



**Delegation of Ukraine  
to the OSCE**

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**Supplementary Human Dimension Meeting on Prevention of Torture  
Vienna, 10-11 April 2014**

**Statement by the Delegation of Ukraine**

**Mr. Chairperson,  
Excellencies,  
Ladies and Gentlemen,**

The Delegation of Ukraine would like to commend the Swiss OSCE Chairmanship and the OSCE Office for Democratic Institutions and Human Rights for organizing this Supplementary Human Dimension Meeting and placing the important topic of prevention of torture high on the agenda of the human dimension.

We consider this meeting as an excellent opportunity for OSCE participating States and OSCE executive structures to take stock of the implementation of their commitments on the prohibition, eradication and prevention of torture and other cruel, inhuman or degrading treatment or punishment.

**Ladies and Gentlemen,**

At the time when my country is facing the violation by the Russian Federation of sovereignty and territorial integrity of Ukraine through illegal occupation and annexation of Ukraine's Autonomous Republic of Crimea and the city of Sevastopol **the topic of combating torture unfortunately has become as relevant as ever.**

The actions by the Russian Federation constitute a flagrant breach of imperative norms of international law, the UN Charter, the Helsinki Final Act, bilateral and multilateral agreements. These violations of international law have already entailed violations of human rights that we currently witness in Crimea.

Moreover, despite the interim measures indicated by the European Court of Human Rights within the inter-State application lodged on 13 March 2014 by the Government of Ukraine against the Russian Federation, in particular those to comply with the obligations under the European Convention on Human Rights, **notably in respect of Articles 2 (right to life) and 3 (prohibition of inhuman or degrading treatment)** the Russian Federation is taking further illegal steps in Crimea.

We are seriously concerned about the deteriorating situation in the Autonomous Republic of Crimea in the area of exercise of human rights and fundamental freedoms, which stemmed from the occupation of Crimea by the Russian Federation. **Murders, torture, abduction and illegal forced detention of Ukrainians have proved to be a practice in occupied Crimea.** Concrete evidence of such crimes has been registered. Feelings of fear and uncertainty are growing among the people on the peninsula.

We have registered reports of provocation, violence and armed attacks, which already resulted in the shooting to death of the Ukrainian serviceman Sergey Kakurin in Simferopol during the assault on a Ukrainian military facility on 18 March, the murder of the Crimean Tatar activist Reshat Ametov, who was found dead with signs of torture in early March in Simferopol (several days ago a video evidence emerged that confirmed his kidnapping by a group of people, uniformed as so-called “Crimean self-defense forces”), as well as numerous cases of intimidation of members of the Crimean Tatar and Ukrainian-speaking communities.

Most recently, on the night of 7 April, a Russian soldier shot dead the unarmed Ukrainian officer Stanislav Karachevsky in Crimea, another Ukrainian soldier had been beaten by Russian servicemen and detained.

We call on the Russian authorities to stop immediately the human rights violations and to swiftly and objectively investigate the crimes.

The Crimean pro-EuroMaidan activist A.Shchekun, who was abducted, tortured and ill-treated by unknown assailants in Crimea from 09 to 20 March 2014, is present at this meeting and will share his experience with the participants of this SHDM.

It remains crucial for all OSCE observer missions, as well as the heads of Institutions to have access to the Autonomous Republic of Crimea in order to provide transparent and unbiased reporting on the human, economic, and security situation in the region. In this regard we urge the Russian Federation, which illegally occupied Crimea, to facilitate the access of the international monitors to assess the situation on the ground.

We are confident that they will provide the international community with an objective assessment of the situation in Ukraine, including the Crimean peninsula, as well as the information about the state of implementation by OSCE participating States – those involved in the current crisis situation – of their international commitments.

Moreover, the situation in the Southern and Eastern regions of Ukraine has become more precarious due to interference from beyond the country, thus raising the relevance of using all appropriate measures to avoid human rights violations and stabilize situation in the country.

**Dear colleagues,**

Ukraine stands fully committed to ensure efficient implementation of its OSCE human dimension commitments and international obligations, including those on combating torture and other cruel, inhuman or degrading treatment or punishment. Independence of justice and fair trial, reforming of law-enforcement bodies and penitentiary service are only few among priorities defined by the new Ukrainian Government in its Programme of action.

**Ukraine is a party to all relevant international treaties**, including the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, its Optional Protocol (OPCAT), and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment.

Furthermore, let me emphasize that Ukraine **has established adequate mechanisms to protect persons against torture and other cruel, inhuman or degrading treatment or punishment.** The 2012 Law of Ukraine entrusted the Ukrainian Parliament Commissioner for Human Rights (the Ombudsman) with functions of National Preventive Mechanism (NPM). After a public debate with participation of renowned domestic and international experts it was decided to implement the “Ombudsman+” NPM model, which implies joint monitoring visits of custodial settings by the staff of the Office of the Ombudsman of Ukraine and by civil society and NGO activists. The monitoring visits are undertaken to different parts of Ukraine covering different types of custodial settings with a view to strengthening the protection of persons against torture and other cruel, inhuman or degrading treatment or punishment.

**Ladies and Gentlemen,**

We believe this Supplementary Human Dimension Meeting will provide us with an excellent opportunity to discuss issues of concern, share good practices and contribute to promoting co-operation on issues related to prevention of torture and other cruel, inhuman or degrading treatment or punishment.

**Thank you, Mr. Chairperson.**