleradio imposed a series of fines on Nash TV for these and other remarks that allegedly violated national security laws. On August 19, Derzhkomteleradio announced it would seek revocation of Nash TV's broadcasting license, citing multiple instances of “incitement of national enmity,” including the use on the channel of “Ukrainophobic vocabulary.” On September 16, Derzhkomteleradio filed a lawsuit with the Kyiv District Administrative Court to revoke Nash TV's broadcasting license.

Nongovernmental Impact: There were reports radical groups attacked journalists. For example on July 21, members of the violent radical group National Resistance reportedly attacked Oleksandr Kuzhelnyy, a photographer for Kyiv-based Bukvy media, outside the Shevchenkivskyy District Court building in Kyiv. At the time of the attack, Kuzhelnyy was covering the court's deliberations regarding a request from the government of Belarus to deport Belarusian activist Oleksiy Bolenkov (see section 1.e.). According to Bukvy media, a representative of National Resistance, whose members had gathered there to express support for Bolenkov's deportation, punched Kuzhelnyy in the face. In a video recording of the incident, law enforcement officials standing next to the victim at the time of the attack failed to react. Police subsequently opened a “hooliganism” investigation into the incident, but as of mid-September no arrests had been made. Andriy Biletsky, leader of National Corps, which organized the protest, condemned the

attackers and apologized to Kuzhelnyy; the two men were photographed shaking hands at their meeting.

The ability to exercise freedom of expression reportedly remained extremely limited in territory controlled by Russia-led forces in eastern Ukraine. Based on HRMMU media monitoring, critical independent media on the territory controlled by Russia-led forces was nonexistent. According to a media freedom watchdog, authorities in the “LPR” continued to block dozens of Ukrainian news outlets.

The HRMMU reported that journalists entering Russia-controlled territory of the “DPR” had to inform the “press center” of the “ministry of defense” regarding their daily activities, were arbitrarily required to show video footage at checkpoints, and were accompanied by members of armed groups when travelling close to the line of contact.

Internet Freedom

There were instances in which the government censored online content. Law enforcement bodies monitored the internet, at times without appropriate legal authority, and took significant steps to block access to websites based on “national security concerns.”

On August 21, President Zelenskyy approved an NSDC decision to sanction several individuals and legal entities deemed to be “pro-Russia propagandists” (see Freedom of Expression for Members of the Press and Other Media, Including Online Media, above). In addition to requiring Ukrainian internet service providers to block several Ukrainian news sites, the decision also ordered the blocking of social media pages of sanctioned individuals, which included Anatoliy Shariy, editor of the *sharij.net* news platform, and Ihor Huzhva, editor in chief of media outlet *strana.ua* (see Freedom of Expression for Members of the Press and Other Media, Including Online Media, above). The decision also ordered the blocking of 12 Russian news sites; the order did not define a time limit for the sanctions of several of the sites. Ukrainian internet providers continued to block websites in accordance with government orders from prior years based on national security concerns. As of mid-August, 685 sites were blocked in the country on such grounds. According to monitoring by Digital Security Lab Ukraine, internet

service provider compliance with the government's orders to block sites varied widely.

Free speech advocates expressed concern that courts continued to block access to websites on grounds other than national security. Freedom House reported thousands of websites, including some self-described news sites, were blocked for alleged involvement in cybercrime, fraud, and other illegal activities. For example on February 18, a Kyiv court ruled to block access to 12 websites, including media platforms *Apostrophe*, *Glavkom*, and *Holos*, on the grounds they allegedly published false information regarding plaintiff Pavlo Barbul, the former director of the state-owned defense technology enterprise SpetsTekhnoExport.

Representatives of the publications claimed the court's decision was retribution for their reporting on allegations of misuse of funds by SpetsTekhnoExport during Barbul's 2014-18 tenure. On April 28, the court reversed the ruling and unblocked access to the websites. Barbul was charged with large-scale embezzlement in 2019; as of late October, his trial was underway in court.

The Myrotvorets (peacemaker) database, which reportedly maintained close ties to the country's security services, published the personal data of journalists and public figures who had been critical of the country's security services or had made other statements the site considered unpatriotic. For instance on February 5, the website published personally identifiable information of Nataliya Lavrenyuk, the wife of Opposition Platform-For Life lawmaker Taras Kozak. Myrotvorets claimed Lavrenyuk's alleged financial dealings in Russia and alleged use of a Russian passport for travel to Russia-occupied Crimea constituted "conscious acts against the national security of Ukraine" and called on law enforcement agencies to investigate her. (The vast majority of the international community did not recognize Russia's purported annexation of Crimea.) On February 19, President Zelenskyy signed a decree sanctioning eight individuals, including Lavrenyuk, for "financing of terrorism." Lavrenyuk was not convicted of the charge by any court.

There were reports of cyberattacks on journalists who reported on corruption. For example, former Radio Free Europe/Radio Liberty (RFE/RL) journalist Elena Dub claimed Russia-backed bots on April 12 carried out a spam attack on her social networks and mobile devices, which included a barrage of threatening messages. She claimed the attack was likely retaliation for her reporting for RFE/RL's

Crimea Realities program from 2015 to 2020.

Human rights groups and journalists who were critical of Russia's aggressive actions in the Donbas region and its occupation of Crimea reported their websites were subjected to cyberattacks, such as coordinated denial of service incidents and unauthorized attempts to obtain information from computers as well as coordinated campaigns of trolling and harassment on social media. In its annual *Freedom on the Net* report published in September, Freedom House concluded that the country's internet freedom environment improved, citing fewer cases of users being imprisoned for online speech.

There were reports the government prosecuted individuals for their posts on social media. For example on March 25, the Chernihiv District Court filed administrative charges against a woman from Kolomyia for allegedly spreading false information. According to the court, the woman falsely claimed in a Facebook post that a COVID-19 vaccine had not passed all required safety tests. On April 28, a judge ruled to drop the charge on grounds of triviality. In a separate case, on October 7, a district court in Zakarpattia Oblast found a man guilty of spreading false rumors concerning the pandemic on social media and fined him 225 hryvnia (\$9).

Academic Freedom and Cultural Events

There were some instances in which the government restricted academic freedom or cultural events.

The government maintained a list of Russian or pro-Russia musicians, actors, and other cultural figures it prohibited from entering the country on national security grounds.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

Freedom of Peaceful Assembly

The constitution provides for the freedom of peaceful assembly, but police

sometimes restricted or failed to protect freedom of assembly. No laws, however, regulate the process of organizing and conducting events to provide for the right, and authorities have wide discretion under a Soviet-era directive to grant or refuse permission for assemblies on grounds of protecting public order and safety. Organizers are required to inform authorities in advance of demonstrations.

There were reports of police restricting and failing to protect freedom of assembly. For example according to human rights NGO Zmina, on June 18, police in Kupiansk arrested a woman who was participating in a rally against a city council decision to close several schools. The woman claimed that as she was leaving the rally, a man in civilian clothes shouted insults at her and attempted to physically restrain her. She claimed police officers who arrived at the scene pushed her in the back and detained her, causing her injuries. Journalist Bohdan Cheremsky claimed another man in civilian clothes knocked a smart phone out of his hands as he attempted to film the arrest. According to Cheremsky, the men in civilian clothes were police officers. The woman filed a complaint with police, but as of October no investigation had been registered.

Human rights defenders noted that police at times arbitrarily enforced COVID-19 quarantine restrictions, including through selective dispersal of civic assemblies. For example on January 19, police in Kyiv forcefully detained 13 individuals who had peacefully gathered at a square near the city center to protest impunity for violence committed by violent radical groups. Participants claimed police ordered them to disperse before they had unfurled their banners to begin the rally. One participant who was a minor claimed an officer hit him in the face while he was detained on a police bus. Police claimed the rally violated quarantine restrictions, but human rights observers noted police did not intervene to end a concurrent rally at Independence Square in Kyiv in support of entrepreneurs.

Events organized by women's rights activists or the LGBTQI+ community were regularly disrupted by members of violent radical groups. Police at times did not adequately protect participants from attack before or after the events, nor did they provide sufficient security for smaller demonstrations or events, especially those organized by persons belonging to minority groups or opposition political movements. For example on May 27, members of the violent radical group Solaris attacked a prescreening of the LGBTQI+ film, *Let's Be Gay*, at Dialog Hub, a

reproductive health-focused education center in Kyiv. The LGBTQI+ rights NGO KyivPride posted a video of the attack on its Instagram page, noting that approximately 10 persons in masks disrupted the event by playing loud music outside the center before breaking the center's windows and throwing a firecracker and a tear gas canister into the room where the film was playing. Press reports stated that 20 guests suffered minor burns to their eyes and experienced a cough that lasted for approximately an hour.

On May 29, the violent radical group Tradition and Order violently disrupted two seminars on feminism organized by the LGBTQI+ NGO Insight held concurrently in Odesa and Kyiv. Insight representatives reported Tradition and Order members gathered outside the hotel where the Odesa seminar was set to take place several hours in advance, and several members later forced entry into the event, causing participants to flee to a more secure area. The organizer of the Odesa event claimed that two police officers who arrived at the scene refused to intervene, claiming they were undermanned and that there were no reports of bodily injuries. On the same day, approximately 30 balaclava-clad Tradition and Order members, some carrying metal bats, disrupted Insight's seminar in Kyiv. The young men climbed a fence to force entry into the event, shouted antihomosexual insults and threats at the participants, and occupied seats being used for the seminar. The organizers report they secured a court order for police to investigate the case after police initially declined to register the incident as a criminal act.

There were some improvements throughout the year regarding police efforts to adequately protect peaceful protesters from attacks by violent radical groups. For example on September 19, between 5,000 and 7,000 persons took part in the "March of Equality" pride parade in central Kyiv. Organizers coordinated closely with police to implement security measures to protect the participants from the threat posed by counterprotesters. Police and National Guard officers strictly enforced a cordon of the parade route, requiring participants to exit via the subway to protect them from counterprotesters. Several hundred counterprotesters from violent radical groups gathered near the parade route carrying signs denouncing the participants. There were no police reports of violent clashes or arrests.

In Russia-controlled territory, the HRMMU observed a climate of fear and self-censorship, preventing individuals from openly participating in peaceful

assemblies. The HRMMU noted there were a few instances in which peaceful assemblies existed in Russia-controlled territory on nonpolitical issues, such as protesting salary delays and expressing concern for a lack of water supply.

Russia-led forces in the “DPR” and “LPR” continued to implement “laws” requiring all religious organizations except the Ukrainian Orthodox Church-Moscow Patriarchate to undergo “state religious expert evaluations” and reregister with them. According to the HRMMU, most religious groups recognized under Ukrainian law continued to be unable to reregister because of stringent legal requirements under “laws” in the “DPR” and “LPR” that mirrored Russian legislation preventing or discouraging reregistration of many religious communities (see the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>).

Freedom of Association

The constitution and law provide for freedom of association, and the government generally respected this right.

Human rights organizations reported an increase in malicious actions, including attacks against activists (53 incidents in the first six months of the year, up slightly from 50 in the same period of 2020). International and domestic human rights NGOs remained concerned regarding the lack of accountability for attacks on members of civil society organizations, which they believed had created a climate of impunity.

In one case, Oleksandr Sylchenko, a Kyiv-based advocate for the protection of public spaces from illegal development, reported that in the early hours of June 22, two individuals set his car on fire near his apartment in what he described as an arson attack in retaliation for his activism. Sylchenko claimed nearby surveillance cameras recorded two young men pouring flammable liquid on the car and lighting it. Police classified the case as “intentional damage of property” and opened an investigation. Sylchenko claimed that days after the arson, he received an anonymous call from an individual who warned him, “If you keep shoving your nose into other people’s business, then you should be ready for problems.” As of early September, the case remained under investigation.

There were reports the government targeted activists for raids, arrests, or prosecution in retaliation for their professional activity. For example on March 24, police placed activist Roman Ratushnyy under house arrest on charges of “hooliganism” in connection with a March 20 rally at which protesters vandalized the Office of the President building. Human rights groups claimed police failed to provide any evidence of Ratushnyy’s involvement in the vandalism and were retaliating against him for his efforts to defend Protasiv Yar, a natural reserve in Kyiv, from illegal real estate development; Ratushnyy had previously reported receiving death threats from supporters of the illegal development. Authorities reportedly classified certain aspects of the investigation and withheld information from the defense. Fourteen Ukrainian human rights groups signed a letter condemning the charges against Ratushnyy as persecution in retaliation for civic activism. Ratushnyy was released from house arrest on April 21. As of early September, the case was being heard in a Kyiv court.

There were reports that unknown actors initiated violent attacks against activists because of their involvement in civil society organizations. For example on January 19, several individuals in balaclavas attacked a 15-year-old left-wing activist in Lviv. The victim claimed the attackers hit him several times on the head with a hammer and stabbed him in the leg. Representatives of the anarchist organization Black Flag, of which the boy was a member, claimed he was targeted for his anti-right-wing activities, which included spray painting to cover far-right graffiti and criticizing far-right groups on social networks.

According to the HRMMU, in the territories controlled by Russia-led forces, domestic and international civil society organizations, including human rights defenders, could not operate freely. Residents informed the HRMMU they were being prosecuted (or feared being prosecuted) by the “ministry of state security” for their pro-Ukrainian views or previous affiliation with Ukrainian NGOs. If human rights groups attempted to work in those areas, they faced significant harassment and intimidation. The HRMMU also noted some civil society organizations run by Russia-led forces appeared to require certain persons, such as public-sector employees, to join.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide citizens with freedom of internal movement, foreign travel, emigration, and repatriation. The government, however, restricted these rights, particularly in the eastern part of the country near the zone of conflict.

In-country Movement: The government and Russia-led forces strictly controlled movement between government-controlled areas and territories in the Donbas region controlled by Russia-led forces. Crossing the line of contact remained arduous.

On January 5, the government adopted a measure allowing individuals crossing into government-controlled territory at checkpoints and at the Administrative Boundary Line with Crimea to satisfy its COVID-19-related entry requirements by taking a free rapid indirect immunofluorescence assay (IFA) test instead of undergoing a 14-day quarantine. On July 22, President Zelenskyy signed into law a bill temporarily freezing administrative penalties against Ukrainians living in Russia-controlled areas who travel through Russia to access government-controlled areas of Ukraine. The HRMMU noted this law would help reduce the hardships caused by Russia-led forces' restrictions on crossing the line of contact. As of mid-September, despite all seven entry and exit checkpoints being open for routine civilian crossings on the government-controlled side of the line of contact, only two were operational due to restrictions imposed by Russia-led forces. Russia-led forces limited crossings at the Novotroytske checkpoint to two days per week and turned many away who attempted to cross into government-controlled territory; those allowed to cross continued to be required to sign a document indicating they would not return until the COVID-19 pandemic had subsided. Authorities in the "LPR" required individuals seeking entry to provide proof of residency. Public passenger transportation there remained prohibited; private transportation was available at high prices and was generally unaffordable for most persons crossing. Human rights monitors observed arbitrary and inconsistent enforcement of entry

and exit requirements at government-controlled checkpoints.

According to the HRMMU, the number of monthly line-of-contact crossings, most of which occurred in Luhansk Oblast, remained considerably lower than pre-COVID levels. For example, the HRMMU recorded 80,588 crossings in July, compared with more than one million crossings in July 2019. As a result, thousands were separated from their families and lost access to quality health care, pensions, social protection, and employment. Women and elderly persons, who comprised most of those crossing before the COVID-19 lockdown, were particularly affected. The government required those seeking to cross into government-controlled territory to obtain a pass. The pass system imposed significant hardships on persons crossing into government-controlled territory, especially for those seeking to receive pensions and government benefits not distributed in the territory controlled by Russia-led forces.

According to the HRMMU, since June 2020 civilians seeking entry to territory controlled by Russia-led forces in the “DPR” had to have permission from the “Operational Headquarters to Combat COVID-19” and have a residence registered in the “DPR.” To enter government-controlled territory from the “DPR,” civilians had to be registered in the government-controlled territory.

The government and Russian occupation authorities subjected individuals crossing between Russia-occupied Crimea and the mainland to strict controls at the administrative boundary between Kherson Oblast and Crimea. Authorities prohibited rail and commercial bus service across the administrative boundary, requiring persons to cross either on foot or by private vehicle. Civil society, journalists, and independent defense lawyers reported that the government made efforts to ease requirements for entering Crimea, improving previously lengthy processes to obtain required permissions that hindered their ability to document and address abuses taking place there. Russian occupation authorities imposed restrictions on Ukrainian citizens traveling from mainland Ukraine to Crimea (see Crimea subreport).

e. Status and Treatment of Internally Displaced Persons

According to the Ministry of Social Policy, as of late September, more than 1.46

million persons were registered as IDPs due to Russia's aggression in eastern Ukraine and occupation of Crimea. Some NGOs and international organizations estimated the number to be lower, since some persons returned to their homes after registering as IDPs, while others registered while still living in the conflict zone. The largest number of IDPs resided in areas immediately adjoining the conflict zones, in government-controlled areas of Donetsk and Luhansk Oblasts as well as in the Kharkiv, Dnipropetrovsk, and Zaporizhzhya Oblasts, and Kyiv. Many resided in areas close to the line of contact in the hope they would be able to return home. On October 28, President Zelenskyy approved the *Strategy on IDP Integration and Durable Solutions until 2024*. The strategy outlined the government's policies and protections for IDPs, which included full access to administrative, social, and other services.

The government granted social entitlements only to persons who had registered as IDPs. Local departments of the Ministry of Social Policy regularly suspended payment of pensions and benefits to IDPs pending verification of their physical presence in government-controlled territories, ostensibly to combat fraud, requiring recipients to go through a burdensome reinstatement process. Ukrainians residing in the "DPR" and "LPR" could not access their pensions there. As a result they had to periodically visit the government-controlled part of the country, where they "verified" their status to receive pension payments. In September the Cabinet of Ministers adopted Resolution #999, allowing pensioners to undergo annual physical verification to access their pensions remotely; IDPs are still required to present themselves every 60 days to keep their IDP certificate valid. One-half of all officially registered IDPs lived in areas controlled by Russia-led forces; the United Nations estimated that 734,000 IDPs lived in government-controlled areas. According to the HRMMU, as part of its COVID-19 prevention measures, the government suspended the burdensome requirement that IDPs undergo identification checks every second month to receive social benefits. The HRMMU noted the suspension was temporary and did not reflect a policy change.

According to the HRMMU, IDP integration remained impeded by the lack of a government strategy and the absence of allocation of financial resources, leading to IDPs' economic and social marginalization. UN agencies reported the influx of IDPs led to tensions arising from competition for scarce resources.

NGOs reported employment discrimination against IDPs. IDPs continued to have difficulty obtaining medical care and necessary documents. According to the law, the government should provide IDPs with housing, but authorities did not take effective steps to do so. Lack of employment opportunities and the generally weak economy particularly affected IDPs, forcing many to live in inadequate housing, such as collective centers and temporary accommodations. Other IDPs stayed with host families, volunteers, and in private accommodations, although affordable private accommodations were often in poor condition. Some IDPs, particularly those in government-controlled areas of Donetsk and Luhansk Oblasts, lacked sufficient sanitation, shelter, and access to potable water.

Romani activists expressed concern that some Roma could not afford to flee conflict areas, while others had no choice but to leave their homes.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to IDPs, refugees, returning refugees, asylum seekers, and other persons of concern. International and domestic organizations reported the system for protecting asylum seekers, stateless persons, and other persons of concern did not operate effectively.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a legal system for providing protection to refugees. Protection for refugees and asylum seekers was insufficient, however, due to gaps in the law and the system of implementation. According to the State Migration Service, the number of refugees and asylum seekers had decreased. The country was a transit and destination country for asylum seekers and refugees, principally from Afghanistan, Syria, and Tajikistan.

Many Belarusian nationals either were forcibly exiled by Belarusian authorities or voluntarily fled to Ukraine seeking refuge from the Lukashenka regime's violent crackdown on civil society in Belarus following election-related mass protests surrounding the fraudulent presidential election there in August 2020. In October 2020 President Zelenskyy signed a decree that relaxed requirements for certain

categories of Belarusian citizens seeking residence. The decree directed the Cabinet of Ministers to extend the time allotted for temporary stays for Belarusian citizen entrepreneurs and information technology specialists from 90 to 180 days as well as to simplify procedures for obtaining a residence permit. Some human rights groups claimed the low number of Belarusian asylum cases relative to the number of Belarusians seeking refuge in Ukraine was due in part to inefficiencies in Ukraine's asylum system, specifically the inability to lawfully work while in asylum procedures.

In August and September, authorities facilitated the evacuation of hundreds of Afghans to Ukraine through flights from Kabul. Arrivals had access to asylum procedures or short-term humanitarian visas. They were initially accommodated in closed migration facilities for COVID-19 screening and were offered access to a COVID-19 vaccine. UNHCR provided counseling, and those who registered for asylum with the government were eligible for additional humanitarian assistance.

Human rights groups noted that the refugee law falls short of international standards due to its restrictive definition of a refugee. The law permits authorities to reject many asylum applications without a thorough case assessment. In other instances government officials declined to accept initial asylum applications without a legal basis, leaving asylum seekers without documentation and vulnerable to frequent police stops, fines, detention, and exploitation. Asylum seekers in detention centers were sometimes unable to apply for refugee status within the prescribed time limits and had limited access to legal and other assistance. Asylum seekers have five days to appeal an order of detention or deportation.

A lack of access to qualified interpreters also hampered the full range of asylum procedures. International observers noted that while the government allocated sufficient funding for interpretation, there was a shortage of interpreters trained in some of the languages required by asylum seekers.

Refoulement: There were reports the government deported individuals to a country where their life or freedom would be threatened on account of their race, religion, nationality, membership of a particular social group, or political opinion. In December 2020 the State Border Guard Service of Ukraine reportedly detained

Turkish citizens Salih Fidan and Samet Gure in the town of Rava-Ruska, alleging that they were attempting to illegally cross the Ukraine-Poland border. According to Fidan, authorities forced them to sign a statement accepting their guilt in exchange for a guarantee of being returned to Erbil, Iraq, and transferred them to Kyiv Boryspil Airport. On January 5, Ukrainian authorities reportedly forced Gure and Fidan to board a flight to Istanbul. On January 6, Turkish media reported Gure and Fidan were detained upon arrival in Turkey and were being processed by the Chief Public Prosecutor's Office. Human rights activists condemned the deportations of Fidan and Gure as a violation of international nonrefoulement principles, noting they were unlikely to receive a fair trial and could face torture in Turkey due to their involvement in the opposition Gulen Movement in Turkey, which the Turkish government banned and deemed a "terrorist" organization.

Abuse of Migrants and Refugees: Authorities frequently detained asylum seekers for extended periods.

Employment: The law provided refugees access to employment, but bureaucratic administrative obstacles and lack of employer awareness regarding refugee employment rights contributed to some working illegally, increasing their risk of exploitation.

Access to Basic Services: The national plan on the integration of refugees adopted by the government did not allocate resources for its implementation.

Temporary accommodation centers had a reception capacity of 421 persons, which the government temporarily increased to accommodate Afghan refugees. Asylum seekers living outside an official temporary accommodation center often experienced difficulties obtaining residence registration, and authorities regularly imposed a substantial fine because they lacked registration. According to the State Migration Service, refugees could receive residence registration at homeless shelters for up to six months.

According to UNHCR, gaps in housing and social support for unaccompanied children left many without access to state-run accommodation centers or children's shelters. Many children had to rely on informal networks for food, shelter, and other needs and remained vulnerable to abuse, trafficking, and other forms of

exploitation. UNHCR noted a lack of educational programs and vocational activities for those in detention for extended periods.

Temporary Protection: The government provided temporary protection (“complementary protection”) to individuals who may not qualify as refugees. As of August 31, authorities had provided complementary protection to 38 persons.

g. Stateless Persons

UNHCR estimated there were more than 35,000 stateless persons and persons with undetermined nationality in the country. Persons who were either stateless, at risk of statelessness, or with undetermined nationality included Roma, homeless persons, current and former prisoners, as well as nationals of the former USSR who resided in Ukraine in 1991 but never obtained an endorsement in their Soviet passport indicating they were citizens of Ukraine.

The law requires those without a passport endorsement to establish their identity through a court procedure, proving their residence in Ukraine in 1991, which could be costly and cumbersome, thereby discouraging some applicants. UNHCR reported Roma were at particular risk for statelessness since many did not have birth certificates or any other type of documentation to verify their identity. Homeless persons had difficulty obtaining citizenship because of a requirement to produce a document testifying to one’s residence.

In June 2020 parliament adopted a law establishing statelessness determination procedures to clearly define the terms “stateless person,” “child separated from the family,” and “legal representatives” of stateless persons. The law allows stateless persons to stay in the country and obtain a residence permit and stateless identity card, which facilitates foreign travel. The law also allocates free legal aid for applicants for the statelessness determination. As of August 20, 404 persons had initiated determination procedures.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: Nationwide local elections took place in October 2020, with runoff mayoral elections taking place through November and December. The local elections were the first to take place after decentralization reforms devolved power concentrated at the national level to local government. Due to COVID-19-related restrictions, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) sent only a limited election observation mission to monitor the conduct of these elections, while other observers cancelled their missions. According to the ODIHR, “The 2020 Ukraine local elections were effectively organized amid the COVID-19 pandemic and proved more inclusive, but further improvements are required to strengthen the capacity of the election administration and oversight of campaign rules, including related to campaign financing and media coverage.”

The country held early parliamentary elections in 2019. A joint international election observation mission by the ODIHR, the OSCE Parliamentary Assembly, the NATO Parliamentary Assembly, and the European Parliament assessed that “fundamental rights and freedoms were overall respected, and the campaign was competitive, despite numerous malpractices, particularly in the majoritarian races.” The administration of the election was generally competent and effective, despite the short time available to prepare the elections. In sharp contrast, the campaign was marked by widespread vote buying, misuse of incumbency, and the practice of exploiting all possible legislative loopholes, skewing equality of opportunity for contestants. Intertwined business and political interests dictated media coverage of elections and allowed for the misuse of political finance, including at the local level.

The country held a presidential election in two rounds in 2019. The joint international election observation mission assessed the election “was competitive, voters had a broad choice and turned out in high numbers. In the pre-electoral period, the law was often not implemented in good faith by many stakeholders, which negatively impacted trust in the election administration, enforcement of campaign finance rules, and the effectiveness of election dispute resolution.” The election mission reported candidates could campaign freely, although numerous and credible indications of misuse of state resources and vote buying undermined the credibility of the process. While election day was assessed positively, some

procedural problems were noted during the count, and conditions for tabulation were at times inadequate.

Russian occupation authorities and Russia-led forces did not allow voting in either the parliamentary or the presidential elections to take place in Crimea or in the parts of the Donbas region under the control of Russia-led forces. Russia-led forces facilitated the acquisition of Russian passports to enable voting by residents in the “DPR” and “LPR” in Russia’s September 17-19 Duma elections, which according to independent observers in Russia were neither free nor fair. Russia-controlled areas of eastern Ukraine were one of the few places where residents were able to vote online. In addition, the “DPR” organized transportation for those residents unable to vote online to travel to Russia to cast their votes. Media and civil society reported that eligible voters in the “DPR” and “LPR” faced significant pressure to vote in the elections, with their employers monitoring their involvement to ensure they voted.

Political Parties and Political Participation: The Communist Party remained banned. Voters in 18 communities in government-controlled territories of Donetsk and Luhansk Oblasts were denied the right to participate in local elections in October due to a decision by the Central Election Commission that elections could not be held there, based on security concerns identified by local civil-military authorities. Human rights groups criticized the lack of transparency and justification, as well as the inability to appeal the decision.

Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups, including LGBTQI+ and indigenous persons (see section 6), from voting or otherwise participating in the political process, and they did participate. According to the ODIHR, citizens found by a court to be incapacitated “on the basis of intellectual or psychosocial disability” were ineligible to vote. The Central Election Commission estimated this restriction affected 36,000 voters.

In the October 2020 local elections, women accounted for 43 percent of candidates on party lists and won approximately 30 percent of seats on local councils. No woman was elected mayor of a major city. Twenty-five Romani candidates stood for election, and 10 were elected to municipal councils, although the ODIHR

estimated 20,000 to 40,000 Roma were unable to register to vote because they lacked identity documents. In the 2019 parliamentary elections, women accounted for 23 percent of the candidates and won 21 percent of the seats.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption. Authorities did not effectively implement the law, and many officials engaged in corrupt practices with impunity. While the number of reports of government corruption was low, observers noted corruption remained pervasive at all levels in the executive, legislative, and judicial branches of government. From January 1 to June 30, the National Anticorruption Bureau of Ukraine launched 336 investigations that resulted in 25 indictments against 43 individuals. Accused individuals included public officials, heads of state-owned enterprises, one judge, and others.

On September 5, the High Anticorruption Court (HACC) announced that in the previous two years it had convicted 10 judges for a range of offenses, including soliciting bribes, lying in financial declarations, and abuse of office. The court sentenced the judges to between two and nine years in prison, deprived them of the right to hold office for a period of three years, and confiscated property. In 2020 and during the year, the HACC sentenced 36 officials to imprisonment on corruption-related charges. Anticorruption bodies continued to face pressure from antireform elites and oligarchs in the form of misinformation campaigns and political maneuvering that undermined public trust and threatened the viability of the institutions. Human rights groups called for increased transparency and discussion regarding proposed changes to these bodies, particularly respecting procedures for appointments to leadership positions. As of September 13, it was widely held that the selection process for the new head of the Special Anticorruption Prosecutor's Office remained stalled due to political interference.

Human rights groups claimed another threat to the anticorruption infrastructure came from the Constitutional Court, where antireform interests exercised undue influence on judges. Parliament amended some provisions of anticorruption legislation that had been overturned by Constitutional Court decisions in 2020, and

legislation to safeguard the independence of the National Anticorruption Bureau was adopted by parliament on October 19. Also pending was a review by the Constitutional Court on the constitutionality of the High Anticorruption Court law.

On July 13, parliament adopted legislation to relaunch the High Qualification Commission of Judges and High Council of Justice (HCJ), bodies that control the hiring of judges and judicial self-governance, respectively, and that judicial reform groups characterized as influenced by corrupt interests. Implementation of the law governing vetting of HCJ members, however, faltered within weeks of enactment, when the Council of Judges refused to nominate at least one candidate to serve on the HCJ Ethics Council, which is envisioned to comprise three legal experts nominated by international partners and three Ukrainian judges nominated by the Council of Judges. On October 23, the Council of Judges nominated four judge candidates, but legal experts noted the Supreme Court had referred the judicial reform law to the Constitutional Court to assess its constitutionality.

Corruption: While the government publicized several attempts to combat corruption, it remained a serious problem for citizens and businesses alike.

On March 22, the NGO Center for Combatting Corruption announced the results of its analysis of government procurements conducted without public tenders under a Cabinet of Ministers decree to purchase drugs and medical equipment to combat the COVID-19 pandemic. The study found that in 2020, more than 144,000 procurements were made with contracts worth 30 billion hryvnias (\$1.1 billion), a significantly inflated figure indicative of significant overpayment. The organization noted that more than one-half of a 64.9-billion-hryvnia (\$2.4 billion) fund allocated to combat the COVID-19 pandemic had been reallocated to road construction, an area historically rife with corruption.

On August 20, the National Anticorruption Bureau detained a member of the Commission for the Regulation of Gambling and Lotteries, Yevhen Hetman, for allegedly accepting two bribes totaling 2.46 million hryvnias (\$90,000). In early August Hetman allegedly agreed to facilitate the approval of gambling licenses for two hotels in Zaporizhzhya and Chernihiv in exchange for two 1.23-million-hryvnia (\$45,000) payments. On August 16, the Gambling Commission issued permits to the hotels. Hetman was detained on August 20 and released on bail of

five million hryvnias (\$183,000) on August 28. There were also concerns regarding financial disclosures of assets for government officials. On September 10, media outlets reported that the National Agency for the Prevention of Corruption had noted potential indicators of a criminal offense in the declaration of Oleksandr Kasminin, a Constitutional Court judge who failed to provide information on real estate assets. The agency also identified irregularities in the declarations of Deputy Prime Minister and Minister for Strategic Industries Oleh Urusky, Supreme Court judge Serhiy Hopta, Deputy Minister of Community and Territorial Development Natalia Khotsyanivska, and First Deputy Minister of Culture and Information Policy Rostyslav Karandeev.

Law enforcement agencies often failed to appropriately investigate cases of attacks against journalists, human rights defenders, and activists, particularly those who focused on exposing corruption (see section 2.a.). For example on April 5, unknown individuals set fire to the car of Valeriy Kharchuk, the head of the Anticorruption Regional Front in Rubizhne, Luhansk Oblast. Police initiated proceedings under charges of intentional destruction or damage to property. On July 16, another vehicle belonging to Kharchuk was set on fire. According to Kharchuk, a surveillance camera recorded a man pouring flammable liquid onto the car and setting it on fire. Kharchuk said she believed she was targeted in connection to her reporting to police on corruption schemes involving city officials.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases.

Russia-led forces and authorities in Russia-controlled areas in eastern Ukraine routinely denied access to domestic and international civil society organizations. Human rights groups attempting to work in those areas faced significant harassment and intimidation (see section 2.b., Freedom of Association).

Government Human Rights Bodies: The constitution provides for a human rights ombudsperson, officially designated as parliamentary commissioner on human rights. In 2018 parliament appointed Lyudmila Denisova parliamentary commissioner on human rights. The Office of the Parliamentary Commissioner on Human Rights cooperated with NGOs on projects to monitor human rights practices in various institutions, including detention facilities, orphanages and boarding schools for children, and geriatric institutions. Commissioner Denisova took a proactive stance advocating on behalf of political prisoners held by Russia as well as Crimean Tatars, Roma, IDPs, and persons with disabilities.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law prohibits domestic violence and rape, including spousal rape, of women and men. The penalty for rape is three to 15 years' imprisonment. Sexual assault and rape continued to be significant problems. The law prohibits domestic violence, which is punishable by fines, emergency restraining orders of up to 10 days, ordinary restraining orders from one to six months, administrative arrest, and community service.

Human rights groups reported police often failed to effectively enforce these laws. Domestic violence against women remained a serious problem. In the first six months of the year, police received 103,000 domestic violence complaints.

Intimate partner violence was common. The HRMMU reported the implementation of quarantine measures surrounding COVID-19 exacerbated the situation. According to the Internal Affairs Ministry, approximately 3,300 cases of domestic violence were investigated during the first eight months of the year. Police issued approximately 59,350 domestic violence warnings and protection orders during the first eight months of the year. Punishment included fines, emergency restraining orders of up to 10 days, ordinary restraining orders from one to six months, administrative arrest, and community service. Human rights groups noted the ability of agencies to detect and report cases of domestic violence was limited.

According to the NGO La Strada, COVID-19 lockdown measures made it difficult

for victims of domestic violence to receive help. Survivors faced increased difficulty in accessing domestic violence shelters due to the requirement to obtain a hospital certificate declaring they were not infected with COVID-19 before the shelters would provide social services.

According to press reports, on July 20, a man with a police record of domestic violence killed his former wife and adult daughter with an axe in their apartment in Lutsk. Police arrived at the scene shortly after receiving a call from neighbors and detained the man. The suspect, Vasyl Pylypyuk, allegedly confessed to the murders to his neighbors and faced charges with punishments ranging from 15 years' to life imprisonment. Police opened an investigation and placed Pylypyuk in pretrial detention. Media outlets reported on August 11 that Pylypyuk died in pretrial detention after being beaten by a fellow inmate. Police reportedly opened an investigation into his death.

According to La Strada, the conflict in the Donbas region led to a surge in violence against women across the country in recent years. Human rights groups attributed the increase in violence to post-traumatic stress experienced by IDPs fleeing the conflict and by soldiers returning from combat. IDPs reported instances of rape and sexual abuse; many said they fled areas controlled by Russia-led forces because they feared sexual abuse.

As of late September, the government operated 40 shelters for survivors of domestic violence and 19 centers for social and psychological aid as well as 21 crisis rooms across the country for survivors of domestic violence and child abuse.

Sexual Harassment: While the law prohibits coercing a person to have sexual intercourse, legal experts stated that safeguards against harassment were inadequate. The law puts sexual harassment in the same category as discrimination and sets penalties ranging from a fine to three years in prison. Women's rights groups reported continuing and widespread sexual harassment, including coerced sex, in the workplace. Women rarely sought legal recourse because courts declined to hear their cases and rarely convicted perpetrators. On January 1, police registered a criminal investigation into Ukrainian Armed Forces lieutenant colonel Olha Derkach's allegation that she was sexually harassed by her immediate supervisor, Chernihiv regional military commissioner Oleksandr Kryvoruchko, over

a period of several years, beginning in 2016. Derkach claims Kryvoruchko's unwelcome advances included instances of sexual groping. She claimed that when she rejected his advances, Kryvoruchko criticized her as incompetent in front of other officers. Kryvoruchko resigned from his position in February but denied the allegations and attempted to sue Derkach for defamation. On October 2, a court in Chernihiv dismissed Kryvoruchko's lawsuit. As of mid-November, according to media reports, national police were still investigating Derkach's allegations.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Romani women sometimes faced barriers in managing their reproductive health, including segregation in maternity wards and other forms of discrimination. Government policy does not bar access to contraception.

The government provided access to sexual and reproductive health services for survivors of sexual violence, and emergency contraception was available as part of clinical management of rape. Human rights groups said, however, that these services were sometimes unreliable and often did not reach Romani communities.

According to UN Women, health-care providers sometimes refused to provide adequate reproductive health services for LGBTQI+ women due to anti-LGBTQI+ views or lack of expertise. A 2020 UN Population Fund survey found that 81 percent of married or in-union women between the ages of 15 and 49 reported making their own decisions regarding sexual and reproductive health and rights, including deciding on their own health care, deciding on the use of contraception, and consenting to sex.

Discrimination: While the law provides that women enjoy the same rights as men, women experienced discrimination in employment. According to the Ministry of Economy, men earned on average 18 percent more than women. The Ministry of Health maintained a list of 50 occupations that remain prohibited for women. Women experienced discrimination in pay and in access to retirement and pension benefits.

Systemic Racial or Ethnic Violence and Discrimination

The constitution prohibits any restriction of rights based on race, skin color, religious beliefs, language, and other characteristics, while the law criminalizes intentional acts provoking hatred and hostility based on nationality, religion, or race. The law also provides for designating racial, national, or religious enmity as aggravating circumstances to criminal offenses. Laws that protect members of racial or ethnic minorities from violence and discrimination were not effectively enforced. Human rights groups reported that police often failed to properly apply these laws when investigating attacks on members of minority groups.

Mistreatment of members of minority groups and harassment of foreigners of non-Slavic appearance remained problematic. According to September data from the National Minority Rights Monitoring Group, three xenophobic attacks occurred in the first eight months of the year. Human rights organizations stated the requirement to prove actual intent, including proof of premeditation, to secure a conviction made it difficult to apply the laws against offenses motivated by racial, national, or religious hatred. Police and prosecutors continued to prosecute racially motivated crimes under laws against hooliganism or related offenses.

In January a provision of a 2019 law promoting the use of the Ukrainian language went into effect, requiring shops and retail establishments to engage customers in Ukrainian unless the customers requested service in another language.

The most frequent reports of societal violence against national, racial, and ethnic minorities were against Roma. On October 17, approximately 50 to 100 individuals (including members of violent radical groups) gathered in front of the homes of Romani families in the Kyiv suburb of Irpin to protest the stabbing of a military veteran two days prior by two minor Romani boys. The crowd shouted anti-Roma slurs and threatened violence against the Romani community as collective punishment for the attack. The crowd also shot fireworks at a Romani family's house, broke the entrance gate, and spray-painted "get out" on the fence around the house. Local police characterized the incident as a protest of civic activists. As of late October, no charges had been filed against any of the participants.

Human rights activists remained concerned regarding the lack of accountability in cases of attacks on Roma and the government's failure to address societal violence and harassment against them.

Roma continued to face governmental and societal discrimination and significant barriers accessing education, health care, social services, and employment.

According to Council of Europe experts, 60 percent of Roma were unemployed, 40 percent had no documents, and only 1 percent had a university degree. According to the Romani women's foundation, Chirikli, local authorities erected a number of barriers to prevent issuing national identification documents to Roma. Authorities hampered access to education for persons who lacked documents and segregated Romani children into special schools or lower-quality classrooms. Officials also expressed anti-Roma sentiments and encouraged discrimination.

In a June 9 interview with a local radio station, Rivne city mayor Oleksandr Tretyak claimed that, in response to complaints from local citizens regarding high levels of crime committed by Romani individuals, he had recently confronted a group of Roma on the street and demanded that they leave the city within several hours. Tretyak claimed the individuals refused to leave, noting there was no transportation available. Tretyak noted in the interview, "I can see things coming to a point when we will take radical steps. We will pack them all in a bus and move them out to Transkarpattya, their home region." Tretyak apologized on June 10, noting that illegal actions should be punished "regardless of ethnic origin."

The enforcement of pandemic-related measures exacerbated governmental and societal discrimination against Roma. According to Chirikli, many Romani individuals with informal and seasonal employment lost their livelihoods during the series of lockdowns, which ended in May. Many of these individuals lacked personal identification documents and therefore had difficulty accessing medical care, social services, pensions, and formal employment.

Many Roma fled settlements in areas controlled by Russia-led forces and moved elsewhere in the country. According to Chirikli, approximately 10,000 Roma were among the most vulnerable members of the country's IDP population. Many Romani IDPs lacked documents, and obtaining IDP assistance, medical care, and education was especially difficult.

The ombudsperson for human rights cooperated with NGOs to draft policies and legislation to protect members of racial and ethnic minorities from discrimination. The ombudsperson also advocated for accountability for cases of violence against members of racial and ethnic minorities.

Indigenous Peoples

On July 1, parliament passed legislation guaranteeing legal protections for “the indigenous people of Ukraine,” which included Crimean Tatars, Karaites, and Krymchaks. Crimean Tatars continued to experience serious governmental and societal violence and discrimination in Russia-occupied Crimea (see Crimea subreport).

Children

Birth Registration: Birth in the country or to Ukrainian parents conveys citizenship. A child born to stateless parents residing permanently in the country is a citizen. The law requires that parents register a child within a month of birth, and failure to register sometimes resulted in denial of public services.

Registration of children born in Crimea or Russia-controlled areas in the Donbas region remained difficult. Authorities required hospital documents to register births. Russian occupation authorities or Russia-led forces routinely kept such documents if parents registered children in territories under their control, making it difficult for the child to obtain a Ukrainian birth certificate. In addition, authorities did not recognize documents issued by Russian occupation authorities in Crimea or in territories controlled by Russia-led forces. Persons living in Crimea and parts of the Donbas had to present documents obtained in Russia-controlled territory to Ukrainian courts to receive Ukrainian government-issued documents. The courts were obliged to make rulings in 24 hours; these decisions were then carried out by the registry office. Due to the lack of judges in local courts, Ukrainians living in regions under Russian control faced serious difficulty in obtaining Ukrainian documents.

Child Abuse: Penalties for child abuse range from three years to life, depending on severity. The law criminalizes sexual relations between adults and persons

younger than 16; violations are punishable by imprisonment of up to five years. The criminal code qualifies sexual relations with a person younger than 14 as rape.

Human rights groups noted authorities lacked the capability to detect violence against children and refer victims for assistance. Preventive services remained underdeveloped. There were also instances of forced labor involving children.

Authorities did not take effective measures to protect children from abuse and violence and to prevent such problems. The ombudsperson for human rights noted the imperfection of mechanisms to protect children who survived or witnessed violence, particularly violence committed by their parents. According to the law, parents were the legal representatives of their children, even if they perpetrated violence against them. There is no procedure for appointing a temporary legal representative for a child during the investigation of alleged parental violence.

According to press reports, on July 23, police in Kryvyy Rih received a telephone call from a seven-year-old boy who reported that his stepfather had beaten him and chained him to the radiator in his bedroom. Officers responding to the call removed the chain from the boy's ankle and transported him to a hospital. Police detained the boy's stepfather, who claimed he had been trying to keep the boy from running away while he was at work. The child told police his stepfather routinely beat and verbally abused him. The stepfather faced up to five years in prison on charges of unlawful imprisonment and intentional bodily injury.

Child, Early, and Forced Marriage: The minimum age for marriage is 18. A court may grant a child as young as 16 permission to marry if it finds marriage to be in the child's interest. Romani rights groups reported early marriages involving girls younger than 18 were common in the Romani community.

Sexual Exploitation of Children: The law prohibits the commercial sexual exploitation of children, the sale of children, offering or procuring a child for commercial sex, and practices related to child pornography. The minimum prison sentence for rape of a minor is eight years. Molesting a child younger than 16 is punishable by imprisonment for up to five years. The same offense committed against a child younger than 14 is punishable by imprisonment for five to eight years. The age of consent is 16. On February 18, parliament passed a law making

the deliberate use, production, sale, or distribution of child pornography punishable by imprisonment for up to three years.

Sexual exploitation of children remained significantly underreported. Commercial sexual exploitation of children remained a serious problem. In early March law enforcement officers in Vinnytsya Oblast arrested a woman who was suspected of producing and selling pornographic photographs of her five-year-old son on the internet. She was charged with producing and distributing child pornography. The investigation was underway as of mid-September.

Domestic and foreign law enforcement officials reported a significant amount of child pornography on the internet continued to originate in the country. The International Organization for Migration reported children from socially disadvantaged families and those in state custody continued to be at high risk of trafficking, including for commercial sexual exploitation and the production of pornography. For example on April 3, police in Chernivtsi detained two men for allegedly molesting girls younger than age 16. The two men, ages 66 and 74, reportedly filmed themselves sexually abusing minors in their apartment and distributed the pornographic material to a private group on the internet. According to police, the men targeted girls from disadvantaged families. As of mid-September police had identified four girls, ages 11 to 14, who were allegedly sexually abused by the men but continued to search for other victims. The men faced up to five years in prison.

Displaced Children: Most IDP children were from Donetsk and Luhansk Oblasts. According to the Ministry of Social Policy, authorities registered more than 240,000 children as IDPs, a figure human rights groups believed was low.

Institutionalized Children: The child welfare system continued to rely on long-term residential care for children at social risk or without parental care, although the number of residential-care institutions continued to drop. Government policies to address the abandonment of children reduced the number of children deprived of parental care. A government strategy for 2017-26 calls for the transformation of the institutionalized child-care system into one that provides a family-based or family-like environment for children. As of early in the year, the government's progress implementing the strategy was slow, with the number of children in

orphanages dropping from 106,000 to 100,000 over four years.

Human rights groups and media reported unsafe, inhuman, and sometimes life-threatening conditions in some institutions. Officials of several state-run institutions and orphanages were allegedly complicit or willfully negligent in the sex and labor trafficking of girls and boys under their care. On August 20, the human rights ombudsperson reported the results of a monitoring visit to a state-run institution in the Darnytsky district of Kyiv that provides medical and social services for children between the ages of four and 18. The monitoring group identified multiple violations of living standards, including cramped bedrooms, inadequate arrangements for privacy in bathrooms, lack of hygiene products, and a cockroach infestation.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

According to census data and international Jewish groups, the Jewish population was approximately 105,000, constituting approximately 0.25 percent of the total population. According to the Association of Jewish Organizations and Communities, there were approximately 300,000 persons of Jewish ancestry in the country, including President Zelenskyy. Estimates of the Jewish population in Crimea and the Donbas region were not available, although before the conflict in eastern Ukraine, according to the Jewish association, approximately 30,000 Jewish persons lived in the Donbas region. Jewish groups estimated that between 10,000 and 15,000 Jewish persons lived in Crimea before Russia's attempted annexation.

On September 22, parliament passed a law defining the concept of anti-Semitism and establishing punishment for crimes motivated by anti-Semitism. The law also establishes punishment for making false or stereotypical statements regarding persons of Jewish origin, producing or disseminating materials containing anti-Semitic statements or content, and denying the facts of the persecution and mass

killing of Jews during the Holocaust.

According to the National Minority Rights Monitoring Group, two cases of suspected anti-Semitic violence were recorded as of late October. The group recorded approximately four cases of anti-Semitic vandalism as of September 1, compared with seven incidents during the same period in 2020.

On October 7, a man broke into the house of a Hasidic family in Uman and attacked the homeowner in front of his wife and children. The attacker reportedly struck the man several times in his face and body while shouting anti-Semitic insults. Police responded to the scene, and the attacker was taken to a hospital due to his level of intoxication. In late October the United Jewish Community of Ukraine called on police to investigate the case.

Graffiti swastikas continued to appear in Kyiv, Rivne, Kherson, Mariupol, Vinnytsya, Uman, Bogdanivka, Kremenchuk, and other cities. According to press reports, on February 9, a newly erected memorial honoring the 16,000 Jews killed by Nazis in the Proskuriv (Khmelnyskyi) ghetto in 1941 and 1942 was vandalized. Media outlets reported two swastikas were spray painted with a stencil onto the stone wall just below the memorial's commemorative plaque. As of mid-September police had not identified any suspects in the case. In Lviv, Jewish organizations expressed concern regarding construction on a historic Jewish cemetery, which is also a UNESCO protected site. The Ministry of Culture agreed the site should be protected but appeared unable to protect the cemetery as the local Lviv government refused to enforce the ministry's stop-work order. In Uman, Jewish organizations complained of construction at the grave of Rabbi Nachman.

In line with the country's 2015 decommunization and denazification law, authorities continued to rename communist-era streets, bridges, and monuments. Some were renamed in honor of 20th century Ukrainian nationalists, some of whom were associated with anti-Semitism.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

Persons with disabilities were unable to access public venues, health services, information, communications, transportation, the judicial system, or opportunities for involvement in public, educational, cultural, and sporting activities on an equal basis with others. The law also requires employers to provide reasonable accommodations for employees with disabilities, but the government generally did not enforce these laws.

Advocacy groups maintained that, despite the legal requirements, most public buildings remained inaccessible to persons with disabilities.

Patients in psychiatric institutions remained at risk of abuse, and many psychiatric hospitals continued to use outdated and unsafe methods and treatments. On June 9, a monitoring group from the human rights ombudsperson's office identified violations at the Panyutyn psychoneurological boarding school in Kharkiv Oblast. The monitors observed 20 residents confined to the facility's gated exercise yard, which lacked toilets; residents needing to relieve themselves reportedly had to use a bucket and lacked privacy. The monitors also reported poor living conditions and low quality of food provided for the residents.

Law enforcement agencies generally took appropriate measures to punish those responsible for violence against persons with disabilities.

By law employers must set aside 4 percent of employment opportunities for persons with disabilities. NGOs noted that many of those employed to satisfy the requirement received nominal salaries but did not actually perform work at their companies.

The law provides every child with a disability the right to study at mainstream secondary schools (which usually include primary, middle, and high school-level education) as well as for the creation of inclusive groups in preschool facilities, secondary and vocational schools, and colleges. According to the Ministry of Education and Science, more than 25,000 children with disabilities attended mainstream schools within the program of inclusive education in the 2020-21 academic year.

Persons with disabilities in Russia-controlled areas in eastern Ukraine suffered from a lack of appropriate care and education.

HIV and AIDS Social Stigma

Stigma and discrimination in health-care centers were barriers to HIV-positive individuals receiving medical services. UNICEF reported that children with HIV or AIDS were at high risk of abandonment, social stigma, and discrimination. Authorities prevented many children infected with HIV or AIDS from attending kindergartens or schools. Persons with HIV or AIDS faced discrimination in housing and employment.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

There was societal violence against LGBTQI+ persons often perpetrated by members of violent radical groups, and authorities often did not adequately investigate these cases or hold perpetrators to account. The LGBTQI+ rights organization Nash Mir noted that criminal proceedings for attacks against members of the LGBTQI+ community were rarely classified under criminal provisions pertaining to hate crimes, which carry heavier penalties. For example, according to a victim's account published by Nash Mir, on July 2, a police officer beat a gay man in the man's home in Kyiv while shouting antihomosexual insults at him. The officer had reportedly arrived at the house after being called by the victim's landlord, who had been engaged in a verbal argument with the victim. The victim filed a complaint with the Dniprovsky District Police Department in Kyiv, and police reportedly opened an investigation into the attack on July 14 but closed it on August 17 without bringing any charges. According to Nash Mir, police reopened the case upon an appeal from the victim's lawyer. As of late October, the investigation remained open.

Law enforcement at times condoned or perpetrated violence against members of the LGBTQI+ community. For example, according to the Kharkiv Human Rights Protection Group, police officers in Toretsk violently detained a man shortly after he entered his apartment building on May 3. According to the victim, police struck him on the head without any warning and then held him on the floor with his hands

fastened behind his back and the knee of an officer pressed to his head, causing him to lose consciousness at one point. When the man stated that he was a representative of the LGBTQI+ community, the officers reportedly mocked him and continued the abuse. Officers reportedly filed an administrative charge against the victim for resisting arrest, claiming they had stopped him to search his backpack for drugs. According to his lawyers, the victim was hospitalized for one month because of his injuries and was later forced to move away from Toretsk due to threats from police. In June the victim's lawyers appealed to the SBI to investigate the victim's allegations.

Public figures sometimes made comments condoning violence against LGBTQI+ individuals. On March 18, a former member of the Kyiv City Council, Ruslan Andriyko, posted the comment, "Burn in the oven!" in the comments section of a news article regarding violence against LGBTQI+ teenagers.

According to Nash Mir, violent radical groups consistently tried to disrupt LGBTQI+ events with violence or threats of violence (see examples in section 2.b.).

The labor code prohibits workplace discrimination based on sexual orientation or gender identity. There is no law, however, against discrimination in other areas, and discrimination was reportedly widespread in employment, housing, education, and other sectors.

Transgender persons reported difficulties obtaining official documents reflecting their gender identity, which resulted in discrimination in health care, education, and other areas.

A UN report noted that Russia-led forces' regular use of identity checks in the "DPR" and "LPR" and at the line of contact put transgender persons at constant risk of arbitrary arrest, detention, and connected abuses, due to the lack of identity documents matching their gender identity.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The constitution provides for freedom of association as a fundamental right and establishes the right to participate in independent trade unions. The law provides the right for most workers to form and join independent unions, to bargain collectively, and to conduct legal strikes. The law, however, establishes low penalties for noncompliance with collective bargaining agreements by employers. The low penalties were insufficient to ensure employers comply with collective bargaining agreements, making it easier to pay a penalty than to launch negotiations.

There are no laws or legal mechanisms to prevent antiunion discrimination, although the labor code requires employers to provide justification for layoffs and firings, and union activity is not an acceptable justification. Legal recourse is available for reinstatement, back wages, and punitive damages, although observers described court enforcement as arbitrary and unpredictable, with damages too low to create incentives for compliance on the part of employers.

The law contains several limits to freedom of association and the right to collective bargaining. Several laws that apply to worker organizations are excessively complex and contradictory. Two laws establish the status of trade unions as legal entities only after state registration. Under another law, a trade union is considered a legal entity upon adoption of its statute. The inherent conflict between these laws created obstacles for workers seeking to form trade unions. Unions also reported significant bureaucratic hurdles in the registration process, including the payment of notary fees and requirements to visit as many as 10 different offices. Moreover, independent unions reported incidents of employers violating their collective agreements or impeding their efforts to join such agreements.

The Confederation of Free Trade Unions of Ukraine reported that the management of public joint-stock company ArcelorMittal Kryvyi Rih ignored collective bargaining by violating the collective agreement envisaging annual wage increases for its workers.

The independent trade union organizations at the Lviv Regional Children's Clinical Hospital "Okhmatdyt" and at the Polytechnic School Number 3 in Lviv reported that their requests to join their respective collective agreements were not satisfied.

The legal procedure to initiate a strike is complex and significantly hindered strike action, artificially lowering the numbers of informal industrial actions. The legal process for industrial disputes requires initial consultation, conciliation and mediation, and labor arbitration allowing involved parties to draw out the process for months. Workers may vote to strike only after completion of this process, a decision that the courts may still block. The requirement that a large percentage of the workforce (two-thirds of general workers' meeting delegates or 50 percent of workers in an enterprise) must vote in favor of a strike before it may be called further restricts the right to strike. The government can also deny workers the right to strike on national security grounds or to protect the health or "rights and liberties" of citizens. The law prohibits strikes by broad categories of workers, including personnel in the Office of the Prosecutor General, the judiciary, the armed forces, the security services, law enforcement agencies, the transportation sector, and the public-service sector.

Legal hurdles resulting from an obsolete labor code made it difficult for independent unions not affiliated with the Federation of Trade Unions of Ukraine to take part in tripartite negotiations, participate in social insurance programs, or represent labor at the national and international levels. Such hurdles hindered the ability of smaller independent unions to represent their members effectively. The government did not enforce labor laws effectively. Penalties for labor law violations slightly increased in January from 5,000 to 6,000 hryvnia (\$183 to \$220) due to an increase in the national minimum wage, which serves as a basis for the calculation of such penalties. Labor inspections became more frequent thereafter. Penalties for violations were not commensurate with those for other crimes related to civil rights.

In February parliament passed several bills aimed at protecting worker rights, including protections for individuals conducting remote and home-based work.

In September 2020 workers in the Zhovtneva Mine began an underground protest

to address low wages and unsafe work conditions. The strikes spread to three other mines, encompassing 400 miners. Workers and employers initially agreed to terms; however, the employer ultimately filed a lawsuit against the protesters and union officials. In October 2020 the workers ended the protest. Miners and mine management reportedly signed a memorandum in which the parties agreed on a 10 percent increase of miners' salaries, a waiver of prosecution of those miners who took part in the protests, and payment of salaries for those days miners spent underground. On May 7, the Zhovtnevyi District Court of the city of Kryvyi Rih ruled the miners' protest was not a strike and therefore the actions of the eight participants were illegal.

Miners appealed the court decision and on September 14, the Dniprovskyy Court of Appeals struck down the lower court's decision. The appeals court fully satisfied the demands of miners who were participants in the underground protest. It also ruled to collect a court fee from PJSC "Kryvyi Rih Iron Ore Plant" in the amount of 25,224 hryvnia (\$953). The employer appealed to the Supreme Court. As of late October, the Supreme Court had not decided whether to accept the appeal.

On October 12, the Free Trade Union of Railway Workers of Ukraine (VPZU) and other trade unions spanning several cities organized a work-to-rule action, whereby railway employees came to work but strictly complied with all safety requirements and job descriptions. Trains found to have safety defects were temporarily removed from operation. The VPZU claimed its main demands were safe working conditions and an increase in wages. On October 25, the VPZU reportedly raised concerns to Ukrainian Railways management regarding reports that the railroad's management had ordered the compilation of lists of railway employees who were members of free trade unions.

Worker rights advocates continued to express concerns regarding the independence of unions from government or employer control. Independent trade unions alleged that the Federation of Trade Unions enjoyed a close relationship with employers and members of some political parties. Authorities further denied unions not affiliated with the federation a share of disputed trade union assets inherited by the federation from Soviet-era unions, a dispute dating back more than two decades.

Independent union representatives continued to be subjected to violence and intimidation and reported that local law enforcement officials frequently ignored or facilitated violations of their rights. Worker advocates reported an increase in retaliation against trade union members involved in anticorruption activities at their workplaces.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor. The government did not effectively enforce the law. Penalties for violations were commensurate with those of other serious crimes, but resources, inspections, and remediation were inadequate to enforce the law sufficiently.

During the year the Security Service responded to numerous instances of compulsory labor, to include the production of pornography, criminal activity, labor exploitation, begging, and sexual and other forms of exploitation.

The International Organization for Migration reported that 92 percent of the 511 victims of trafficking it identified from January to June were subjected to forced labor and labor exploitation. Of these, 74 percent were men and 26 percent were women, all between the ages of 18 and 50. The sectors where forced labor exploitation was most prevalent were construction, manufacturing, and agriculture. The vast majority of victims identified during the year had a university degree or vocational education. Annual reports on government action to prevent the use of forced labor in public procurement indicated that the government had not taken action to investigate its own supply chains for evidence of forced labor. Traffickers subjected some children to forced labor (see section 7.c.).

The government continued to rely on international organizations and NGOs with international donor funding to identify victims and provide the vast majority of victim protection and assistance.

Also see the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor, but it does not always provide inspectors sufficient authority to conduct inspections. The minimum age for most employment is 16, but children who are 14 may perform undefined “light work” with a parent’s consent. The government did not effectively enforce the law. Penalties were commensurate with those for similar crimes but were inconsistently applied.

From January to July, the State Service on Labor conducted 1,882 inspections to investigate compliance with child labor laws. The number of inspections remained lower than the total conducted during the same period in 2019 due to COVID-19 measures. The inspections identified 38 employers engaged in child labor activities. Of these, 21 were in the service sector, three in the industrial sector, five in the agricultural sector, and nine in other areas. The inspections uncovered 73 cases of undeclared labor and nine of minors receiving undeclared wages. In the Russia-controlled regions of eastern Ukraine, child labor in coal mining remained a problem. The production of child pornography also remained a problem in the country.

The most frequent violations of child labor laws concerned work under hazardous conditions, long workdays, failure to maintain accurate work records, and delayed salary payments. The government established institutional mechanisms for the enforcement of laws and regulations on child labor. The limited collection of penalties imposed for child labor violations, however, impeded the enforcement of child labor laws.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings> and the Department of Labor’s *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

The labor code prohibits workplace discrimination based on race, color, political, religious and other beliefs, sex, gender identity, sexual orientation, ethnic, social

and foreign origin, age, health, disability, HIV/AIDS condition, family and property status, or linguistic or other grounds.

The government did not effectively enforce the law, and employment discrimination reportedly occurred with respect to gender, disability, nationality, race, minority status, sexual orientation or gender identity, and HIV-positive status. The agriculture, construction, mining, heavy industry, and services sectors had the most work-related discrimination. The law provides for civil, administrative, and criminal liability for discrimination in the workplace. Penalties were commensurate with those for similar violations but were not sufficient to deter violations. The burden of proof in discrimination cases is on an employee.

Under the law women are not allowed to work the same hours as men. Women are prohibited from occupying jobs deemed dangerous that men are permitted to hold. Women are also unable to work at night as men could, and women are prohibited from working in some industries, such as those involving underground work. The law prohibits women from work that involves lifting and moving certain heavy objects. The labor code prohibits involvement of pregnant women and women with children younger than three years of age in night or overtime work, work on weekends, and business trips.

The country does not mandate equal pay for equal work. Women received lower salaries due to limited opportunities for advancement and the types of industries that employed them. According to the Ministry of Economy, men earned on average 18 percent more than women. The gap was not caused by direct discrimination in the setting of wages, but by horizontal and vertical stratification of the labor market; women were more likely to work in lower-paid sectors of the economy and in lower positions. Women held fewer elected or appointed offices at the national and regional levels.

e. Acceptable Conditions of Work

Wage and Hour Laws: The country's annual budget establishes a government-mandated national minimum wage, which is above the poverty level. Some employees working in the informal economy received wages less than the established minimum.

The labor law provides for a maximum 40-hour workweek, with a minimum 42-hour period of rest per week and at least 24 days of paid vacation per year. It provides for double pay for overtime work and regulates the number of overtime hours allowed. The law requires agreement between employers and local trade union organization on overtime work and limits overtime to four hours during two consecutive days and 120 hours per year. Workers in the information technology sector faced exceedingly long hours and were often classified as independent contractors, ostensibly to avoid responsibility for providing paid leave and other benefits.

Wage arrears continued to be a major problem, especially in the mining industry. A lack of legal remedies, bureaucratic wrangling, and corruption in public and private enterprises blocked efforts to recover overdue wages, leading to significant wage theft. Total wage arrears in the country increased during the year through September to four billion hryvnia (\$152 million) from 3.6 billion hryvnia (\$136 million) in September 2020. Of these arrears, 77 percent were in the industrial sector in the Donetsk, Kyiv, Kharkiv, and Dnipropetrovsk regions. The Independent Trade Union of Miners of Ukraine reported that wage arrears for coal-mining enterprises amounted to 2.1 billion hryvnias (almost \$80 million) as of October 1. Arrears and corruption problems exacerbated industrial relations and led to numerous protests.

The government did not effectively enforce minimum wage and overtime laws. Penalties were not consistently applied and were not commensurate with those of similar crimes. The State Labor Inspectorate (SLI), which is part of the Ministry of Social Policy, is responsible for enforcing wage and hour laws. Labor inspectors do not always have the authority to make unannounced inspections, although unannounced inspections did occur. The SLI has authority to initiate sanctions. The number of labor inspectors was insufficient to enforce compliance, and the inspectorate lacked sufficient funding, technical capacity, and professional staffing to conduct independent inspections effectively. The absence of a coordination mechanism with other government bodies also inhibited enforcement.

Labor inspectors may assess compliance based on leads or other information regarding possible unreported employment from public sources, including information on potential violations from other state agencies. For example, when

tax authorities discover a disparity between a company's workforce, its production volumes, and industry norms, they may refer the case to labor authorities who will determine compliance with labor laws.

While performing inspection visits to check potential unreported employment, labor inspectors may enter any workplace without prior notice at any hour of day or night. The law, however, limits inspectors' authority to enter workplaces without prior notice to investigate compliance with other labor law requirements. The law also allows labor inspectors to hold an employer liable for certain types of violations (e.g., unreported employment), empowering them to issue an order to cease the restricted activity. Labor inspectors may also visit an employer to monitor labor law compliance and inform the company and its employees regarding labor rights and best practices.

Occupational Safety and Health: The law requires employers to provide appropriate workplace safety standards. Employers sometimes ignored these regulations due to the lack of enforcement or strict imposition of penalties. The law provides workers the right to remove themselves from dangerous working conditions without jeopardizing their continued employment. Employers in the metal and mining industries often violated the rule and retaliated against workers by pressuring them to quit.

The same inspectors who cover wage and hour laws are responsible for enforcing occupational safety and health laws. The government did not effectively enforce occupational safety and health laws, and penalties were not commensurate with those of other similar crimes.

In August the Free Trade Union of Railways Workers of Ukraine expressed concern regarding several cases during the year of trains catching fire. The union noted the cases constituted a violation of the occupational safety and health and safety rules at the state-owned railway's enterprises.

Mineworkers, particularly in the illegal mining sector, faced serious safety and health problems. Operational safety problems and health complaints were common. Lax safety standards and aging equipment caused many injuries on the job.

In the context of the pandemic, a COVID-19 infection in a medical worker was deemed a workplace accident. Workers in the health-care sector organized strikes to raise awareness regarding unpaid wages and hazard pay. For example on August 12, medical workers at the Sosnivska City Hospital in Lviv Oblast went on a hunger strike to protest three months of wage and hazard pay arrears. They suspended the hunger strike on August 16 after meeting with hospital management and local authorities.

During the first nine months of the year, authorities reported 2,532 individual workplace injuries, including 287 fatalities.

Despite active fighting with Russia-led forces close to industrial areas in the government-controlled areas of eastern Ukraine, enterprises involved in mining, energy, media, retail, clay production, and transportation continued to operate. Fighting resulted in damage to mines and plants through loss of electricity, destroyed transformers, physical damage from shelling, and alleged intentional flooding of mines by combined Russia-led forces. Miners were especially vulnerable, as loss of electrical power could strand them underground. The loss of electrical power also threatened the operability of mine safety equipment that prevented the buildup of explosive gases.

Informal Sector: The country's Statistics Service reported in 2020 that 26.5 percent (or more than four million) of the individuals comprising the country's labor force were in the informal economy and were receiving shadow income. Approximately 56 percent of the informal sector workforce were men, 43 percent worked in the agriculture sector, 18 percent in trade, 15 percent in construction, 5 percent in industry, and 4.2 percent in transportation. The volume of unofficial income of the labor force was approximately 22.5 billion hryvnias (\$855 million.). Informal workers are not covered by wage, hour, and occupational safety and health laws and inspections.

CRIMEA

In February 2014 Russian forces entered Ukraine's Crimean Peninsula and occupied it militarily. In March 2014 Russia announced the peninsula had become part of the Russian Federation following a sham referendum that violated

Ukraine's constitution. The UN General Assembly's Resolution 68/262 on the Territorial Integrity of Ukraine of March 27, 2014; Resolution 76/179 on the Situation of Human Rights in the Temporarily Occupied Autonomous Republic of Crimea and the City of Sevastopol, Ukraine, of December 16, 2021; and Resolution 76/70 on the Problem of the militarization of the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, as well as parts of the Black Sea and the Sea of Azov of December 9, 2021, called on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine. In 2014 Ukraine's parliament (Verkhovna Rada) adopted a law attributing responsibility for human rights violations in Crimea to the Russian Federation as the occupying state. The United States does not recognize the attempted annexation of Crimea by the Russian Federation. Russian law has been applied in Crimea since the Russian occupation and purported "annexation" of the peninsula. For detailed information on the laws and practices of the Russian Federation, see the *Country Report on Human Rights* for Russia.

EXECUTIVE SUMMARY

A local occupation authority installed by the Russian government and led by Sergey Aksyonov as "prime minister" of the "state council of the Republic of Crimea" administers occupied Crimea. The "state council" is responsible for day-to-day administration and other functions of governing. Russia's September 17-19 nationwide Duma elections included seats allocated for purportedly annexed Crimea, a move widely condemned by the international community and that contravened the Ukrainian constitution.

Russian government agencies, including the Ministry of Internal Affairs, Federal Security Service, Federal Investigative Committee, and Office of the Prosecutor General, applied and enforced Russian law in Crimea as if it were a part of the Russian Federation. The Federal Security Service also conducted security, counterintelligence, and counterterrorism activities and combatted organized crime and corruption. A "national police force" operated under the aegis of the Russian Ministry of Internal Affairs. Russian authorities maintained control over Russian military and security forces deployed in Crimea. There were credible reports that

members of the security forces committed numerous abuses.

Significant human rights issues included credible reports of: unlawful or arbitrary killings, including extrajudicial killings by Russia or Russia-led “authorities”; forced disappearances by Russia or Russia-led “authorities”; torture and cruel, inhuman, or degrading treatment or punishment by Russia or Russia-led “authorities,” including punitive psychiatric incarceration; harsh and life-threatening prison conditions and transfer of prisoners to Russia; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the occupation judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media, including violence or threats of violence against journalists, unjustified arrests or prosecutions against journalists, censorship, and criminal libel laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association, including overly restrictive laws on the organization, funding, or operation of nongovernmental and civil society organizations; severe restrictions of religious freedom; restrictions on freedom of movement; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation, including unelected governments and elections that were not genuine, free, or fair; serious acts of corruption; serious restrictions on or harassment of domestic and international human rights organizations; crimes involving violence or threats of violence targeting members of national/racial/ethnic minority groups or indigenous people, including Crimean Tatars and ethnic Ukrainians; and crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There was one new report of occupation authorities committing arbitrary or unlawful killings. According to human rights groups, on May 11, Russian security forces fatally shot 51-year-old Uzbek citizen Nabi Rakhimov during a raid and

search of his residence in the village of Dubki near Simferopol. Russia's Federal Investigative Service (FSB) claimed Rakhimov was a suspected terrorist and was shot during a gun battle with officers. Lawyers of Rakhimov's family characterized the FSB's account as a cover-up and claimed FSB officers likely tortured Rakhimov before shooting him. Occupation authorities refused to turn Rakhimov's body over to the family. On August 9, a Simferopol "court" rejected an appeal of Rakhimov's widow for the body to be returned. As of September her lawyer planned to appeal the decision to the "supreme court."

Impunity for past killings remained a serious problem. The Russian government tasked the Russian Investigative Committee with investigating whether security force killings in occupied Crimea were justifiable and whether to pursue prosecutions. The HRMMU reported the Investigative Committee failed to take adequate steps to prosecute or punish officials who committed abuses, resulting in a climate of impunity. The Office of the Prosecutor of the Autonomous Republic of Crimea also investigated security force killings from its headquarters in Kyiv, but de facto restrictions on access to occupied Crimea limited its effectiveness.

There were still no reported investigations for the four Crimean Tatars found dead in 2019. Occupation authorities did not adequately investigate killings of Crimean residents from 2014 and 2015. According to the Ukrainian Ministry of Foreign Affairs, 12 Crimean residents who had disappeared during the occupation were later found dead. Human rights groups reported occupation authorities did not investigate other suspicious deaths and disappearances, occasionally categorizing them as suicide. Human rights observers reported that families frequently did not challenge findings in such cases due to fear of retaliation.

b. Disappearance

There were reports of abductions and disappearances by occupation authorities. OHCHR reported that 43 individuals had gone missing since Russian forces occupied Crimea in 2014, and the fate of 11 of these individuals remained unknown. OHCHR reported occupation authorities had not prosecuted anyone in relation to the forced disappearances. NGO and press reports indicated occupation authorities were responsible for the disappearances. For example, in 2014 Revolution of Dignity activists Ivan Bondarets and Valeriy Vashchuk telephoned

relatives to report police in Simferopol had detained them at a railway station for displaying a Ukrainian flag. Relatives had no communication with them since, and the whereabouts of the two men remained unknown.

According to the Crimean Tatar Resource Center, two Crimean Tatars reported missing during the year were found dead. Nineteen-year-old Crimean Tatar Osman Adzhyosmanov went missing on July 2; his body was found on August 8. Twenty-three-year-old Crimean Tatar Aider Dzhemalyadynov went missing on July 26 and was found dead on August 5. As of mid-September, occupation authorities were reportedly investigating the circumstances of the deaths. Occupation authorities denied international monitors, including OHCHR and the OSCE, access to Crimea, which made it impossible for monitors to investigate forced disappearances there properly.

Occupation authorities did not adequately investigate the deaths and disappearances, according to human rights groups. Human rights groups reported that police often refused to register reports of disappearances and intimidated and threatened with detention those who tried to report disappearances. The Ukrainian government and human rights groups believed Russian security forces kidnapped the individuals for opposing Russia's occupation to instill fear in the population and prevent dissent.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

There were widespread reports that occupation authorities in Crimea tortured and otherwise abused residents who opposed the occupation. According to the Crimean Human Rights Group, "The use of torture by the FSB and the Russia-led police against Ukrainian citizens became a systematic and unpunished phenomenon after Russia's occupation of Crimea." Human rights monitors reported that Russian occupation authorities subjected Crimean Tatars and ethnic Ukrainians in particular to physical abuse. For example on March 10, the FSB detained freelance RFE/RL journalist Vladyslav Yesypenko in Crimea on charges of "illegal production, repair, or modifying of firearms." After his initial arrest, OHCHR reported that Yesypenko was tortured by FSB officers for several hours to obtain a forced confession on cooperating with Ukrainian intelligence agencies.

According to the HRMMU, occupation authorities reportedly denied Yesypenko access to a lawyer during his first 28 days in detention and tortured him with electric shocks, beatings, and sexual violence in order to obtain a confession.

Occupation authorities reportedly demonstrated a pattern of using punitive psychiatric incarceration as a means of pressuring detained individuals. For example, according to the Crimean Human Rights Group, on March 5, occupation authorities transferred Ernest Ibrahimov to the Crimean Clinical Psychiatric Hospital for forced psychiatric evaluation. Ibrahimov was one of seven Muslims arrested on February 17 and charged with having attended a mosque allegedly belonging to the Islamic organization Hizb ut-Tahrir, which is banned in Russia as a “terrorist” group but is legal in Ukraine. Human right defenders viewed the authorities’ move as an attempt to break his client’s will and intimidate him.

According to the Crimean Human Rights Group, as of September 1, approximately 16 Crimean Tatar defendants had been subjected to psychiatric evaluation and confinement against their will without apparent medical need since the beginning of the occupation (see section 1.d.).

Human rights monitors reported that occupation authorities also threatened individuals with violence or imprisonment if they did not testify in court against individuals whom authorities believed were opposed to the occupation.

Prison and Detention Center Conditions

Prison and detention center conditions reportedly remained harsh and life threatening due to overcrowding and poor conditions.

Physical Conditions: The Crimean Human Rights Group reported inhuman conditions in official places of detention in Crimea. According to an August report by the UN secretary-general, inadequate conditions in detention centers in Crimea could amount to “inhuman or degrading treatment or punishment, or even torture.” According to the report, prisons in Crimea were overcrowded, medical assistance for prisoners was inadequate, and detainees complained of systematic beatings and humiliating strip searches by prison guards.

Overcrowding forced prisoners to sleep in shifts and to share beds. According to

the Crimean Human Rights Group, detainees held in the Simferopol pretrial detention center complained of poor sanitary conditions, broken toilets, and insufficient heating. Detainees diagnosed with HIV as well as with tuberculosis and other communicable diseases were kept in a single cell. On April 15, the Kharkiv Human Right Protection Group reported that Ivan Yatskin, a Ukrainian detained by occupation authorities in 2019 on charges of treason, had been held in a basement cell infested with bedbugs, mold, and rats since April 9 after being transferred from a prison in Moscow to Simferopol. Yatskin's lawyer claimed Yatskin's cellmates repeatedly threatened to harm him and his family members. According to the Crimea Human Rights Group, occupation authorities withheld medicine Yatskin needed to treat a leg ulcer and chest injury. On May 21, occupation authorities sentenced Yatskin to 11 years in prison. Human rights groups called the ruling politically motivated and considered Yatskin a political prisoner.

There were reports detainees were denied medical treatment, even for serious health conditions. According to the June UN secretary-general's special report, detainees often had to rely on relatives to provide medicine, since the medical assistance provided at detention centers was inadequate. For example, Kostiantyn Shyrinh, a 61-year-old Ukrainian detained by occupation authorities in May 2020 on charges of espionage and suffering from cardiovascular disease, was consistently denied medical treatment by occupation authorities at the Simferopol pretrial detention facility despite numerous requests for medical assistance. During an August 12 court appearance, Shyrinh required emergency medical treatment, and an ambulance was called at the request of his lawyer. Prison authorities reportedly retaliated against detainees who refused Russian Federation citizenship by placing them in smaller cells or in solitary confinement.

Administration: Authorities generally did not investigate allegations of torture and mistreatment. Authorities sometimes did not allow prisoners and detainees access to visitors or religious observance. According to defense lawyers, prisoners considered Russian citizens by the Russian Federation were denied Ukrainian consular visits, and some Crimean residents were transferred to prison facilities in Russia without Ukrainian passports.

Independent Monitoring: Occupation authorities did not permit monitoring of

prison or detention center conditions by independent nongovernmental observers or international organizations. Occupation authorities permitted the “human rights ombudsperson,” Lyudmila Lubina, to visit prisoners, but human rights activists regarded Lubina as representing the interests of occupation authorities and did not view her as an independent actor.

d. Arbitrary Arrest or Detention

Arrest Procedures and Treatment of Detainees

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea.

Arbitrary Arrest: Arbitrary arrests continued to occur, which observers believed were a means of instilling fear, stifling opposition, and inflicting punishment on those who opposed the occupation. Security forces conducted regular raids on Crimean Tatar villages and the homes of Jehovah’s Witnesses, accompanied by detentions, interrogations, and often criminal charges. The Crimean Resource Center recorded 156 detentions and 41 interrogations that were politically motivated during the first six months of the year.

On September 3-4, the FSB conducted a series of night raids on homes of Crimean Tatars in Sevastopol and detained five Crimean Tatars, including First Deputy Chairman of the Crimean Mejlis (the executive representative body of Crimean Tatars) Nariman Dzhelyal, on charges of involvement in the alleged sabotage of a gas pipeline in Crimea. Human rights groups reported occupation authorities prevented the detainees and their family members from calling lawyers during the raids, failed to properly identify themselves, and refused to inform the family members where the men were being taken. Occupation authorities reportedly held Dzhelyal in handcuffs and with a bag over his head in a basement cell for the first 24 hours of detention and tortured at least three of the detainees, including Dzhelyal, to force confessions. On October 28, an occupation court extended Dzhelyal’s detention to January 23, 2022. Ukrainian government officials dismissed the charges against the men as politically motivated fabrications.

Immediately following the arrests, dozens of Crimeans peacefully protested

outside the FSB building in Simferopol, demanding information regarding the five Crimean Tatars who were being held incommunicado. FSB officers subsequently detained more than 50 Crimean Tatars and reportedly forced them into buses, beat them, and held them in different police precincts where they were questioned without lawyers present, according to Ukraine's human rights ombudsperson.

The HRMMU noted that justifications underpinning the arrests of alleged members of "terrorist" or "extremist" groups often provided little to no evidence that the suspect posed an actual threat to society by planning or undertaking concrete actions.

The HRMMU noted the prevalence of members of the Crimean Tatar community among those apprehended during police raids. According to the Crimean Tatar Resource Center, of the 156 individuals arrested between January and June, 126 were Crimean Tatars. The HRMMU noted raids were often carried out on the pretext of purported need to seize materials linking suspects to groups that were banned in the Russian Federation, but lawful in Ukraine.

For example, according to press reports, on August 17, the FSB raided houses of Crimean Tatars in various parts of the peninsula. Five individuals were arrested during the raids, including four Crimean Tatar activists and a Crimean Tatar religious leader. According to human rights groups, security forces planted incriminating "evidence" during the raids and denied detained individuals access to lawyers. Of the five men arrested during the raid, two were charged with organizing the activities of a "terrorist" organization (Hizb ut-Tahrir, a legal organization in Ukraine), which carries a sentence of up to life in prison. The rest were charged with participating in the activities of a terrorist organization, which carries a sentence of up to 20 years in prison.

Members of Jehovah's Witnesses were also targeted for raids and arbitrary arrests. For example on March 11, Russian security forces in Yalta conducted searches of nine homes belonging to members of Jehovah's Witnesses. As part of the searches, occupation authorities arrested 42-year-old Taras Kuzio on charges of financing an "extremist" organization and seized electronic equipment and financial assets from his home. Jehovah's Witnesses is banned in Russia, and this religious group is deemed an "extremist" organization under Russian law, but it is

legal in Ukraine. As of late October, Kuzio was under house arrest. On March 29, a Sevastopol court sentenced member of Jehovah's Witnesses Viktor Stashevskyy to six and one-half years' imprisonment on "extremism" charges. According to local media, prosecutors relied on testimony from a secret witness to cast Stashevskyy's private discussions of the Bible as illegal "organizational activities" on behalf of Jehovah's Witnesses.

Failure to submit to conscription into the Russian military was also used as a basis for arbitrary arrests. Since 2015 Russia conducted annual spring and fall conscriptions in Crimea, and failure to comply is punishable by criminal penalty. As of September 30, NGOs estimated nearly 31,000 persons had been conscripted since the beginning of the occupation. As of September 1, the Crimean Human Rights Group documented 244 criminal cases brought against Crimean residents for evading military service in the Russian Armed Forces.

Detainees were often denied access to a lawyer during interrogation. For example, occupation authorities reportedly denied RFE/RL journalist Vladyslav Yesypenko access to a lawyer for 28 days following his March 10 detention, during which he was reportedly tortured (see section 1.c).

e. Denial of Fair Public Trial

Under Russian occupation authorities, the judicial system was neither independent nor impartial. Judges, prosecutors, and defense attorneys were subject to political directives, and the outcomes of trials appeared predetermined by occupation authorities. The HRMMU noted that lawyers defending individuals accused of extremism or terrorism risked facing harassment or similar charges themselves. For example, human rights lawyer Lilya Hemedzhi reported that on May 11, occupation authorities delivering a notice of arrest to her client threatened to take actions to have her disbarred from Russia-controlled courts. Human rights groups reported Hemedzhi faced long-standing pressure for her involvement in defending Crimean Tatar activists, including in August 2020, when a Russia-controlled court in Crimea privately ruled that Hemedzhi violated court procedures by speaking out of turn during a video conference hearing. Such rulings could place a lawyer's standing with the bar in jeopardy.

Trial Procedures

Defendants in politically motivated cases were increasingly transferred to the Russian Federation for trial. (See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea).

Occupation authorities limited the ability to have a public hearing. According to the HRMMU, occupation authorities banned family members and media from the courtroom for hearings related to charges of Hizb ut-Tahrir membership and other activities deemed subversive under Russian law. The courts justified the closed hearings by citing vague concerns regarding the “safety of the participants.” The courts failed to publish judgments in these cases.

Occupation authorities interfered with defendants’ ability to access an attorney. According to the Crimean Human Rights Group, defendants facing terrorism or extremism-related charges were often pressured into dismissing their privately hired lawyers in exchange for promised leniency.

Occupation authorities intimidated witnesses to influence their testimony. On September 7, Russian security forces detained former member of the Crimean Tatar Mejlis Edlar Mensytov at his home near Simferopol. Occupation authorities reportedly interrogated Mensytov as a possible suspect in the case of the alleged August 23 sabotage of a gas pipeline (see section 1.d.). Mensytov was denied access to a lawyer during the interrogation and released after one day of detention. Human rights groups expressed concerns that occupation authorities had detained Mensytov in retaliation for his participation as a defense witness at a June 18 trial of prominent exiled Crimean Tatar leader Mustafa Dzhemilev, whom occupation authorities charged in absentia with attempting to illegally cross into occupied Crimea.

The HRMMU reported that occupation authorities retroactively applied Russia’s laws to actions that took place before the occupation of the peninsula began.

Political Prisoners and Detainees

According to the Crimean Human Rights Group, as of late October, 124 Crimeans

were being deprived of freedom in occupied Crimea or in Russia on political or religious charges, 89 of whom were Crimean Tatar Muslims prosecuted on terrorism charges.

Charges of extremism, terrorism, or violation of territorial integrity were particularly applied to opponents of the occupation, such as Crimean Tatars, Jehovah's Witnesses, independent journalists, and individuals expressing dissent on social media.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea.

Occupation authorities and others engaged in electronic surveillance, entered residences and other premises without warrants, and harassed relatives and neighbors of perceived opposition figures.

Occupation authorities routinely conducted raids on homes to intimidate the local population, particularly Crimean Tatars, ethnic Ukrainians, and members of Jehovah's Witnesses, ostensibly on the grounds of searching for weapons, drugs, or "extremist literature." According to the Crimean Tatar Resource Center, occupation authorities conducted 32 raids between January and June; 13 were in the households of Crimean Tatars.

Human rights groups reported that Russian authorities exercised widespread authority to tap telephones and read electronic communications and had established a network of informants to report on suspicious activities. Occupation authorities reportedly encouraged state employees to inform on their colleagues who might oppose the occupation. According to human rights activists, eavesdropping and visits by security personnel created an environment in which persons were afraid to express any opinion contrary to the occupation authorities, even in private.

Occupation authorities regularly used recorded audio of discussions regarding

religion and politics, obtained through illegal wiretapping of private homes and testimonies from unidentified witnesses, as evidence in court. For example, according to the Kharkiv Human Rights Protection Group, on September 27, prosecutors in a hearing involving five Crimean Tatar activists charged with allegedly organizing the activities of a “terrorist” organization presented as evidence illegal wiretaps of purported conversations between the defendants and a secret witness. The five men were arrested in 2019 by occupation authorities during mass raids on Crimean Tatar homes in and around Simferopol. The prosecution’s purported “expert” witnesses claimed the recordings, which human rights groups characterized as innocuous discussions of politics and religion, were evidence of terrorist activity. The defense questioned whether the recordings had been edited. On July 6, in a separate case involving five other Crimean Tatar activists detained in the same 2019 raids on terrorism-related charges, prosecutors reportedly introduced testimony to the court from an unidentified witness. According to the accused men’s lawyers, the unidentified witness was an FSB agent who had provided similar testimony in several other cases. The lawyers claimed the court rejected their petition to reveal the identity of the witness. As of September the men were being held at a detention facility in Rostov-on-Don in Russia as the trial proceeded.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures the Russian government applied and enforced in occupied Crimea.

Occupation authorities significantly restricted the exercise of freedom of expression and subjected dissenting voices, including the press and other media, to harassment and prosecution. Occupation authorities’ reported failure to investigate or prosecute attacks on human rights defenders and peaceful protesters led to de facto restrictions on the exercise of freedoms of peaceful assembly and association.

Freedom of Expression: The HRMMU noted occupation authorities placed

“excessive limitations on the freedoms of opinion and expression.” In July 2020 occupation authorities began enforcing a law that prohibits the unauthorized dissemination of information damaging to the FSB’s reputation without the FSB’s approval. Enforcement of this law in Crimea further deprived residents of the ability to exercise freedom of expression, by preventing them from publicly criticizing and disseminating information concerning reportedly unlawful actions of FSB officers and alleged violations or abuses of human rights.

Individuals could not publicly criticize the Russian occupation without fear of reprisal. Human rights groups reported the FSB engaged in widespread surveillance of social media, telephones, and electronic communication and routinely summoned individuals for “discussions” for speaking or posting opposition to the occupation. These unlawfully obtained recordings were often used against those who were arbitrarily arrested in closed trials.

Occupation authorities often deemed expressions of dissent “extremism” and prosecuted individuals for them. For example, according to press reports, on March 22, the Russia-controlled prosecutor’s office for the Nizhnegorsk district in Crimea formally warned Crimean Tatar Akhmadzhon Kadyrov that his recent public statements could constitute “extremism.” The written warning referenced a video posted to social media on March 7 in which Kadyrov denied that Crimean Tatars were terrorists and spoke about the suffering and injustices Crimean Tatars experienced under Russia’s occupation. The “prosecutor’s” warning claimed Kadyrov’s criticisms of Russia’s judicial proceedings and calls of support for Crimean Tatar political prisoners indicated a “negative attitude towards law enforcement and judicial officials.”

Occupation authorities continued to ban the display of Ukrainian or Crimean Tatar symbols as “extremist.” Human rights groups claimed violations of this law were rare during the year because of fewer residents displaying such symbols than in previous years, reportedly to avoid prosecution.

Occupation authorities deemed expressions of support for Ukrainian sovereignty over the peninsula to be equivalent to undermining Russian territorial integrity. For example on June 1, the Russia-controlled “supreme court” in occupied Crimea found Chairman of the Crimean Tatar Mejlis Refat Chubarov guilty of publicly

calling for the violation of Russia's territorial integrity and organizing "mass riots." The court sentenced him in absentia to six years in prison. The charges were linked to Chubarov's role in organizing a 2014 peaceful demonstration in front of the Crimean parliament in support of Ukraine's territorial integrity.

There were multiple reports that occupation authorities detained and prosecuted individuals seeking to film raids on homes or court proceedings. For example, according to press reports, on October 25, Russian occupation authorities arrested 21 men, including two Crimean Solidarity journalists, who had gathered outside of a court in Simferopol to observe a hearing for three Crimean Tatar political prisoners. Crimean Solidarity journalists Ruslan Paralamov and Dlyaver Ibragimov, who were reporting on and filming the gathering, were charged with administrative offenses related to the violation of public order.

During the year occupation authorities prosecuted individuals for the content of social media posts. For example on July 22, occupation authorities arrested 27-year-old Crimean Tatar Abdulla Ibrahimov after conducting a search of his father's home and the family's store in Evpatoria. Occupation authorities reportedly filed administrative charges against Abdulla for publicly displaying the symbols of "extremist" organizations, in connection to his alleged posting of a symbol for Hizb ut-Tahrir on social media in 2013 (before Russia's occupation of Crimea). Abdulla was released on July 25.

Freedom of Expression for Members of the Press and Other Media, Including

Online Media: Independent print and broadcast media could not operate freely. Most independent media outlets were forced to close in 2015 after occupation authorities refused to register them. According to the Crimean Human Rights Group, after the occupation began, many local journalists left Crimea or abandoned their profession. With no independent media outlets left in Crimea and professional journalists facing serious risks for reporting from the peninsula, civic activists were a major source of information on developments in Crimea.

On April 20, occupation authorities fined Bekir Mamutov, the editor in chief of Crimean Tatar newspaper *Qirim* and member of the Crimean Tatar Mejlis, for his newspaper's publishing of the 2020 UN secretary-general's report on the human rights situation in Crimea, according to the HRMMU. Occupation authorities

reportedly claimed the newspaper violated a Russian law that prohibits the press from publishing information regarding the Mejlis without noting that its activities are prohibited in Russia. Mamutov paid a fine of 4,000 rubles (\$55).

Violence and Harassment: There were numerous cases of security forces or police harassing activists and detaining journalists in connection with their civic or professional activities. For example on May 19, the FSB searched the home of *Crimean Solidarity* journalist Zydan Adzhikelyamov. According to Adzhikelyamov, police inspected his Quran and notes from recent trials he had covered. Police reportedly also searched the adjacent home of his parents. Adzhikelyamov claimed police asked him to sign an administrative document related to the search, but he refused to do so without a lawyer present. Adzhikelyamov claimed police conducted the search in retaliation for his reporting on the May 11 killing of Nabi Rakhimov, who was fatally shot by FSB officers during a raid of his home (see section 1.a.).

Censorship or Content Restrictions: Following Russia's occupation of Crimea, journalists resorted to self-censorship to continue reporting and broadcasting.

There were reports occupation authorities sought to restrict access to or remove internet content concerning Crimea they disliked. As of August 12, occupation authorities had blocked 27 Ukrainian websites in Crimea, including the websites of the Crimean Tatar Mejlis, Jehovah's Witnesses, Hizb ut-Tahrir, the Ministry of Integration of the Temporarily Occupied Territories of Ukraine, and several independent Ukrainian news outlets, among others. Censorship of independent internet sites was widespread (see Internet Freedom).

Occupation authorities banned most Ukrainian and Crimean Tatar-language broadcasts, replacing the content with Russian programming. The Crimean Human Rights Group reported that occupation authorities continued to block Ukrainian FM radio stations in northern Crimea by broadcasting their stations on the same wavelength. The signal of Ukrainian FM radio stations was heard in only eight of the area's 19 settlements.

Human rights groups reported occupation authorities continued to forbid songs by Ukrainian singers from playing on Crimean radio stations.

National Security: Occupation authorities cited laws protecting national security to justify retaliation against opponents of Russia’s occupation.

The Russian Federal Financial Monitoring Service included prominent critics of the occupation on its list of extremists and terrorists. Inclusion on the list prevented individuals from holding bank accounts, using notary services, and conducting other financial transactions.

Authorities frequently used the threat of “extremism,” “terrorism,” or other purported national security grounds to justify harassment or prosecution of individuals in retaliation for expressing opposition to the occupation. For example, in 2019 occupation authorities arrested Ukrainian citizen Oleh Prykhodko on charges of terrorism and possession of explosives after they purportedly found explosives in his garage, which human rights defenders maintained were planted there. Human rights groups claimed the charges were retaliation for Prykhodko’s displaying of Ukrainian and Crimean Tatar flags on his car, for which he was fined in 2019. On March 3, a Russian court sentenced the 62-year-old Prykhoko to five years’ imprisonment in a maximum-security penal colony.

Internet Freedom

Russian occupation authorities restricted free expression on the internet (see section 2.a. of the *Country Reports on Human Rights* for Russia) by imposing repressive Russian Federation laws on Crimea. Security services routinely monitored and controlled internet activity to suppress dissenting opinions.

According to media accounts, occupation authorities interrogated and harassed residents of Crimea for online postings, including those that demonstrated pro-Ukrainian views, opposition to Russia’s occupation and the actions of occupation authorities, and support for groups occupation authorities deemed “extremist” (see *Censorship or Content Restrictions*, above).

Academic Freedom and Cultural Events

Occupation authorities engaged in a widespread campaign to suppress the Crimean Tatar and Ukrainian languages (see section 6, *Systemic Racial or Ethnic Violence and Discrimination* subsection).

b. Freedoms of Peaceful Assembly and Association

Freedom of Peaceful Assembly

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea.

According to the June 2020 UN secretary-general's special report, "public events initiated by perceived supporters of Ukrainian territorial integrity or critics of policies of the Russian Federation in Crimea were reportedly prevented or prohibited by occupation authorities."

Human rights monitors reported that occupation authorities routinely denied permission to hold assemblies based on political beliefs, notably to opponents of the occupation, or those seeking to protest the actions of the occupation authorities. Those who gathered without permission were regularly charged with administrative offenses. Expansive rules regarding types of gatherings that required permits and selective enforcement of the rules made it difficult for protesters to avoid such offenses. For example, according to media accounts, on January 23, police shut down a silent rally in downtown Simferopol of approximately 100 persons in support of Russian opposition leader Alexey Navalny. Security forces reportedly cordoned off the area, demanded participants produce identification documents, and took photographs of the participants. Media outlets reported that police detained approximately 15 participants for three hours and forced them to sign documents describing their participation in the event, which security forces claimed was an illegal rally. Activists noted police failed to demonstrate why the gathering required a permit, given that the participants did not shout slogans, carry banners, or organize the event in advance.

Occupation authorities brought charges for "unauthorized assemblies" against single-person protests, even though preauthorization is not required for individual protests. For example, according to Crimean Solidarity, on May 21, the Krasnohvardiyskyy "district court" ruled that Zelyha Abhayrova's October 2020 one-person protest the prosecution of her son constituted an unauthorized assembly. The "court" announced similar decisions against Emina Abdulhanieva

and Zura Emyruseynova on May 22, ruling that the women had illegally coordinated the actions in support of their sons to occur simultaneously. All three women were fined 10,000 rubles (\$137).

There were reports that authorities used a ban on “unauthorized missionary activity” to restrict public gatherings of members of religious minority groups. For example on June 1, a Russia-controlled court in Crimea fined the Light to the World Church of Christians of Evangelical Faith 30,000 rubles (\$411) for unlawful missionary activity, citing its failure to affix a religious organization label to booklets on display inside the church lobby.

A “regulation” limits the places where public events may be held to 366 listed locations, which, as the HRMMU noted, restricted the ability to assemble to a shrinking number of “specially designated spaces,” a move that appeared “designed to dissuade” peaceful assembly.

There were reports occupation authorities charged and fined individuals for allegedly violating public assembly rules in retaliation for gathering to witness security force raids on homes.

Freedom of Association

See the *Country Reports on Human Rights* for Russia for a description of the relevant Russian laws and procedures that the Russian government applied and enforced in occupied Crimea.

Occupation authorities broadly restricted the exercise of freedom of association for individuals who opposed the occupation. For example, there were numerous reports of authorities taking steps to harass, intimidate, arrest, and imprison members of Crimean Solidarity, an unregistered movement of friends and family of victims of repression by occupation authorities that opposes Russia’s occupation of Crimea. During the year the Crimean Human Rights Group documented multiple cases in which police visited the homes of Crimean Solidarity activists to threaten them or warn them not to engage in “extremist” activities. For example on May 14, Crimean Tatar activist Seytosman Karaliyev received a letter from police in Sudak warning him against participating in gatherings related to the May 18 Day of Remembrance for the Victims of the Crimean Tatar Genocide, as they

might constitute “extremist” activities. At least five other Crimean Tatar activists and journalists received similar “preventive warnings” in advance of the May 18 day of remembrance.

According to human rights groups, Russian security services routinely monitored prayers at mosques for any mention that Crimea remained part of Ukraine. Russian security forces also monitored mosques for anti-Russia sentiment and as a means of recruiting police informants, whose secret testimony was used in trials of alleged Hizb ut-Tahrir members.

The Mejlis of the Crimean Tatar People remained banned for purported “extremism” despite a decision by the International Court of Justice holding that occupation authorities must “refrain from maintaining or imposing limitations on the ability of the Crimean Tatar community to conserve its representative institutions, including the Mejlis.” Following the 2016 ban on the Crimean Tatar Mejlis as an “extremist organization,” occupation authorities banned gatherings by Mejlis members and prosecuted individuals for discussing the Mejlis on social media.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

Occupation authorities imposed restrictions on freedom of movement.

In-country Movement: Occupation authorities maintained a state “border” at the administrative boundary between mainland Ukraine and occupied Crimea.

According to the HRMMU, the boundary and the absence of public transportation between Crimea and mainland Ukraine continued to undermine freedom of movement to and from the peninsula, affecting mainly the elderly and individuals with limited mobility. The Ukrainian government simplified crossing the administrative boundary for children in a decree that came into force on February 9. Children younger than 16 were allowed to cross the administrative boundary between mainland Ukraine and Crimea both ways if accompanied by one parent.

Notarized permission of the second parent was no longer required. Children between the ages of 14 and 16 could cross the administrative line both ways unaccompanied if they studied at an educational institution located in mainland Ukraine and resided or were registered in Crimea.

There were reports occupation authorities selectively detained and at times abused persons attempting to enter or leave Crimea. According to human rights groups, occupation authorities routinely detained adult men at the administrative boundary for additional questioning, threatened to seize passports and documents, seized telephones and memory cards, and questioned them for hours.

In March 2020 Russian occupation authorities banned Ukrainian citizens from entering occupied Crimea, citing COVID-19 prevention as justification. Crimean residents traveling to mainland Ukraine were purportedly excepted from the ban if they provided proof that the purpose of their travel fell within authorized categories, which included medical treatment, education, or family visits. Occupation authorities often applied the criteria selectively. On May 18, Russian occupation authorities rescinded the ban, but human rights groups reported they continued to arbitrarily detain travelers. For example on August 5, occupation authorities detained blogger and activist Ludwika Papadopoulou, a Crimean resident, when she attempted to pass through an administrative boundary checkpoint for a planned trip to mainland Ukraine. Occupation officials reportedly informed Papadopoulou she had been charged with defamation for a 2019 social media post that criticized a Russian occupation official. Papadopoulou denied any involvement in the post. Occupation authorities placed Papadopoulou under house arrest until September 5. As of mid-September occupation authorities continued to impose travel restrictions on Papadopoulou.

Crimean residents with Russian passports seeking to re-enter Crimea were required to take a PCR test within three calendar days of their return to the peninsula and post the test results on the Unified Portal of Public Services. Occupation authorities continued to restrict entry of Ukrainian citizens who were not residents of Crimea; only certain categories of travel, such as medical treatment and family visits, were authorized for these individuals.

In other cases occupation authorities issued entry bans to Ukrainian citizens

attempting to cross the administrative boundary.

Occupation authorities launched and continued to try criminal cases against numerous high-profile Crimean Tatar leaders, including Member of Parliament Mustafa Dzhemilev; Refat Chubarov, chairman of the Crimean Tatar Mejlis; Nariman Dzhelyal, deputy chairman of the Crimean Tatar Mejlis; and Aider Muzhdabayev, deputy director of ATR, the only Crimean Tatar-language television channel.

According to the HRMMU, Ukrainian law restricts access to Crimea to three designated crossing points and imposes penalties, including long-term entry bans, for noncompliance. Crimean residents lacking Ukrainian passports, who only possessed Russian-issued Crimean travel documents not recognized by Ukrainian authorities, often faced difficulties when crossing into mainland Ukraine.

Citizenship: Russian occupation authorities required all residents of Crimea to accept Russian passports. Those who refused Russian passports could be subjected to arbitrary expulsion. According to the Crimean Human Rights Group, since Russia's occupation, approximately 2,000 Ukrainians were prosecuted for not having Russian documents, and approximately 530 persons were ordered to be "deported."

According to the HRMMU, during the period from July 1, 2000, to June 30, Russia-controlled "courts" ordered "deportation" and forcible transfer of at least 72 Ukrainian citizens whose residence rights in Crimea were not recognized.

Residents of Crimea who chose not to accept Russian passports were considered foreigners, but in some cases they could obtain a residency permit. Persons without Russian passports holding a residency permit were deprived of key rights and could not own agricultural land, vote or run for office, register a religious congregation, or register a vehicle. Occupation authorities denied those who refused Russian passports access to "government" employment, education, and health care as well as the ability to open bank accounts and buy insurance, among other limitations.

According to the Crimean Human Rights Group, Russian authorities prosecuted private employers who continued to employ Ukrainians. Fines could be imposed

on employers for every recorded case of employing a Ukrainian citizen without a labor license. Fines in such cases amounted to several million dollars.

In some cases authorities compelled Crimean residents to surrender their Ukrainian passports, complicating international travel, because many countries did not recognize “passports” issued by Russian occupation authorities.

e. Status and Treatment of Internally Displaced Persons

Approximately 50,000 residents of Crimea were registered as IDPs by the Ukrainian government on the mainland, according to the Ministry of Social Policy. The Mejlis and local NGOs, such as Crimea SOS, believed the actual number could be as high as 100,000, as most IDPs remained unregistered. Many individuals fled due to fear that occupation authorities would target them for abuse because of their work as political activists or journalists. Muslims, Greek Catholics, and Evangelical Christians who left Crimea said they feared discrimination due to their religious beliefs.

Crimean Tatars, who made up the largest number of IDPs, said they left because of pressure on their community, including an increasing number of arbitrary searches of their homes, surveillance, and discrimination. In addition, many professionals left Crimea because Russian occupation authorities required them to apply for Russian professional licenses and adopt Russian procedures in their work.

Section 3. Freedom to Participate in the Political Process

Recent Elections: Russian occupation authorities prevented residents from voting in Ukrainian national and local elections since Crimea’s occupation began in 2014. Nonetheless, Russian occupation authorities conducted voting in Crimea for the September 19 Russia State Duma elections. Occupation authorities claimed a voter turnout rate of 49.75 percent. Independent observers and elections experts alleged massive electoral fraud, including coerced voting by state employees and ballot stuffing, among other irregularities. Ukraine’s Ministry of Foreign Affairs condemned Russia’s elections in Crimea as illegal and stated it would hold responsible those who organized and conducted the illegal voting there.

Section 4. Corruption and Lack of Transparency in Government

Corruption: There were multiple reports of systemic rampant corruption among Crimean “officeholders,” including through embezzlement of Russian state funds allocated to support the occupation. For example on April 6, occupation authorities detained the head of the investigation department of the “Ministry of Internal Affairs” in Simferopol on suspicion of accepting a bribe of 7.5 million rubles (\$103,000). He allegedly agreed to accept the bribe in exchange for ending an investigation of a suspect in a criminal case.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Most independent human rights organizations ceased activities in Crimea following Russia’s occupation. Occupation authorities refused to cooperate with independent human rights NGOs, ignored their views, and harassed human rights monitors and threatened them with fines and imprisonment.

Russia continued to deny access to the peninsula to international human rights monitors from the OSCE and the United Nations.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: Domestic violence remained a serious problem in occupied Crimea; however, occupation authorities’ restrictions on human rights organizations made it difficult to assess its prevalence.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of occupation authorities.

Women in Crimea accessed reproductive health care through services funded by the Russian occupation authorities, private insurance, and NGO programs;

however, no Ukrainian or international monitors had access to Crimea, making it difficult to assess the state of reproductive health care there.

Systemic Racial or Ethnic Violence and Discrimination

Since the beginning of the occupation, authorities singled out Crimean Tatars and ethnic Ukrainians for discrimination, abuse, deprivation of civil liberties and religious and economic rights, and violence, including killings and abductions (also see sections 1.a.-1.d., 1.f., 2.a., 2.b., and 2.d.). The August UN secretary-general's report noted, "The activities of the Mejlis remained prohibited in Crimea."

There were reports that Russian occupation authorities openly advocated discrimination against Crimean Tatars. Occupation authorities harassed Crimean Tatars for speaking their language in public and forbade speaking it in the workplace. There were reports teachers prohibited schoolchildren from speaking Crimean Tatar to one another. Crimean Tatar was the sole instruction language for 119 classes. Crimean Tatars were prohibited from celebrating their national holidays and commemorating victims of previous abuses (see section 2.b.).

Occupation authorities also restricted the use of Crimean Tatar and Ukrainian flags and symbols (see section 2.a.).

Russian occupation authorities prohibited Crimean Tatars affiliated with the Mejlis from registering businesses or properties as a matter of policy.

Ethnic Ukrainians also faced discrimination by occupation authorities. Ukrainian as a language of instruction was removed from university-level education in Crimea. According to the Crimean Resource Center, schools in Crimea no longer provided instruction in Ukrainian. In 2017 the International Court of Justice ruled on provisional measures in proceedings brought by Ukraine against the Russian Federation, concluding unanimously that the Russian Federation must "ensure the availability of education in the Ukrainian language."

Occupation authorities did not permit churches linked to ethnic Ukrainians, in particular the Orthodox Church of Ukraine (OCU) and the Ukrainian Greek Catholic Church, to register under Russian law. Occupation authorities harassed

and intimidated members of these churches and used court proceedings to force the OCU to leave properties it had rented for years. On August 8, occupation authorities forcibly entered an OCU church in Baky while a religious service was underway and forced the priest to end the service. Occupation authorities filed administrative charges against the priest for allegedly conducting unlawful missionary activities.

The largest OCU congregation in Crimea closed in 2019 following a ruling by occupation authorities that its cathedral located in Simferopol must be “returned to the state.” The church was shut down after repeated refusals by authorities to allow it to register.

Children

Birth Registration: Under both Ukrainian law and laws imposed by Russian occupation authorities, either birthplace or parentage determines citizenship. Russia’s occupation and purported annexation of Crimea complicated the question of citizenship for children born after February 2014, since it was difficult for parents to register a child as a citizen with Ukrainian authorities. Registration in the country requires a hospital certificate, which is retained when a birth certificate is issued. Under the occupation regime, new parents could only obtain a Russian birth certificate and did not have access to a hospital certificate. The Ukrainian government instituted a process whereby births in Crimea could be recognized with documents issued by occupation authorities.

Anti-Semitism

According to Jewish groups, the Jewish population in Crimea was approximately 10,000 to 15,000, with most living in Simferopol. There were no reports of anti-Semitic acts; however, Russian occupation authorities’ restrictions on human rights groups limited their ability to properly monitor anti-Semitic acts on the peninsula.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

Human rights groups and LGBTQI+ activists reported that most LGBTQI+ individuals fled Crimea after Russia’s occupation began. Those who remained

lived in fear of abuse due to their sexual orientation or gender identity. The UN Human Rights Council's independent expert received reports of increased violence and discrimination against the LGBTQI+ community in Crimea as well as the use of homophobic propaganda employed by the occupation authorities. LGBTQI+ persons reportedly were frequently subjected to beatings in public spaces and entrapped by organized groups through social networks. The council's report noted, "This environment created an atmosphere of fear and terror for members of the community, with related adverse impacts on their mental health and well-being."

According to the HRMMU, NGOs working on access to health care among vulnerable groups found it impossible to advocate for better access to health care for LGBTQI+ persons due to fear of retaliation by occupation authorities.

Occupation authorities prohibited any LGBTQI+ group from holding public events in Crimea. LGBTQI+ individuals faced increasing restrictions on their exercise of free expression and peaceful assembly, because occupation authorities enforced a Russian law that criminalizes the so-called propaganda of nontraditional sexual relations to minors (see section 6 of the *Country Reports on Human Rights* for Russia).

Section 7. Worker Rights

Occupation authorities announced the labor laws of Ukraine would not be in effect after 2016 and that only the laws of the Russian Federation would apply.

Occupation authorities imposed the labor laws and regulations of the Russian Federation on Crimean workers, limited worker rights, and created barriers to the exercise of freedom of association, collective bargaining, and the ability to strike. Trade unions are formally protected under Russian law but limited in practice. As in both Ukraine and Russia, employers were often able to engage in antiunion discrimination and violate collective bargaining rights. Pro-Russian authorities threatened to nationalize property owned by Ukrainian labor unions in Crimea. Ukrainians who did not accept Russian passports faced job discrimination in all sectors of the economy. Only holders of Russian national identification cards were allowed to work in "government" and municipal positions. Labor activists

believed that unions were threatened in Crimea to accept “government” policy without question and faced considerable restrictions on advocating for their members.

Although no official data were available, experts estimated there was growing participation in the underground economy in Crimea. Child labor in amber and coal mining remained a problem in Crimea.