

KHARKIV INSTITUTE FOR SOCIAL RESEARCH  
KHARKIV HUMAN RIGHTS PROTECTION GROUP

***NATIONAL MONITORING  
OF UNLAWFUL VIOLENCE  
IN THE UKRAINIAN POLICE  
2004–2018***



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The report contains the results of another study of the prevalence of torture and ill-treatment in police, which highlights the extent, causes and consequences of these phenomena in Ukraine. The paper presents the monitoring results started in 2004. Consecutive studies of the phenomenon of unlawful violence over 14 years, using a similar methodology, allow us to analyze the processes in the law enforcement system and the effectiveness of reforms.

The report will be useful for law enforcement professionals, journalists, public figures, lawyers, representatives of international organizations, and anyone interested in human rights and reform in Ukraine.

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## LIST OF ABBREVIATIONS

Crimea — Autonomous Republic of Crimea

VRU — The Verkhovna Rada of Ukraine

GPU — Prosecutor General's Office of Ukraine

National Police Headquarters — General Directorate of the National Police

SBI — State Bureau of Investigation

State Stat — State Statistics Service of Ukraine

ITT — Temporary detention isolator of police

CCU — Criminal Code of Ukraine

MIA — Ministry of Internal Affairs of Ukraine

NABU — the National Anti-corruption Bureau of Ukraine

SAP — Specialized Anti-corruption Prosecutor's Office

SSU — Security Service of Ukraine

# INTRODUCTION

The seventh stage of national monitoring of unlawful police violence allows us to assess not only the dynamics of this phenomenon in Ukraine during the period 2004–2018.

The report contains two sections and an appendix:

**The first section** is devoted to the analysis of the results of a sociological survey. It presents a comparative analysis of the opinion of ordinary citizens about the extent of the prevalence of unlawful violence in the activities of the police of Ukraine; comparative data for the period of 2004–2018. The attitude of citizens to the problem of unlawful violence and its permissibility in police activity in the current conditions is analyzed.

**The second section** of the report provides an expert review of the effectiveness of the State Bureau of Investigation of Ukraine as an independent agency for the investigation of torture and ill-treatment by the police.

**The conclusions and recommendations** set out concrete steps to prevent unlawful violence through institutional changes in police activity.

**The annex** provides a calendar of unlawful police violence for 2018.

## DESCRIPTION OF THE RESEARCH

The study was conducted as part of a comprehensive evaluation of police efficiency conducted in November-December 2018. A sociological survey of 19,500 respondents was conducted in all regions of Ukraine according to a specially designed sample. The study was conducted by the method of face-to-face interview.

Socio-demographic indicators of the sample

19,500 respondents were interviewed, including 45.3% men and 54.7% women.

Among those surveyed, 11.2% were young people aged 16–24 years, 28.3% were people 25–39 years old, another quarter (24.8%) were 40–54 years old. Respondents aged 55 and over — 35.7%.

Less than half of those surveyed have specialized secondary education (46.4%), and some (20.4%) have a primary or incomplete secondary education. 33.2% of respondents complete or graduate from higher educational institution.

32.4% of survey participants live in regional centers. 27.5% are urban dwellers, 40.1% live in towns and villages.

Among surveyed, 5.5% have administrative offence record and 1.5% have crime record.

## CONCLUSIONS

- Number of police beatings, sufferings or torture have decreased slightly from 641 326 people in 2017 to 546 686 people in 2018. It can be stated that the negative tendency to increase the number of cases of violence that occurred in 2016–2017 has stopped, but the overall scale remains quite significant. However, it should be added that a total of 4.6% of respondents (878 polled in the general sample) indicated that during the year police officers violated their rights or the rights of their relatives or did not perform their work well enough.
- The most important indicator of the absence of decisive steps to combat police violence is maintaining a decades-old system of collecting and analyzing complaints about the actions of police officers and a system of assessing the state of lawfulness in the police force as a whole. Our research shows that, as before, a significant proportion of complaints are reported directly to the police and dealt with there. Even after the establishment of the SBI, which is subject to procedural reporting to the Prosecutor General's Office, the data are still evaluated, collected and generated by the same law enforcement agencies, without the involvement of non-governmental institutions and the victims themselves. Unfortunately, this contributes to the reproduction of a mechanism that has been repeatedly evaluated as ineffective in our studies.
- Unlawful police violence continues to be an extremely latent phenomenon — most victims do not report such incidents anywhere and prefer to avoid talking to interviewers. The results of the 2018 monitoring indicate that even among those who have suffered violations of their rights by the police, the vast majority (90.7% of victims of police violence) did not file formal complaints. The key reason is the idea that it will be useless (51,4% of victims).

- Surveys show that in 2018, almost every third Ukrainian (31.8%) in one way or another tolerates the possibility of unlawful violence or even torture by police. These data confirm a negative trend for several years. Although the vast majority in society (68.2%) are still people who do not admit unlawful violence to the police under any circumstances or justifications, the trends tend to show that there is an increasing proportion of society that is less demanding towards police action and tolerates unlawful violence.



## RECOMMENDATIONS

- **NEW, INDEPENDENT AND OBJECTIVE COLLECTION SYSTEM, ANALYSIS OF COMPLAINTS, AND NOTIFICATIONS OF UNLAWFUL VIOLENCE IN POLICE, SHOULD BE ESTABLISHED.**

All reports of police brutality should be investigated as a crime, not a misconduct (disciplinary). An independent system for collecting and investigating complaints about police actions, which will use the resources of the public and the media, will overcome existing practices of unlawful police violence.

- **THE STATE MUST COMPLY WITH THE LAW AND ENSURE THE EFFECTIVENESS OF THREE KEY SAFEGUARDS OF UNLAWFUL VIOLENCE.**

This means that all authorities and institutions of the state, from the police to the courts, must make every effort to reach certain standards of criminal procedure: all detentions must be timely issued and executed in strict compliance with the law; all detainees should be informed of their rights in a timely manner and be able to inform the third party of the fact of detention, be able to communicate with a lawyer before the first interrogation and have unhindered access to a doctor according to the detainee's own choice.

- **MAKE THE STATE BUREAU OF INVESTIGATION WORK MORE EFFECTIVE.**

Change the accountability of the State Bureau of Investigation from prosecutorial to parliamentary. This will significantly increase the independence of the Bureau and allow the Office of the Police Violence Investigation to be effectively monitored. Introduce the practice of public reporting on the work of the SBI in the Verkhovna Rada of Ukraine, with the opportunity to involve members of the public, as well as victims of torture and ill-treatment by the

police. Clearly differentiate between the newly formed NABU and the SBI by transmitting all corruption crimes to the NABU.

- **THE STATE AND THE SOCIETY SHOULD REPORT AN ATTEMPTS TO REDUCE TOLERANCE TO TORTURE AND VIOLENCE IN THE POLICE.**

The increasing tolerance of these negative phenomena, which has been occurring in the society in recent years, is a dangerous precondition for the continued spread of unlawful violence. That is why national programs should be developed and implemented to promote human rights and civil rights priorities, as well as European approaches to security issues.

# EVALUATION OF SCALES OF USING OF UNLAWFUL VIOLENCE IN THE UKRAINIAN POLICE IN 2018

The study on the prevalence of unlawful police violence was conducted in late 2018 as part of a larger study aimed at evaluating police activity as a whole. This allowed not only to clarify the extent of unlawful police violence by region, but also by country as a whole.

It should be noted that in 2018, the police did not make any significant changes — the approaches, performance evaluation criteria, internal investigations procedures and citizen complaints remained the same. Although work has begun to change the outdated police evaluation system and the use of opinion polls, indicators still determine the daily practice of police units and affect the extent of police violence.

The centralized structure of the Ministry of Internal Affairs, which includes the National Police, the National Guards, the State Migration Service, the State Border Guard Service, and the State Emergency Service, remained unchanged.

However, the most important indicator of a lack of change is still the persistence of a system of collecting and analyzing complaints against the actions of police officers and a system of assessing the state of law enforcement in the police as a whole for decades.

Expert analysis shows that, as before, a considerable part of the complaints goes directly to the police and is dealt with there. Even after the establishment of the SBI, which is subordinate to the Prosecutor General's Office, the data are still evaluated, collected and generated by the same law enforcement agencies, without the involvement of non-governmental institutions and the victims themselves.

Unfortunately, this contributes to the reproduction of a mechanism that has been repeatedly evaluated as ineffective in our studies.

Closed and non-transparent system for collecting and investigating complaints also affects the number of such reports — even when contacting a health facility with the consequences of beatings or torture, victims will have to deal with police officers. That is why victims of torture or violence prefer not to report. As before, this leads to the fact that the real extent of police violence remains hidden from official statistics, both police and medical staff, which cannot be regarded as objective and, therefore, cannot be relied upon to estimate the real scale of violence.

Given the circumstances and the inability to rely on data from other sources, a national sociological survey remains the only method that allows to study a latent phenomenon such as unlawful police violence in Ukraine. Through the use of years of research tools, we not only have the opportunity to estimate the number of people who have been victims of unlawful violence in police during the year, but also to compare with previous years. Significant expansion of the sample (up to 19,500 respondents) and a survey in all regions of the country (except Crimea and the occupied parts of Donetsk and Luhansk regions) also made it possible to more effectively identify the victims of police misconduct.

In the course of the survey, 326 respondents indicated that they were victims of assault, torture or misconduct by police officers and told their stories.

Thus, the proportion of respondents who, during the 12 months of 2018, were victims of deliberate beatings, suffer or torture by police, but decreased from 2.0% (2017) to 1.7% (2018) when the estimated number of victims was 641 326 people.

On the one hand, given the large sample size increase, this is in fact no different than in 2017 — violence remained within the same range. At the same time, however, it can be noted that the negative tendency for an increase in the number of cases of violence that occurred in 2016–2017 has stopped, but the overall scale remains significant.

However, it should be added that a total of 4.6% of respondents (878 polled in the general sample) indicated that during the year police officers violated their rights or the rights of their relatives or did not perform their duties well enough.

In order to assess the magnitude and dynamics of unlawful police violence, we've calculated the estimated number of victims. As with the evalu-

ation of past periods, it is produced by extrapolating the results of the study on all adult population of Ukraine.

For this purpose, we took the percentage of victims of this or that type of unlawful violence from the total adult population of Ukraine and adjusted the data, not including in the assessment the Autonomous Republic of Crimea, the uncontrolled territories in Donetsk and Luhansk regions, but taking into account the number of officially registered adults from these internally displaced persons (32 158 001 persons, according to the State Statistics Committee).

Thus, in the course of the study, we obtained estimates of the extent of unlawful police violence in territories not covered by armed conflict.

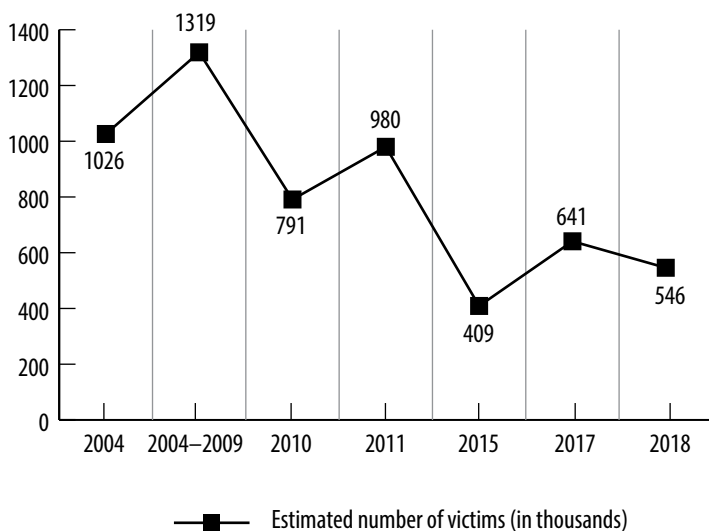


Fig. 1.

*Estimated number of victims of unlawful physical violence in the police force of Ukraine in the period of 2004–2018 (in thousands)*

It is quite logical that the number of victims of beatings, bodily harm **during detention** also decreased slightly, amounting to 418,050 people, respectively. With regard to the use of unlawful violence in the course of investiga-

tions, more significant changes have taken place: the estimated number of victims has fallen by almost half, totaling 192,950 victims.

*Tab. 1.2.1  
Estimated total number of victims of unlawful physical violence in the police force of Ukraine in the period of 2004–2018*

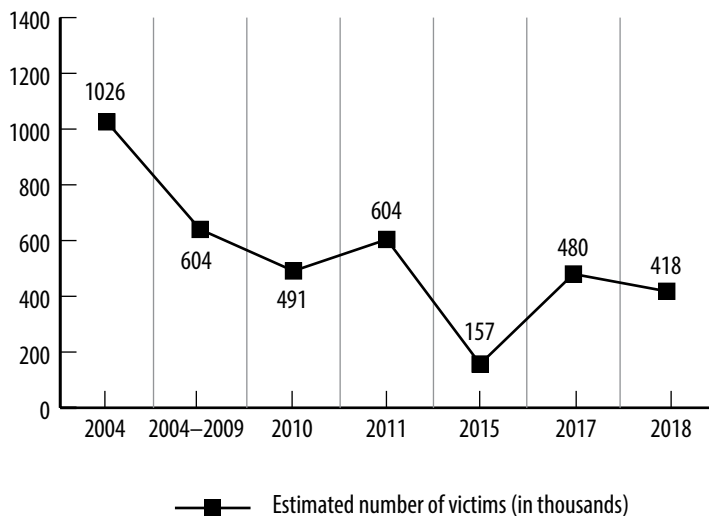
<b>Year</b>	<b>Number of victims (%)</b>	<b>Estimated number of victims</b>
2004	2,73	1 026 616
2004–2009	3,50	1 319 500
2010	2,10	791 700
2011	2,60	980 200
2015	1,30	409 080
2017	2,0	641 326
2018	1,7	546 686

*Tab. 1.2.2  
Estimated number of victims of beating, injuries sustained during police detention during the period of 2004–2018*

<b>Year</b>	<b>Number of victims (%)</b>	<b>Estimated number of victims</b>
2004	2,73	1 026 616
2004–2009	1,6	604 433
2010	1,3	491 102
2011	1,6	604 433
2015	0,5	157 338
2017	1,5	480 979
2018	1,3	418 050

As regards the victims of torture in the course of the investigation, the study indicates that the number of victims of this crime has actually stabilized over a fifteen-year period.

Thus, according to the data, since the beginning of observations (2004), the number of victims of torture has been decreasing periodically, and then increasing again.



*Fig. 2.*  
Estimated number of victims of beatings, injuries sustained during police detention during the period of 2004–2018

*Tab. 1.2.3*  
Estimated total number of victims of unlawful physical violence in the police force of Ukraine in the period of 2004–2018

Year	Number of victims (%)	Estimated number of victims
2004	0,94	355 293
2004–2009	1,3	491 102
2010	0,9	330 300
2011	0,8	293 600
2015	0,6	188 806
2017	1,2	384 783
2018	0,6	192 950

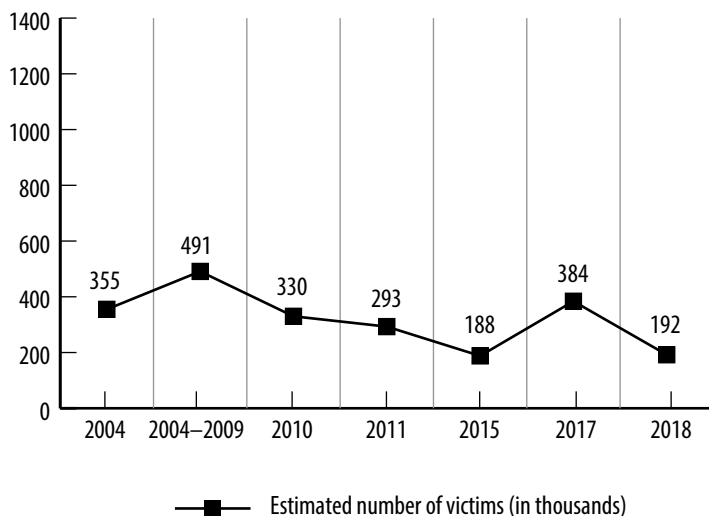


Fig. 3.

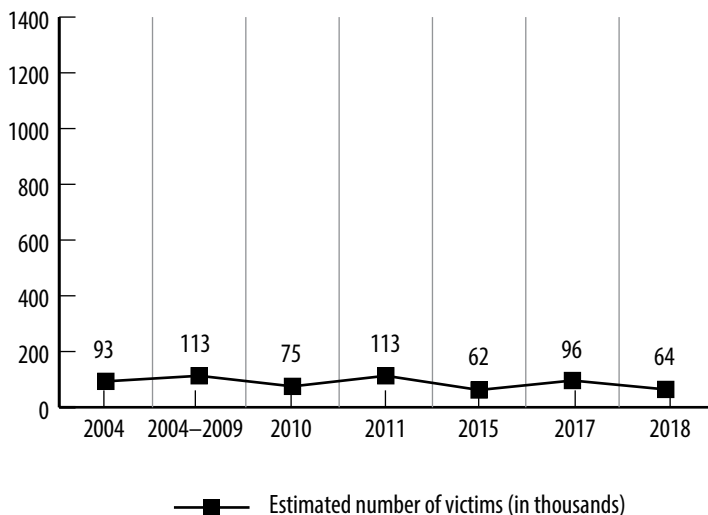
*Estimated number of victims of beatings, injuries in the course of the investigation in the police of Ukraine in the period of 2004–2018*

*Tab. 1.2.4  
Estimated number of victims of torture during police investigation in the period of 2004–2018*

Year	Number of victims (%)	Estimated number of victims
2004	0,25	93 498
2004–2009	0,3	113 331
2010	0,2	75 400
2011	0,3	113 331
2015	0,2	62 935
2017	0,3	96 195
2018	0,2	64 300

The 2018 year study found that the number of victims of torture has fallen again, with about 64,300 casualties. But at the same time it should be noted that no significant shift has taken place.





*Fig. 4.*  
*Estimated number of victims of torture during police investigation  
for the period of 2004–2018*

Unfortunately, unlawful police violence continues to be an extremely latent phenomenon — most victims do not report such incidents anywhere and prefer to avoid talking to interviewers. The results of the 2018 monitoring indicate that even among the persons who have been abused by their police, the vast majority (90.7%) did not file formal complaints. The key reason is the thought that it will be in vain (51.4%).

One of the most important factors influencing the prevalence of torture and police brutality is the attitude of society to this phenomenon. Back in 2015, our monitoring recorded a halt to the ten-year trend of increasing intolerance to police violence. Then, and later in 2017, we pointed out that the number of Ukrainians who did not tolerate cruelty stopped growing, and even began to decline.

Survey data shows that in 2018, almost every third Ukrainian (31.8%) in one way or another tolerates the possibility of unlawful violence, or even torture, by police. These data confirm a negative trend for several years. Although the overwhelming majority (68.2%) of the society are still people who do not admit illegal violence to the police under any circumstances or

justifications, the trends tend to show that a growing proportion of society is less demanding of police action and tolerates unlawful violence.

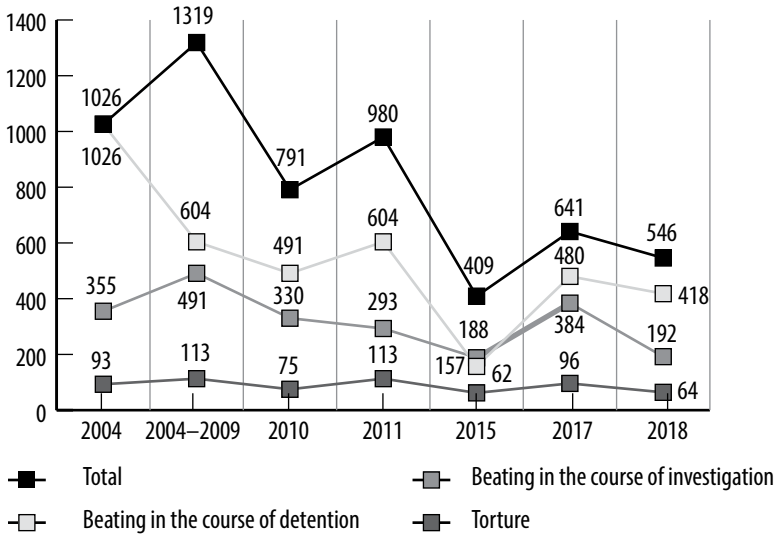


Fig. 5. Trends in the prevalence of unlawful violence and torture in the police over 14 years (2004–2018)

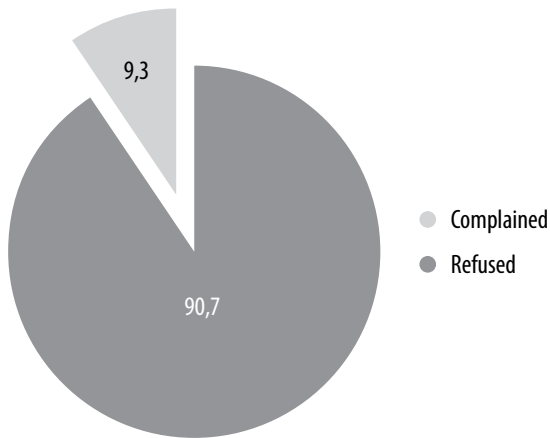


Fig. 6. Have the respondents complained about police actions in the last 12 months (%)

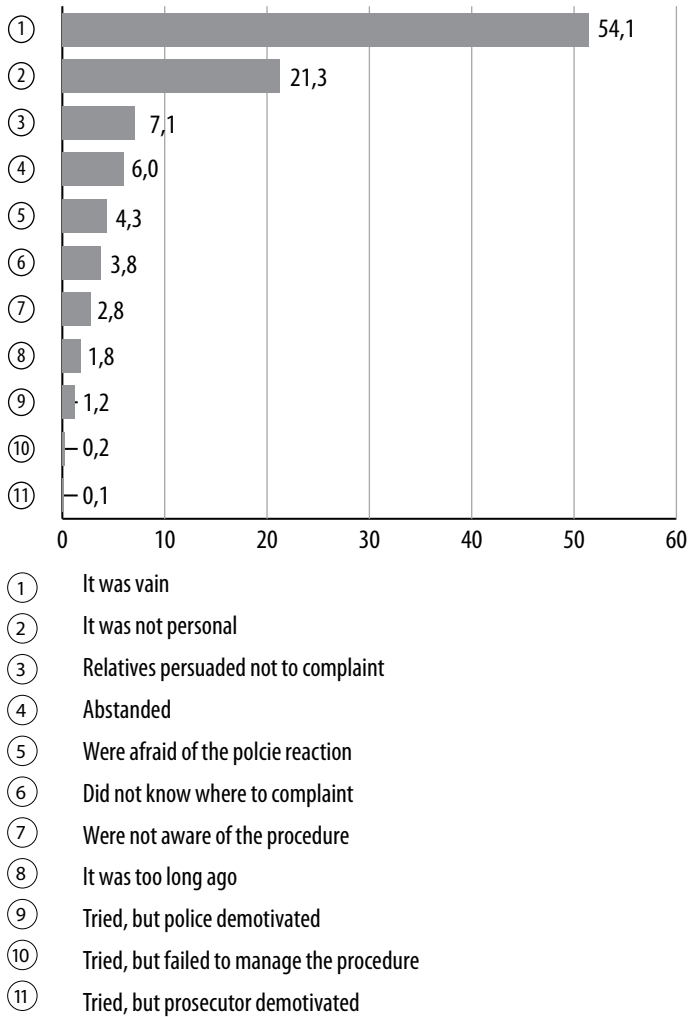


Fig. 7.  
Reasons for not reporting police abuse (%)

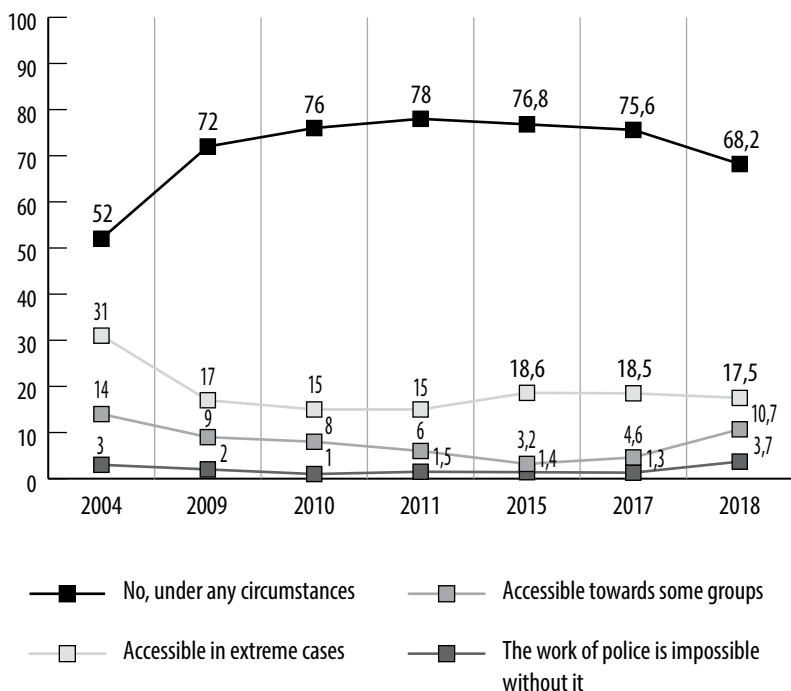


Fig. 8.  
Comparative distribution of answers to the question:  
"Is it acceptable for police officers to use beatings and torture to solve  
or investigate crimes?" (%)

# SBI: WOULD IT BE AN INDEPENDENT BODY FOR POLICE VIOLENCE INVESTIGATION<sup>1</sup>?

*Arbor mala — mala mala*  
*(Bad Apple Tree — Bad Apples)*

Ever since 2004, when we began to investigate unlawful violence in police and then in the police, the main challenge of the system of counteracting this phenomenon was the establishment of **an independent body** to investigate police violence. We have repeatedly made recommendations that neither the personnel inspectorate nor the Department of Internal Security, led by the prosecutor's office, have ever been **independent and impartial**. With the onset of reform following the Revolution of Dignity, the prospect of a shift in the establishment of a new independent police investigative complaint body has emerged. And already on November 12, 2015, the Law of Ukraine "On the State Bureau of Investigation" was passed and a little later commissions were formed and other preparatory work was carried out.

But instead of becoming an effective legal instrument in the combating crimes of law enforcement officers and senior officials of the state, including torture, the Bureau became the subject of political bargaining and the influence of various political forces who wanted to "subordinate" the newly established body to themselves. This has significantly affected the Bureau's coherence, procedure of formation, conditions of competition, etc. The establishing of the Bureau was accompanied by endless scandals that significantly undermined its legitimacy from the very beginning.

November 27, 2018 is not an exaggeration of the historic date for the entire Ukrainian law enforcement system, as the State Bureau of Investigation registered its first proceedings on that day. Thus, it is the existing law enforcement

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<sup>1</sup> All statistics is provided as on the date of June, 1 2019.

system, together with the military and the National Guard of Ukraine, as well as senior officials, who will pay attention to the newly established body in its activities, since it has been given exclusive jurisdiction to investigate crimes committed by these categories. In fact, the SBI will completely replace the Chief Investigative Directorate of the Prosecutor General's Office of Ukraine, including in the context of the personal composition of investigators, because in accordance with the Transitional Provisions of the Law of Ukraine "On the State Bureau of Investigation" a quota of 30% of SBI investigators goes to the former investigators of the prosecutor's office.

It should be noted that SBI starts its work one year after the appointment of the head of department. It should be reminded that on November 16, 2017 Roman Truba was selected as the winner of the competition for the position of Director of the Bureau.

The Verkhovna Rada of Ukraine approved the Law on the Formation of the DBR on November 12, 2015. The creation of this body is envisaged by the Constitution of Ukraine: the function of pre-trial investigation should be transferred to it from the prosecutor's office. The Bureau will investigate crimes committed by high-level officials, NABU and SAP officers, as well as war criminals.

SBI, along with the National Anti-Corruption Bureau of Ukraine and the Specialized Anti-Corruption Prosecutor's Office, has become another law enforcement agency, launched from the scratch. The establishment of the Bureau is one of the conditions for granting a visa-free regime to Ukraine by the European Union, as well as part of the reform of the prosecutor's office, as the SBI takes over its pre-trial investigation function.

## The structure

The system of the State Bureau of Investigation consists of:

- central office;
- territorial departments;
- special units;
- educational institutions;
- scientific and research institutions.

The State Bureau of Investigation has investigators, detective and other units. The organizational structure of the State Bureau of Investigation is

approved by the Director of the State Bureau of Investigation in coordination with the Cabinet of Ministers of Ukraine. The limit number of the central office and territorial departments of the State Bureau of Investigation is 1 thousand 500 persons.

If the establishment of investigative and detective units in such a small limit (1500 officers for a 40 million country with 25 regions), the establishment of educational and research institutions within such a small number raises serious questions. Is the system of existing educational establishments and scientific institutions incapable of providing training for the Bureau? How much should the young professionals learn to meet the demand for staff? All these questions do not seem to be about this, but about the fact that the SBI was created under a copier or according to the Ministry of Internal Affairs and the GPO, which have their own educational and scientific institutions. Regionally, the Bureau's work is organized through the territorial offices:

- 1) territorial department located in the city of Lviv, which extends its activity to Volyn, Transcarpathian, Ivano-Frankivsk, Lviv, Ternopil regions;
- 2) territorial department, located in the city of Khmelnytsky, which extends its activity to Vinnytsia, Zhytomyr, Rivne, Khmelnytsky, Chernivtsi region;
- 3) territorial department, located in the city of Mykolaiv, which extends its activity to Kirovograd, Mykolaiv, Odesa regions;
- 4) territorial department, located in the city of Melitopol, extending its activity to the Autonomous Republic of Crimea, Zaporizhia, Kherson region, the city of Sebastopol;
- 5) territorial department, located in the city of Poltava, which extends its activity to Dnipropetrovsk, Poltava, Sumy, Kharkiv region;
- 6) territorial department, located in the city of Kramatorsk, which extends its activity to Donetsk and Luhansk regions;
- 7) territorial administration, located in the city of Kiev, which extends its activity to the city of Kyiv, Kyiv, Cherkasy and Chernihiv regions.

***The existence of only 7 territorial departments, in our opinion, reduces the efficiency of the Bureau as of considerable workload,*** because, for example, the Poltava Territorial Department of the Bureau serves the Dnipropetrovsk, Poltava, Sumy and Kharkiv regions, with general number approximately more than 30 thousand police officers (!). We can also add the distances that investigators need to take for the Bureau investigators in the

relevant areas and to courts, together with the prosecutors' offices, in which they have to authorize/coordinate the necessary procedural actions and we get a heavy burden along with the logistical inconvenience.

## Staff

The distribution of positions between the central office of the Bureau and the territorial departments is 681 and 819 respectively. For the investigation of police torture and ill-treatment, the Second Directorate of the Organization of Pre-trial Investigations (Office for the Investigation of Crimes by Law Enforcement Officers and Justice) has been established, which has 71 positions, 25 — of which are still vacant. The same structure is in the territorial departments, but there is no data on the number of staff and specialists available. Most likely, these units are being actively formed and staffed. According to the SBI report, as of March 1, 2019, the staffing of the Bureau's territorial offices is as follows:

- Kyiv — 119 positions:
  - 58 positions appointed;
  - 61 vacancies (competition announced for 18).
- Poltava — total 118 positions:
  - appointed — 47;
  - vacant — 71 (competition announced for 21);
- Kramatorsk — a total of 117 positions:
  - 47 were appointed;
  - 70 vacancies (competition announced for 21);
- Melitopol — total 115 positions:
  - appointed — 46;
  - vacancies — 69 (competition announced on 23);
- Mykolaiv — total 117 positions:
  - appointed — 49;
  - vacant — 68 (competition announced on 19);
- Khmelnytskyi — a total of 117 positions:
  - 45 were appointed;
  - 71 vacancies (competition was announced for 22);
- Lviv — total 117 positions:
  - appointed — 52;



- vacant — 65 (competition announced for 21).

On average, less than 50% of the positions are filled by the Bureau, and Bureau Director Roman Truba himself, on the parliamentary-public platform “Towards Good Governance: Five Years of Civil Security Sector Reform” held on May 23, 2019 in Kyiv with the support of the European Union Advisory Mission in Ukraine, stated that only 650 officials were appointed to positions.

It is impossible not to mention the number of scandals that constantly accompany the launching and operation of the Bureau. Scandal over the establishment and operation of Bureau Selection Commissions, the polygraph results scandal and others. But in spite of these scandals and procedural abuses, redefining them into specific individuals, the Bureau was created and started its work, laying down under its own legitimacy a slow-motion mine that would still have to be exploded.

## Workload

It is difficult to calculate the caseload on one investigator at this time, since there is in fact no data on the number of Bureau investigators in the territorial departments. As of May 20, 2019, 116 investigators from 174 full-time positions were employed at the Central Office.

The Bureau is currently investigating about 4761 proceedings, 22 of them under Art. 127 “Torture” and 442 — by paragraphs 2 and 3 Art. 365 “Excess of authority and authority” (with use of force), in terms of percentages of the total number of proceedings, this is 10%. Although, on May 27, 2019, information appeared on the Bureau’s website that they had initiated 11 715 (!) proceedings in the six months of the Bureau’s activities. Since November 27, 2018, to May 23, 2019, the Bureau sent 115 indictments to the Court of Criminal Proceedings, out of 510 indictments, which were referred to the courts. On the Bureau’s website, on May 27, 2019, 6 months of work were published and 1,191 criminal proceedings had already been brought to the court.

Reading the Bureau’s report<sup>2</sup> the minimum load per investigator is in the central office — 3 cases per investigator, and the highest load — 41 cases per investigator in the Poltava Territorial Department.

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<sup>2</sup> [https://dbr.gov.ua/sites/default/files/2019-03/zvit\\_final.pdf](https://dbr.gov.ua/sites/default/files/2019-03/zvit_final.pdf)

## Efficiency

In accordance with Art. 13 of the Law of Ukraine “On the State Bureau of Investigation”, the Director of the Territorial Department of the State Bureau of Investigation is obliged to prepare an annual program of activity of the territorial body of the State Bureau of Investigation within 30 days from the day of his/her appointment. In particular, this program should specify:

- 1) tasks to be performed;
- 2) the scope and sequence of the tasks of the territorial body of the State Bureau of Investigation;
- 3) public relations measures;
- 4) priorities of work;
- 5) criteria for fulfillment/non-fulfillment of certain tasks and priorities.

As we can see, **the Bureau independently defines performance criteria and evaluates itself** on the basis of selected criteria. In general, this approach is typical of prosecutors and police/police, who, in order to demonstrate the results, evaluate themselves independently and draw conclusions about the effectiveness of their own work. Most likely, given the succession and tradition of the prosecution/militia, the most important criterion for their **effectiveness will be the percentage of crime detected**. It is not long to wait, as the Verkhovna Rada of Ukraine has adopted the necessary amendments to laws that will put into action the detective units. Another indication of the “innovativeness” of the establishment of the Bureau’s structure based on the Soviet pattern is the allocation of functions of “investigators — separately”/ “dectives — separately”. For a number of years now, the National Police have been trying to integrate these functions into detective units, as is the case in many police forces in democratic countries and is far from effective. And on the example of the Bureau, we see that all the mistakes and experiences of foreign countries could be taken into account when establishing a NEW agency, but no, the Soviet experience won out and we were given **a separate function of detectives**. What was it for? Obviously, in order to continue to manipulate performance indicators and investigate cases.

It is also important to note that, in fact, several authorities are competing for jurisdiction in the country. The most powerful confrontation is between the National Anti-Corruption Bureau of Ukraine and the State Bureau of Investigation of Ukraine. Both bodies have anti-corruption jurisdiction, which is divided into categories of civil servants and officials. Given that both

bodies were created from scratch, it would be possible to anticipate such a phenomenon and to exclude as much as possible conflicts of jurisdiction.

Unfortunately, the Bureau currently does not have statistics on the articles of the Criminal Code of Ukraine on cases being investigated. But indirectly, from the analysis of media and small statistics under Articles 127 and 365 of the Criminal Code of Ukraine, we conclude that **investigating police violence is not a priority for the Bureau**. Instead, the Bureau focuses on corruption crimes, which is exactly what the prosecutor's office did prior to it.

## Accountability

The State Bureau of Investigation is the central body of the executive power which carries out law enforcement activities for the prevention, detection, termination, disclosure and investigation of crimes within its competence. In its activities, the Bureau is guided by the principles of independence, openness and transparency of the activities of the State Bureau of Investigation for Society and democratic civilian control, accountability and subordination to statutory government bodies.

The procedural guidance management for conducting the pre-trial investigation is carried out by the Prosecutor General of Ukraine and subordinate prosecutors.

According to Art.29 of the Law of Ukraine "On the State Bureau of Investigation of Ukraine" The Prosecutor General carries out supervision over the observance of Laws by the State Bureau of Investigation during the conduct of proceedings and pre-trial investigation directly and through the prosecutors authorized by him.

As we can see, all control and accountability procedures are closed to the prosecutor's office. Even after the transfer of investigative functions of the prosecutor's office to other bodies, including the Bureau, the prosecutor's **office retains a decisive influence** on the course of the pre-trial investigation and in fact alone decides in which cases there will be a judicial perspective and in which cases not. It is the prosecutor's office that must coordinate and, in the language of the Criminal Procedure Code, "exercise procedural guidance" at all stages of the pre-trial investigation. It should also be added that the prosecutor's office oversees the law during the operative — search (detective) activity, and we have a disappointing puzzle about the so — called

“independence” of the Bureau. The prosecutor’s office, having given away the function of the investigation, was able to reconfigure the investigation so much that the state Bureau of Investigation was no longer “a procedurally independent person who takes the case in accordance with the law and its own conviction.” It can take infinitely long to create “new” police investigations, but if old patterns are used as prosecutors, we will still get the same zero result of their effectiveness.

A five-person Disciplinary Commission shall be set up to consider disciplinary penalties against employees of the State Bureau of Investigation. The Disciplinary Commission shall consist of three persons designated by the Board of Public Control at the State Bureau of Investigation. We could talk about this tool of the Bureau’s activities if it was created. At the time of writing this material, **the commission has not been established, the representatives of the Public Control Council are not delegated.** In practice, this implies the complete impunity of Bureau’s employees when it comes to disciplinary violations.

## SBI Public Control Council

In order to ensure transparency and civil control over the activities of the State Bureau of Investigation, a Public Control Council of 15 persons is established, which is formed on the basis of open and transparent competition.

Public Control Council at the State Bureau of Investigation:

- 1) listening information about the activities, plans and tasks of the State Bureau of Investigation;
- 2) consider reports of the State Bureau of Investigation and approve own conclusion on them;
- 3) elect from its members three representatives who are members of the Disciplinary Commission of the State Bureau of Investigation;
- 4) has other rights stipulated by the Regulations on the Public Control Council.

It would seem that after NABU, the Bureau was much more likely to make such a proper mechanism of control as the Public Control Council fully effective and functional, but it did not happen as expected. From the outset, the Council was accompanied by scandals, the Bureau’s Director Roman Truba tried in

every way to interfere with the work of the Council, even seeking from the Cabinet of Ministers of Ukraine to change the typical provision on the Council, which had entrusted itself with the authority to dismiss any member of the Council. We consider such a mechanism **disproportionate and undermining the democratic foundations of civil control over the activities of a law enforcement agency**. During the entire existence of the first composition of the Council, its members have failed in any way to fulfill the tasks envisaged by the Law of Ukraine “On the State Bureau of Investigation”.

## What is next?

The establishment of a new law enforcement agency with such strong powers should be accompanied by the establishment of proportionate control and accountability mechanisms, as required by the ‘checks and balances’ principle. Instead, we have again received a “monster” that is virtually out of control of the society which it is supposed to serve.

But scandals do not leave the Bureau, and on May 28, 2019, the Director of the SBI Roman Truba dismissed 4 heads of the Bureau’s divisions by his orders for “official misconduct”<sup>3</sup>, and later, the head of the press service, who published this news on FB account with critical comment against the Director of the SBI, without informing the decision to either the external selection committee or his deputies, who by law should participate in the adoption of such decisions. All these factors, together with the constant scandals, do not allow us to say that the Bureau will now be able to effectively investigate complaints of torture and ill-treatment by the police.

Another challenge to the Bureau’s independence, as a body investigating torture, is the triple role of the prosecutor’s office: procedural guidance, oversight of law enforcement, and the support of state prosecution in court. In our opinion, such a complicated role and model of work of the prosecutor’s office differs little from the old model when the prosecutor’s office itself investigated cases against law enforcement officers. Since then, the impact on the decision to move cases against law enforcement has not diminished, but simply transformed, and now the prosecutor has the authority to take any important action in the case, from detention to the transfer of the

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<sup>3</sup> <https://www.pravda.com.ua/news/2019/05/29/7216466/>

indictment to the court. It was the reduction of the prosecutor's influence on torture cases that has been our recommendation in recent years, which has remained unheeded. Given the above, and the events that have accompanied the Bureau since its inception, we believe that **in this form the Bureau is not capable of being an independent body for the investigation of torture and ill-treatment by police**. Here are some of the most important recommendations that will help the Bureau become an independent body to investigate complaints on police violence:

1. Consider the sound criticism expressed by civil society representatives and experts on the Bureau's design, accountability and accountability.

2. Change the accountability of the Bureau from prosecutorial to parliamentary. The need for a parliamentary law enforcement/activity committee is being actively discussed in the expert community. This will significantly increase the independence of the Bureau and allow the Department of the Police Violence Investigation to be effectively monitored.

3. Increase the normative size of the Bureau and the territorial representation of the body to make their services accessible to people affected by police violence.

4. Make a clear distinction between the newly formed NABU and the SBI through the transmission of **all** corruption crimes to the NABU.

5. Ensure that the State Bureau of Investigation maintains its own records of complaints and reports of unlawful police violence.

6. Unblock the work of the Public Control Council of the SBI by providing the opportunity to perform all the functions envisaged by the Law of Ukraine "On SBI".

7. Introduce the practice of public reports on the work of the SBI in the Verkhovna Rada of Ukraine, with the possibility of participation of members of the public, as well as victims of torture and ill-treatment by the police.

# CALENDAR OF UNLAWFUL VIOLENCE IN POLICE — 2018<sup>4</sup>

## January

**1.** On January 10, 2018, in the village of Velyka Rishnivka, Shepetivka district, Khmelnytsky region, police broke into a local resident's home and accused him of stealing a chainsaw and beet. At first, law enforcement officers took the owner to a shed in the yard where they have beaten him, demanding to confess to committing the crime. Then they forced the wife to wash her husband and took her half-dressed, allegedly to carry out investigative actions at the crime scene. A few hours later the detainee returned home badly beaten and died in the morning. Forensic experts stated that the man had broken ribs, punctured sternum and injured internal organs, but in the official certificate the cause of death was called ischemic heart disease.

<https://shepetivka.com.ua/novyny/kryminal/4285-shepetivskykh-kopiv-zvynuvachuiut-u-vbyvstvi-meshkantsia-velykoi-rishnivky.html>

<https://tv7plus.com/programa-dosit-shepetivski-kopi-smerti-pobili-cho-lovika/>

**2.** In January 2018 in Kharkiv, two police officers first applied psychological pressure to confess to the theft of a cellphone and then beat a 34-year-old woman. As she categorically refused to admit her guilt, the police seized the victim's cellphone, put her in a car and took her to a forest lane near the Kharkiv ring road. They handcuffed her there and, threatening to undress, were forced to write confessions.

<https://vesti-ukr.com/harkov/298274-v-kharkove-sudjat-politsejskikh-vybivav-shikh-priznanie-u-zhenshchiny-v-lesu>

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<sup>4</sup> The calendar is made up of open source materials, the list of events cannot be considered exhaustive.

## February

**3.** On February 5, 2018, patrol officer detained a driver in the city of Lutsk for traffic rule violation — passing through a yellow traffic light. Handcuffing a man, one of the policemen sifted the back seat to the offender and began striking him on the torso and head. After arriving at the police department, law enforcement officers took the detainee to the office, turned off the light in the room and continued beating the driver.

<https://p-p.com.ua/news/po-golovi-ta-oblychchyu-skandalno-vidomyi-lutskiyi-patrulnyi-gorstoko-pobyv-vodiyi-avto-video/>

**4.** In February 2018, in Volodymyr-Volynskiy city of Volyn region, an employee of the Security Police Department sustained injuries to an elderly woman who lost consciousness from the beating she received. Taking advantage of this, the police kidnapped her grandson, who for predetermined material remuneration was handed over to unidentified persons who introduced themselves to the child's father. After the abduction of the child and the injury to the woman, which caused a short-term health disorder, the prosecutor's office opened criminal proceedings.

[https://vol.gp.gov.ua/ua/news.html?\\_m=publications&\\_t=rec&id=223762](https://vol.gp.gov.ua/ua/news.html?_m=publications&_t=rec&id=223762)

**5.** On February 9, 2018, at one of Lviv's gambling establishments, patrol officer arrested a 22-year-old resident who found a narcotic bag. The young man was detained, but he managed to put a package of drugs to his mouth, after which he fainted and died. The prosecutor's office announced the six suspects in the murder, explaining the situation as follows: "Two crews arrived at the scene and used physical force against the person. Such actions resulted in his death. There was no reason to search the police, they used physical force without cause, exceeding their powers. The dead hands were tightened with plastic tighteners by patrol officers, and when he swallowed the package and began to gasp, the police did not provide timely medical aid. But when they tried to provide such assistance, they did not remove from the hands of the deceased the tighteners."

[http://tvoemisto.tv/news/u\\_prokuraturi\\_lvivshchyny\\_rozpovily\\_detali\\_zatrymannya\\_shistoh\\_patrulnyh\\_93130.html](http://tvoemisto.tv/news/u_prokuraturi_lvivshchyny_rozpovily_detali_zatrymannya_shistoh_patrulnyh_93130.html)



**6.** On February 10, 2018, in the town of Chas Yar, Donetsk region, a police officer who was on a business trip shot and killed a local resident in a domestic conflict. The fact was qualified under Art. 115 of the Criminal Code of Ukraine (premeditated murder).

[https://ukr.lb.ua/society/2018/02/10/389723\\_politseyskiy\\_z\\_tabelnoi\\_zbroi.html](https://ukr.lb.ua/society/2018/02/10/389723_politseyskiy_z_tabelnoi_zbroi.html)

**7.** On February 26, 2018, in the city of Lubomil, the Volyn region, patrolmen stopped the driver and later, after a verbal conflict, struck him in the eyes of a child. The driver accused them of violating the procedure of registration of administrative materials, the police responded with rudeness, and shone a flashlight into the camera. The police made a report to the driver for alleged misconduct, but when he refused to sign it, a police officer unknowingly opened the door of my car and began to pull the driver out of it as he wanted to search the car. When the driver did not allow them to do this, he was pulled out of the car, scratched his shoulders, used special equipment (gas can), struck, including a flashlight on his face. Police then thwarted the driver's attempt to wash himself in the washroom and continued his attempt to handcuff him.

<https://www.youtube.com/watch?v=fcXn-Mh6Qsw>

**8.** On February 27, a 40-year-old man was hospitalized in the Odesa region, who was suddenly beaten by two men who appeared to be police officers. It happened when the vehicle, which was driven by the victim, ran out of fuel and the driver went for gas and the passenger went out to smoke. After taking the unconscious victim to the hospital, he was diagnosed with a closed traumatic brain injury and respiratory arrest. The next day the victim got worse, so the doctors decided to transport him to a regional hospital. However, the ambulance vehicle with the victim police did not want to release. Two hours they were blocking the car. Two police officers gave order that they need to make a blood test, and no one will go anywhere before it. At the regional hospital, the victim was immediately operated on because it appeared that he had been injured by a kidney during the beating of the the beating fact.

<https://tsn.ua/ukrayina/na-odeschini-kopi-po-zviryachomu-pobili-cho-lovika-kotromu-teper-zagrozhuye-tyurma-za-pogrozi-pravoohoroncyam-1115901.html>

## March

**9.** On March 17, police in Kyiv beat a man who called police to fix and make a road hole in the yard of a house on Berezniakivska Street.

<https://apostrophe.ua/ua/news/society/kyev/2017-03-19/v-kieve-razgorelysa-skandal-iz-za-izbieniya-politseyskimi-zayavitelya-opublikovano-video/90427>

**10.** On March 3, 2018, the National Police of Ukraine and the National Guard of Ukraine liquidated a tent camp located in the city of Kyiv in the street Hrushevsky near the building of the Ukrainian Parliament. The Secretariat of the Ombudsman of the Verkhovna Rada of Ukraine reported on numerous violations of human rights committed by law enforcement officers. In particular, the right not to be subjected to inhuman or degrading treatment. As a result of the actions of security officers, at least 19 people suffered serious head injuries and ended up in hospital with head injuries. Three journalists said that in order to interfere with their professional activity, the police attacked them, used tear gas and injured them.

<https://antidot.info/news/vidkryte-zvernennya-u-zv-yazku-z-porushen-nyam-prav-lyudyny-pry-likvidatsiji-nametovoho-mistechka-pid-stinamy-verhovnoji-rady-ukrajiny/>

[https://censor.net.ua/news/3053732/jurnalisty\\_zayavili\\_o\\_prepyatstvovanii\\_rabote\\_so\\_storony\\_politsii\\_vo\\_vremya\\_snosa\\_palatok\\_vozle\\_vr\\_prokuratura](https://censor.net.ua/news/3053732/jurnalisty_zayavili_o_prepyatstvovanii_rabote_so_storony_politsii_vo_vremya_snosa_palatok_vozle_vr_prokuratura)

**11.** On March 6, 2018, a special-purpose battalion police officer threw a grenade into the car of the SSU officers in the city of Kyiv near the Lisova metro station, who tried to apprehend him for committing a crime. One of them was injured in a shrapnel and the policeman escaped.

<https://nv.ua/ukr/ukraine/events/pobittja-znushchannja-ta-zlochyni-15-skandaliv-z-politsejskimi-za-ostannij-rik-2481381.html>

## April

**12.** Lawyer Georgiy Polikovskiy stated the fact of the brutal beating of the detained man in the Lviv police department, as well as the reluctance of the prosecutor's office of the region to investigate the case. According to him, the victim was detained at 10:00 am on April 1, delivered to the Sikhiv police station

of Lviv, and released from there only around 3:00 am on April 2, despite the limitation of the time spent in the police department. On the night of April 2, the detainee was brutally beaten. The lawyer posted pictures that clearly show the traces of the sticks. After the beating, on April 3, the man turned to a lawyer, and the prosecutor's office of the Lviv region filed a complaint about committing a criminal offense by police officers.

<https://apostrophe.ua/ua/news/society/accidents/2018-04-10/v-seti-rasskazali-o-jestokom-izbieni-i-zaderjannogo-v-politseyskom-uchastke-lvova-opublikovanyi-foto/126692>

**13.** In April 2018, in Dnepropetrovsk region, two police officers abused a man for 9 hours. According to prosecutors, law enforcement officers demanded from the citizen the return of the car which he bought from his acquaintance without proper re-registration. The captain and the police sergeant beat the man with his hands and feet on his head and torso, and after the victim fell, held him on the floor, with his feet and feet on his head and face. After handcuffing the man, law enforcement officers brought him to the police station, where they took personal belongings (mobile phone, payment card, etc.) and, threatening with a baseball bat, forced him to sign two blank sheets of paper.

[https://dniprograd.org/2018/04/06/na-dnipropetrovshchini-politseyski-9-godin-katuvali-cholovika\\_66542](https://dniprograd.org/2018/04/06/na-dnipropetrovshchini-politseyski-9-godin-katuvali-cholovika_66542)

**14.** In April 2018, a passerby in the city of Zaporizhzhya made a video of a patrol police officer kicking a young man with no resistance. At the same time, other police officers present at the scene calmly watch the unlawful actions of their colleague and do not even try to stop her. According to the author of the video, the reason for the beating was that the man argued with law enforcement officers and required them to treat him with respect.

<https://politeka.net/ua/news/639365-spivrobitnitsya-politsiyi-pobila-lyudinu-cherz-prohannya-perejti-na-vi-kadri-svavillya/>

**15.** In April 2018, in Chernihiv, a police officer returning from service made a remark to a group of intoxicated men. As a result, there was a conflict that escalated into a fight during which one of the civilians was fatally injured.

<https://cn.npu.gov.ua/news/novini/v-chernigovi-pid-chas-napadu-na-policejskogo-smertelno-travmuvalsya-cholovik/>

**16.** In April 2018, police detained a local resident on suspicion of committing a crime in the town of Mykhailivka, Zaporizhzhya region. Police officers took the detainee out into the forest area, where they were brutally beaten with arms and legs and tortured with electric shock, seeking confession.

<https://368.media/2018/04/30/v-zaporozhskoj-oblasti-politsejskie-zverski-iz-bivali-muzhchinu-i-pytali-elektroshokerom/>

**17.** On April 14, in the village of Ruban, Vinnytsia region, a police captain wounded a lieutenant in the eyes of forty pupils during an open lesson where law enforcement officers were to talk about the specifics of their work. One of the police officers was the attacker and the other was showing the children how to protect themselves from the knife. The latter knocked the colleague on the floor and in an instant fired a shot, the bullet hit the victim in the abdomen. The man was heavily injured hospitalized.

<https://nv.ua/ukr/ukraine/events/u-vinnitskij-oblasti-politsejskij-pidstreliv-kolehu-pid-chas-vidkritoho-uroku-u-shkoli-2464229.html>

**18.** In Vinnytsia, on 19 April 2018, a conflict arose between a patrol car crew and a driver who made a police remark. In response, patrolmen pulled the man from his car, threw him on the ground, handcuffed him, and twisted his hands. After that, the police independently searched the interior of the detainee's car, and then intentionally broke the video recorder, which recorded suspicious actions of the law enforcement officers.

<https://uapress.info/uk/news/show/168472>

**19.** In the city of Mykolaiv, on April 22, 2018, police officers beat a man who called them to settle a domestic conflict with his parents. The man told that, police removed his bodycams and then struck him with about 20 punches to the head, demanding that he leave his parents' yards and "live with friends for a while". After he lost consciousness, the police left. The next day, the victim went to the hospital, whose doctors were diagnosed with a fracture of the nose, a concussion, multiple injuries to the soft tissues of the face, damage to both ear cords.

<https://korabelov.info/2018/05/83863/>

**20.** To the hospital of the city of Mykolaiv on April 24, 2018 with numerous injuries, including a fracture of pelvic bones, was delivered

24-year-old man who reported that he was detained by police for the conflict near the cafe. The guy told that after the detention, the police first beat him in a police car, and after arriving at the police department four officers continued beating him, striking him with his hands, feet and metal handcuffs. Later, according to the victim, he was again put in patrol car, taken out of town and in a helpless condition landed directly on the highway in an unknown place.

<https://novosti-n.org/news/read/142571.html>

**21.** On April 24, 2018, the Prosecutor's Office of the Kyiv Region detained three police officers from the Vasytkiv police department, who sold a psychotropic substance amphetamine to a citizen and then beat him, demanding to pay 20,000 UAH for "avoiding" the criminal prosecution.

<https://vesti-ukr.com/kyiv/287023-pod-kyivom-politsejskie-prodavali-amfetamin-i-vymohali-u-svoikh-klientov-vzjatki>

**22.** On 25 April the Prosecutor's Office of the Dnipropetrovsk region approved and sent to court the indictment against two inspectors of the Directorate of the Patrol Police of the city of Dnipro for abuse of power.

It was established that in July 2017, the mentioned patrol officers, having entered into a preliminary conspiracy, unreasonably stopped the HONDA CR-V vehicle and offered the driver to get out of the car and provide documents. On refusal of the latter (the man understood the unlawfulness of the actions of law enforcement officers) patrolmen released tear gas into his face, and then began to squeeze his neck with considerable force. In this way, suppressing the will to resist, the police officers pulled the victim from the car, threw him on the ground and inflicted about 30 blows on his torso and head.

In order to give their unlawful acts a legitimate appearance and to improve performance, the police deliberately drafted the false official document — a protocol on an administrative offense against a man, allegedly for operating a vehicle while intoxicated (despite the persistent demands of the latter in the presence of a lawyer).

[https://www.gp.gov.ua/ua/reegions\\_news\\_detail.html?\\_m=publications&\\_c=view&\\_t=rec&id=228227](https://www.gp.gov.ua/ua/reegions_news_detail.html?_m=publications&_c=view&_t=rec&id=228227)

## May

**23.** In the city of Sumy on May 13, an eyewitness recorded on his cellphone how a patrol police outfit (man and woman) mocked a drunken man who did not resist, but sat on a bench near an apartment building. The video has caused a lot of public outcry because it shows a smiling woman beating a man's ankle and intentionally stepping on his foot, squeezing his fingers in order to cause suffering. In March 2019, the said employee was sentenced to 3 years' imprisonment with delay of 2 years.

[https://ostannipodii.com/a/201903/ogolosheno\\_virok\\_schodo\\_patrulnoyi\\_yaka\\_znuschalasya\\_nad\\_bezzahisnim\\_u\\_sumah-100017829/](https://ostannipodii.com/a/201903/ogolosheno_virok_schodo_patrulnoyi_yaka_znuschalasya_nad_bezzahisnim_u_sumah-100017829/)

**24.** In Kyiv City, in May, passers-by filmed the actions of a group of police officers while detaining the offending driver. The video shows law enforcement officers pulled a man out of a car, knocked him on the ground, and then one of them kicks a lying man with his foot.

<https://sud.ua/ru/news/ukraine/118379-kopy-v-kieve-zhestoko-izbili-nogami-voditelya-video-poyavilos-v-seti>

## June

**25.** In the village of Kuta, Ivano-Frankivsk region, on June 28, two police officers beat a man at a gas station. As a result of the beating, the injured victim appeared in the Kosiv Central District Hospital. Immediately after the opening of the case, an investigation was assigned. During the inspections, it was found that two officers of the Vyzhnytsia police station, aged 22 and 27, were involved in the beating. According to the findings of the investigation, the decision was made to fire both of those involved in the incident from the police.

<http://promin.cv.ua/2018/07/20/dvoie-bukovynskykh-politseiskykh-napidpytku-zhorstoko-pobyly-cholovika.html>

**26.** In the city of Lyman, Donetsk region, on June 28, a patrol officer in his free time was in a cafe where he quarreled with two men. During the conflict, officer inflicted one of each with one stab wound. The policeman was detained and both victims were taken to hospital and operated.

[https://don.gp.gov.ua/ua/news.html?\\_m=publications&\\_c=view&\\_t=rec&id=232274](https://don.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=232274)

**27.** In June, patrolmen in the City of Mariupol tried to apprehend a man who had been drinking beer near a child playground. After a brief conversation, the patrolman suddenly hit the person on the head and knocked him down. Such use of force, in violation of the requirements of the law, was carried out by the police without warning. Subsequently, police handcuffed the detainee and, despite the presence of children and indignant witnesses, treated him excessively cruelly — twisted his arms and threw him on the ground.

<https://dn.depo.ua/ukr/mariupol/u-mariupoli-policeyski-na-ochah-ditini-vdarili-cholovika-yakiy-ne-chiniv-opir-video-20180620793430>

## July

**28.** In the village of Matroska, Izmail district, Odesa region, on the night of July 2 to 3, police officers beat a driver for requiring them to present themselves and present their documents. Having stopped the car of the victim, officers demanded to provide them an opportunity to inspect the car, but, as the man noted, thus refused to show the official documents. Such a lawful request provoked an inadequate response from the police. They got gas canisters and sprayed tear gas through the open windows and, unlocking the car door, began to kick the driver and the passenger. Then they pulled the driver from behind the wheel, knocked him down on the asphalt and began to twist his hands behind his back, while offending him in obscene form. Another police officer tried to get the passenger out of the car. Picking up the gun, the police officer started hitting them on the car.

<https://bessarabiainform.com/2018/07/bestseremnonost-ili-bespredel-patrulnye-politsejskie-izmaila-izbili-voditelya-za-prosbu-predyavit-dokumenty/>

**29.** Policemen in Kharkiv beat a man at a train station on July 9. A video was posted on the Internet as one of the law enforcement officers in Kharkiv hits a man at a train station for fun. The policeman said: “Hold your hands to your forehead” and then punches him there. From the blow the man almost falls from his feet on what the police officer says: “Hurts?”. An eyewitness filmed as a police officer pointing to a man where he needed to go, then kicking him and punching him in the face. Following an internal investigation, senior sergeants and corporals from the patrol police sector were fired from police. Their immediate leader — the platoon commander — has been warned with

disciplinary notification. In addition, the chief of the Kholodnogorsk Police Department received a stern warning about the need to observe subordinate personnel of official discipline and rights and freedoms of citizens.

<https://ukranews.com/ua/news/572711-policeyski-v-kharkovi-pobyly-cholovika-na-vokzali-v-merezhi-opublikovano-video>

**30.** In July 2018, four police officers detained a man at a subway station in Kharkiv. Officers dragged the detainee to the police room at the station and beat him to unconsciousness. According to the prosecutor's office, bullying and unlawful violence were used regularly by these police officers. So, another policeman delivered to the police room smashed a chair into the head, beat him with his legs and arms on his torso and head. The same officers forced the detained citizens to pay undue benefits for their release. Subsequently, the prosecutor's office criminalized the commission of a crime (abuse of power by a law enforcement officer who was accompanied by violence and the wrongful gain of an official) by six police officers in five episodes.

[https://khar.gp.gov.ua/ua/news.html?\\_m=publications&\\_c=view&\\_t=rec&id=238112](https://khar.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=238112)

**31.** In July 2018, in the City of Kyiv near the BILLA supermarket, police officers detained a minor for picking up goods but did not pay for them by leaving a cart near the cash desk (a teenager claimed that the cashier had closed the cashier at this time). As the juvenile told, the police officers handcuffed him and put him in a patrol car where he was beaten. A video recording of the young man's story showed the presence of saddles on his face.

[https://antikor.com.ua/articles/251082-v\\_kieve\\_politsejskih\\_obvinili\\_v\\_izbi-enii\\_podrostka\\_huliganivshego\\_v\\_supermarkete](https://antikor.com.ua/articles/251082-v_kieve_politsejskih_obvinili_v_izbi-enii_podrostka_huliganivshego_v_supermarkete)

**32.** In July 2018, a police officer beat a man in the Kyiv City near the Kontraktova Square metro station. The corresponding video on July 10, witnesses of the event posted on the Internet. It shows him sitting on the floor, trying to get up, grabbing a policeman's clothes, after which he begins vigorously beating him with a rubber stick. Subsequently, after unsuccessful attempts to bring the man to his feet, a police officer with an employee of the subway simply dragged him to the floor.

<https://ua.korrespondent.net/city/kyiv/3988584-u-stolychnomu-metro-politseyskyi-pobyv-cholovika>



**33.** In Kropyvnytskyi City, on July 17, police officers detained the coach of “FC Olimpic”, who had entered into a dispute with them and did not behave politely. However, the video of the incident, posted on the Internet, shows that the police exercised physical force in violation of the law — without any warning and disproportionately to the violation.

[https://antikor.com.ua/articles/249296-u\\_kropivnitsjkomu\\_politsejski\\_horstoko\\_zalamali\\_trenera\\_futboljnoji\\_komandi](https://antikor.com.ua/articles/249296-u_kropivnitsjkomu_politsejski_horstoko_zalamali_trenera_futboljnoji_komandi)

**34.** Near the village of Nizhny Vorota, Transcarpathian region, on 20 July 2018, two young men were killed by officer who returned home at night. One of the victims told that during the beating he lost consciousness, and when he was quiet, no one else was on the spot. The ambulance crew summoned him to the hospital. Another man was taken to Svalyava by police, taken to the woods, injured there and left in danger. Similar actions of officers caused indignation at local residents who blocked the Kyiv-Chop highway in protest.

[https://antikor.com.ua/articles/249426-na\\_zakarpatti\\_-\\_spravhnij\\_bunt\\_politsejski\\_horstoko\\_pobili\\_molodj\\_ljudi\\_v\\_ljudi](https://antikor.com.ua/articles/249426-na_zakarpatti_-_spravhnij_bunt_politsejski_horstoko_pobili_molodj_ljudi_v_ljudi)

**35.** During a protest rally against the construction at Osokorki District in Kyiv on July 28, a police officer used tear gas against an Associated Press photojournalist who had a press badge on his chest and recorded the confrontation between police and “National Corps” representative. For their part, detained activists said that after being detained, they were loaded onto a bus where police officers humiliated them, beat them up and refused to provide water and medical assistance.

[https://censor.net.ua/photo\\_news/3078951/nikto\\_ne\\_iskolzoval\\_slezotochivyyi\\_gaz\\_politsiya\\_ob\\_intsidente\\_s\\_postradavshim\\_na\\_osokorkah\\_jurnalistom](https://censor.net.ua/photo_news/3078951/nikto_ne_iskolzoval_slezotochivyyi_gaz_politsiya_ob_intsidente_s_postradavshim_na_osokorkah_jurnalistom)

[https://antikor.com.ua/articles/250568-politsija\\_izbila\\_natsionalistov\\_i\\_nazvala\\_ih\\_avakovskimi\\_psami\\_-\\_natskorpuz](https://antikor.com.ua/articles/250568-politsija_izbila_natsionalistov_i_nazvala_ih_avakovskimi_psami_-_natskorpuz)

## August

**36.** In August 2018 in the village of Tarutino, Odessa region, an armed police officer punched a man in the face and threw out a cellphone from a man’s hand, using which he filmed a police officer beating a minor.

[https://lb.ua/society/2018/08/06/404529\\_odesskoy\\_oblasti\\_politsejskiy.html](https://lb.ua/society/2018/08/06/404529_odesskoy_oblasti_politsejskiy.html)

**37.** On August 1, the Prosecutor's Office of the Kharkiv region brought to court the case of police officers, who punched and insulted the confession of guilt on underage students. Two boys (born in 1999) attended a concert held at the University Stadium. To better see the scene, the students climbed onto a concrete slab near the playground. The police, who were nearby, did not like it. They approached the teenagers and ordered them to descend to the ground, and they refused. Officers grabbed guys by hands and began to pull to a precinct. On the porch, police unscrewed the students' hands, beat them and strangled them, and eventually dragged them to the premises. Harassment continued in the office. Officers "knocked out" students of confession in committing hooliganism. According to the findings of the examination, the students sustained injuries (one of the victims suffered a concussion, a facial and body bruise, the other received many bruises).

[https://khar.gp.gov.ua/ua/news.html?\\_m=publications&\\_c=view&\\_t=rec&id=234141](https://khar.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=234141)

**38.** In the town of Illintsi, Vinnytsia region, on 9 August, a family doctor informed the police that he needed intervention in the provision of medical assistance to a 45-year-old mentally ill patient. Doctors and locals told officers who arrived at the scene that the man had run away and was carrying a knife. The patient was found in the street near a local pond. The police began negotiating with him, but after the man threw himself with a knife at one of the officers, he was shot dead.

<https://www.pravda.com.ua/news/2018/08/10/7188831/>

**39.** In the City of Kryvyi Rih, on 9 August 2018, a lawyer, who arrived at the investigative department together with her client, was injured by police officers. "Law enforcement officers were pushing and grabbing a female lawyer, beating her, then pushing her out of the room and tossing her on asphalt. At the same time, her client was dragged into the police force.

<https://korrespondent.net/ukraine/3999344-v-kryvom-rohe-polytseiskye-yz-byly-zhenschynu-advokata>

**40.** In Kharkiv City, on August 9, the Prosecutor's Office completed an investigation into police officers who had taken a woman to the forest area to force her to confess to the theft of a telephone. The Prosecutor's Office of the region has sent to the Kyiv district court of Kharkiv an indictment on the fact of

exceeding the powers of law enforcement officers by prior conspiracy (Part 2 of Article 28, Part 2 of Article 365 of the Criminal Code of Ukraine) concerning Major and Senior Lieutenant of Police. As the head of department of prosecutor's office of the region Ivan Tarasov told, investigators of prosecutor's office have established that in the beginning of January of this year the 28-year-old senior lieutenant of police summoned to the premises of the precinct 34-year-old woman who was suspected of theft of mobile phone.

[https://khar.gp.gov.ua/ua/news.html?\\_m=publications&\\_c=view&\\_t=rec&id=234628](https://khar.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=234628)

**41.** On a motorway near the village of Pantayivka, Kirovohrad region, on August 24, a 17-year-old guy tried to flee from the patrol police because he had no documents and was driving without a helmet. Officers caught up with the juvenile and struck him with a stick on the head, and after the fall they struck about 20 more blows. The young man received a concussion, numerous body cuts and fractures of his hands as he tried to protect himself from blows.

<https://zlatopil.com/investigation/26022-batko-nepovnitnoho-iakoho-ni-byto-pobyly-patrulni-rozpoviv-svoiu-versiiu-podii>

**42.** On August, 28 police officers beat a visitor to the “Golden Horseshoe” Lottery facility in Kyiv. At about 4:30 a.m. the police took the man outside and started beating. Despite the fact that the man did not resist, he was splashed with gas and then, it is not clear why, fired into the air from a firearm, eyewitnesses described it and uploaded a video of the incident on the social network.

<https://vesti-ukr.com/kyiv/300569-na-troeshchine-politsejskie-ustroili-strelbu-i-izbili-posetitelja-loterejki-video>

## September

**43.** On September 19, a 39-year-old arrested man committed suicide in a detention cell in the city of Bohodukhiv in the Kharkiv region. “We need to check whether police custody officers have really done everything possible to prevent this situation in police custody,” said a representative of the Kharkiv region’s prosecutor’s office.

<https://hromadske.radio/news/2018/09/21/zaareshtovanyy-skoyiv-samogubstvo-u-kameri-izolyatora-na-harkivshchyni-policiya>

**44.** On September, 28 in the Kamyanskoe City of the Dnipropetrovsk region, armed masked policemen entered the territory of Block LLC and, with injuries, detained employees who were taken to the local police department without providing appropriate explanations. On this fact, the local prosecutor's office opened five criminal proceedings.

[https://antikor.com.ua/articles/267911-prokuratura\\_dnepropetrovskoj\\_oblasti\\_prepjatstvuet\\_objektivnomu\\_rassledovaniju\\_nepravomernyh\\_dejstvi](https://antikor.com.ua/articles/267911-prokuratura_dnepropetrovskoj_oblasti_prepjatstvuet_objektivnomu_rassledovaniju_nepravomernyh_dejstvi)

## October

**45.** In October 2018, in the village Polygon of the Zhovtnevyi district of the Mykolaiv region, two detectives of the Ingul Police Department and a patrol police officer of the Mykolaiv region without the permission of the court and the homeowner, armed with wooden bats and a metal golf club, broke into the apartment.

Afterwards, causing him numerous injuries, he was forcibly taken to the police department, where he was tortured all night, demanding to confess to the theft. The prosecutor's office informed the police about the privacy of housing with the use of violence, committing a deliberately unlawful search, committing torture.

[https://www.gp.gov.ua/ua/reregions\\_news\\_detail.html?\\_m=publications&\\_c=view&\\_t=rec&id=239193](https://www.gp.gov.ua/ua/reregions_news_detail.html?_m=publications&_c=view&_t=rec&id=239193)

**46.** On October 25, a police officer in the town of Chernivtsi, while out of service, brutally beat a local resident for incorrectly placing his car in the parking lot. The victim with multiple injuries was taken to the neurosurgical unit of the emergency hospital. The fact of the beating was recorded by CCTV cameras.

<https://ua.korrespondent.net/ukraine/4027193-u-chernivtsiakh-politseyskiy-pobyv-cholovika>

**47.** On 30 October a police officer has beaten to death a bystander in Chernivtsi.

<https://ukr.segodnya.ua/regions/lvov/prohozhego-v-chernovcah-do-polusmert-i-izbil-policeyskiy-delo-rassleduet-sbu--1184220.html>

## November

**48.** On November 1, a police officer abducted a driver in Chernivtsi. A man parked a car near the law faculty of a local university. However, the other driver did not like it — his car was behind. The young man came to find out the relationship. He wanted to teach the man what he thought was the wrong parking. He kicked his feet, even when he, after numerous blows, fainted. It has already been established that, indeed, a police officer is involved in the incident.

<https://podrobnosti.ua/2267129-u-chernivtsjah-spvrobtnik-polts-pobiv-vod-ja.html>

**49.** In the City of Kyiv, on November 21, at Independence Square, a police officer used tear gas to lawyer, Masi Nayem, who arrived to protect his client, who was protesting against a restaurant in the Trade Unions House. As a result of these actions, the lawyer received an eye burnt.

<https://ukranews.com/news/597301-bratu-mustafy-nayema-v-godovshhynu-maydana-polycyya-bryznula-gazovym-ballonchekom-v-glaza>

**50.** On November, 7 2018, in the village of Oleksandrivka of the Kirovograd region, police officers seized and forced a 16-year-old schoolboy to get in their car and then drove him in an unknown direction. Half an hour later, the police returned the boy, explaining that they had confused him with the perpetrator. A schoolboy in a state of shock was immediately taken to a hospital. On examination of the minor, parents and doctors found bruises on his body.

<https://politeka.net/ua/news/society/795899-mama-shkolnika-policejskie-sv-jazali-synu-ruki-i-siloz-zatashhili-v-avto-on-krichal/>

## December

**51.** On the night of December 7, 2018 in the city of Mykolaiv, police brutally beat two men while there were urinating in the street under a tree. One of the victims described the situation as follows: “A minibus stopped by us, and 5 men in black uniform jumped out. We tried to escape, but they caught up us and started beating on the face, trunk and groin. Beat without removing gloves with plastic overlays. When they saw that my blood was flowing on my

face, they brought the machine gun and ordered washing with dirty snow. It ended with the fact that I was drawn up on a bus with a protocol on an administrative offense, issued a warning order and left. An ambulance was called to me and the hospital was diagnosed with damage to the inguinal area of the body”.

<https://inshe.tv/society/2018-12-08/394237/>

**52.** The Chernomorets ultras were beaten by the police on December 8, after the ask for Kremlin repent banner and the names of Ukrainian vessels seized by the terrorist country: Berdyansk, Nikopol, Yani Kapu were hung on the sector of the stadium. Immediately after the match, the ultras were brutally beaten by police forces. People were put face down on asphalt, beaten with their feet and crutches, especially those who tried to ask “for what?”

[https://zik.ua/news/2018/12/09/kreml\\_pokaysya\\_v\\_odesi\\_politsiya\\_pobyly\\_ultras\\_cherez\\_patriotychnyy\\_baner\\_\\_1465849](https://zik.ua/news/2018/12/09/kreml_pokaysya_v_odesi_politsiya_pobyly_ultras_cherez_patriotychnyy_baner__1465849)

**52.** In Kyiv, on December 20, a police sergeant, while being drunk, assaulted a 12-year-old girl in the square and, using a knife, seized her mobile phone.

<https://dbr.gov.ua/news/dbr-rozslidue-rozbiyniy-napad-za-uchasti-policeysk-ogo-na-12-ti-richnu-divchinku>

**53.** In December 2018, four Roma women were detained by police at a subway station in Kyiv. They were taken to a police room, after which one of the police officers brutally beat the detainees with a baton. The victim’s lawyer claims that after the incident, the women were released, forcing some of them to write a statement of absence of complaints to the police.

<https://www.volynnews.com/news/all/u-kyyevi-na-stantsiyi-metro-polit-seyski-pobyly-zhinok/>

**54.** In Odessa, on December 25, 2018, police officers from SWAT team subdivision were involved in the termination of public protests against the construction of the territory of one of the local parks. According to participants of the rally, law enforcement officers acted with excessive use of force, including beating already detained and lying activists with sticks and kicks.

[https://24tv.ua/politsiya\\_skandalno\\_rozgromila\\_miting\\_prot\\_i\\_zabudovi\\_i\\_zatrimala\\_aktivistiv\\_u\\_odesi\\_ganebni\\_foto\\_n1086228](https://24tv.ua/politsiya_skandalno_rozgromila_miting_prot_i_zabudovi_i_zatrimala_aktivistiv_u_odesi_ganebni_foto_n1086228)

**55.** In the city of Kremenchuk, Poltava region, on December 27, 2018, four police officers, being drunk, assaulted a bystander and injured him. After that, they took possession of the victim's money and assets. According to this fact, criminal proceedings under Part 2 of Art. 365 of the CCU (abuse of power or authority by a law enforcement officer).

<https://dbr.gov.ua/news/slidchi-dbr-zatrimali-chotirokh-policeyskikh-kotrivchinili-rozbiyniy-napad>

**56.** In Kyiv, on December 27, two patrolmen beat an 81-year-old Antonov design bureau employee, who was cheated with a currency swindler. After the beating, the elderly man was handcuffed and dragged to a patrol car, where, inspecting his briefcase, law enforcement officers realized that they had seized the wrong person. As a result of the attack, the aircraft designer received a concussion, his tooth and back were damaged. According to witnesses, ambulance crews were called to the victim by the passers-by as police ignored his injuries.

<https://nv.ua/ukr/ukraine/events/u-kiyevi-pobili-81-richnogo-aviakonstruktor-kb-antonov-prokuratura-pidozryuye-policeyskih-50000607.html>

**57.** In December 2018, a group of people was brought to one of the police departments of the City of Zaporizhzhya to investigate the incident between them. One of the detainees expressed dissatisfaction with police actions. As a result, a conflict arose between police officer and a man during which a police officer involuntarily applied force to an opponent. The examination established an open fracture of the bone of the nose. It is worth noting that one of the courts in the city of Zaporizhzhya is already considering the case on charges of the same police officer in a similar criminal offense, that is, he did not do similar actions for the first time.

<https://dbr.gov.ua/news/zaporizkomu-patruynomu-zagrozhue-do-8-rokiv-vyaznici-za-nepravomirne-zastosuvannya-sili>

*Наукове видання*

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