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[Home](#)

> [Research Program](#)

> Responses to Information Requests

Responses to Information Requests

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2 July 2014

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Ukraine: Political situation, including relationship between the Svoboda Party and the Party of Regions (Partiya Rehioniv, PR), and their regions of influence; state protection for participants in the conflict (2013-June 2014)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Party of Regions

According to the *Political Handbook of the World (PHW) 2013*, the PR

held its initial congress in March 2001 as the culmination of a process that began with the signing of a merger agreement by five centrist parties in July 2000. Connected to Donetsk financial and industrial interests, the nascent PR quickly formed a new parliamentary faction, Regions of Ukraine. [...]

The PR was a principal forum for Viktor Yanukovych in the 2004 presidential elections. It was assisted in the 2006 legislative balloting by financial support from billionaire tycoon Rinat AKHMETOV, who was elected on the PR's list, along with a number of his business associates. Western campaign consultants also contributed to the PR's success (a plurality of 186 seats on a vote share of 32.1 percent). The PR advocated "strong ties" to the EU but opposed NATO membership. Yanukovych also pledged to pursue official language status for Russian and improvements in relations with Russia in general. [...]

After withdrawing from a proposed grand coalition with the BYT [Blok Yuliyi Timoshenko (*PHW* 2013, 1500)] in June 2009 [...], Yanukovych, considered Russia's preferred candidate, and the PR called for increased wages and pension benefits (despite strong IMF [International Monetary Fund] objections) in his successful 2010 presidential bid, in which he finished first in the first round with 35.32 percent of the vote and won the runoff with 48.95 percent of the vote. Following his victory, Yanukovych turned over leadership of the PR to Mykola Azarov, who was named prime minister in March. The PR was credited with 36 percent of the nationwide vote in the October local elections. (*PHW* 2013, 1506)

The *PHW 2013* names the following leaders of the Party of Regions as of 2013: Viktor Yanukovych (President of Ukraine, Party Leader, and Former Prime Minister), Mykola Azarov (Prime Minister and Leader of the Party) and Oleksandr Efremov (Chair) (*ibid.*). According to the information published on the website of the PR in March 2014, the party's congress approved Viktor Yanukovych's resignation from the party, and expelled the following party's members: Mykola Azarov, Serhiy Arbuzov, Oleksandr Klymenko, Eduard Stavvytskyi, Andriy Shyshatskyi and Valeriy Konovalyuk (PR 29 Mar. 2014b). The same website indicates that the party's congress amended the party statute and abolished the positions of Honorary Leader of the party, Party Chairman and all Deputy Chairmen positions (*ibid.* 29 Mar. 2014a). According to the same source, the new members of the party's Presidium of the Political Council are the following individuals: Oleksandr Vilkul, Volodymyr Rybak, Mykhailo Dobkin, Oleksandr Yefremov, Borys Kolesnikov, Vadym Novinskiy, Mykola Levchenko and Oleksandr Ledida (*ibid.*).

In correspondence with the Research Directorate, a professor at the Graduate School of Public and International Affairs of the University of Ottawa, who has written for the international press on political issues and has conducted research on Russian history, military history and defence policy, indicated that the Party of Regions "has gained most of its support in the east and south of the country, though it has pockets of support elsewhere throughout Ukraine" (Professor 18 June 2014). A professor at the School of Political Studies of the University of Ottawa, whose research focuses on politics in Ukraine, Russia and Moldova, similarly stated that in the 2012 parliamentary elections, the PR received the largest amount of support in eastern and southern Ukraine, particularly in the Donetsk and Luhansk regions, as well as in Crimea (Professor of political science 22 June 2014). The Professor of political science explained that the PR

lost its de facto power in all of the regions after the overthrow of Yanukovich because of defections of many of its activists and members and dismissals of the heads of regional administrations by the new acting president [of Ukraine]. Pro-Russian separatists with help of force and direct or indirect Russian support seized control from the central government and the Party of Regions over Crimea and large parts of Donbas. A part of [the] leading members of the Party of Regions, primarily at [the] regional and local levels, supported or joined the separatists, but the newly elected leadership of the party publicly distanced themselves and condemned separatism. (ibid.)

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

2. Svoboda Party

The website of the Svoboda Party indicates that it was formed as a product of a coalition of the following organizations: the Varta Rukhu (Rukh's Guards), the Studentske Bratstvo (Students' Brotherhood), the Spadshchyna (Heritage) and the Ukrainian Veterans of Afghanistan (Svoboda Party n.d.). According to the *PHW 2013*, the Svoboda (or All Ukrainian Union "Freedom") Party is led by Oleh Tyahnybok (*PHW 2013*, 1509). The US Department of State's *Country Reports on Human Rights Practices for 2013* also names Tyahnybok as a leader of the party (US 27 Feb. 2014, 16). The *PHW* lists Andry Mokhnyk as the Deputy Leader of Svoboda (*PHW 2013*, 1509). According to the *PHW*, the Svoboda Party has been characterized as "racist and anti-Semitic" by its critics (ibid., 1509). The Professor similarly stated that the Svoboda Party "is often characterized as 'far right' or 'ultranationalist'" (Professor 18 June 2014). According to the Professor, "its members took a prominent role in the protests in Kiev ..., which led to the overthrow of President Yanukovich" in February 2014 (ibid.). The Professor of political science also said that Svoboda participated in the Maidan self-defence (22 June 2014). According to the *PHW*,

[t]he party secured less than 1 percent of the vote in the 2006 and 2007 national legislative balloting but, promising to "preserve the Ukrainian language and culture," had a greater impact in subsequent local elections, while Tyahnybok secured 1.43 percent of the vote in the first round of presidential balloting in January 2010. (2013, 1509)

Two sources indicate that in the 2012 parliamentary elections, the party won 37 parliamentary seats (Svoboda Party n.d.; Elections Guide 28 Oct. 2012).

According to the Professor, the Svoboda Party "draws most of its support from Western Ukraine, especially the area around Lviv/Lvov" (Professor 18 June 2014). The Professor of political science indicated that during the 2012 parliamentary elections, the Svoboda Party gained most of its support in Galicia (Ivano-Frankivsk, Lviv and Ternopil regions) and "to a lesser extent" in Volhynia in Western Ukraine (Rivne and Volyn regions) (Professor of political science 22 June 2014). The Professor stated that, according to the Kyiv International Institute of Sociology's survey (conducted in April and May 2014), the Svoboda Party "remained most popular in Galicia and Volhynia," but compared to the 2012 parliamentary elections, "its popularity in these regions declined significantly" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3. Relationship Between the Two Parties

According to the Professor,

[t]he Svoboda Party and the Party of Regions are political opponents, and draw support from different segments of the population. Before the overthrow of President Yanukovich in February 2014, the Party of Regions was the ruling party of Ukraine, while Svoboda was in opposition. Now, the cabinet of the Ukrainian government contains six members of Svoboda, while the Party of Regions is in opposition. (Professor 18 June 2014)

The Professor of political science similarly stated that until 21 February 2014, the Svoboda Party was "one of the opposition parties" to the PR-led government of the President Yanukovich (Professor of political science 18 June 2014). According to the same source, there were "no systematic cases of violence between specifically these two parties before, during or after the Euromaidan [1]" (ibid.). However, he said that Svoboda Party's leaders and members have been involved in "cases of violence" when they were part of the opposition and part of the Maidan self-defence before February 21, 2014, as well as a part of the government afterwards (ibid.). He also said that the Party of Regions' leaders and members were also involved in cases of violence when they were part of the government before February 21, 2014, and as a part of opposition afterwards (ibid.).

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

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

He also expressed the opinion that

[t]he violence and threat of violence by the Maidan self-defense was a major factor in the downfall of the Yanukovich government and decisions of many of Party of Regions members of the parliament to leave their party faction and vote in favor of the ouster of Yanukovich from the presidency. The Maidan self-defense included members of Svoboda and C14 [a paramilitary Nazi group (CRG 27 Mar. 2014; RIA Novosti 9 May 2014)] affiliated with Svoboda. But the precise degree and nature of involvement of Svoboda in these events is difficult to determine because of the lack of specific information and results of investigations. (ibid.)

The Political Science Professor further noted that

Svoboda offices and cars of its activists were set on fire or attacked in regions of Ukraine controlled by the Party of Regions during the Euromaidan. Svoboda activists and members were beaten or killed by the special police forces during the Euromaidan. Svoboda leaders and members were present among protesters and the Maidan self-defense during their attempt to attack the parliament on February 18, 2014 and during ensuing clashes that resulted in many policemen and protesters killed and wounded. Svoboda leaders and members were involved in storming and seizing of the regional administrations in many regions of Ukraine, primarily in the West and the Center during the Euromaidan. (ibid.)

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

4. 2014 Elections

On 25 May 2014, Petro Poroshenko, "an independent candidate supported by the Democratic Alliance for Reform (UDAR) led by Vitaly Klichko," won the 25 May 2014 presidential elections in Ukraine, securing 55.9 percent of the vote (Deloy [2014]). Sources report that Oleh Tyahnybok of the Svoboda Party won between 1.1 and 1.3 percent of the vote (ibid.; Elections Guide 25 May 2014). Two sources state that Mykhailo Dobkin, of the PR, obtained 3.03 percent of the vote (ibid.; Ukrinform 29 May 2014).

According to Corinne Deloy's article on presidential elections in Ukraine, published by the Foundation Robert Schuman [2],

[a]round 2 million Ukrainians were prevented from voting by the separatist forces in the country's East and notably in the regions of Donetsk and Luhansk. (Deloy [2014])

A 26 May 2014 report produced by the International Election Observation Mission in Ukraine similarly states that "serious problems" in Donetsk and Luhansk regions included "intrusion into and forced eviction and closure of DECs [District Election Commissions] by armed groups," intimidation of election officials, death threats, seizure of equipment and election materials, in "an attempt to prevent the election, deny citizens the fundamental right to freely participate and elect their chosen representative" (OSCE et al. 26 May 2014). The *Washington Post* reports that in "occupied Crimea" and Yanukovich's two "stronghold" regions of Donetsk and Luhansk, there was "almost no voting": "only" 3.2 percent of registered voters in Donetsk and 4.8 percent in Luhansk received ballots (*The Washington Post* 3 June 2014).

5. Security Situation and State Protection

According to the Professor, "[t]he presidential election in Ukraine in May 2014 has not altered the security situation, which remains very poor. The government is in control of most of the country, but the provinces of Luhansk and Donetsk are in open rebellion" (Professor 18 June 2014). The Professor of political science similarly stated that after the presidential elections, the government "still does not control large parts of Donetsk and Luhansk regions, which were seized by armed pro-Russian separatists and volunteers from Russia" (Professor of political science 22 June 2014). Moreover, "[t]he government attempts to suppress the separatist rebellion and regain control over separatist-held areas of Donbas with reliance on military force, which resulted in many civilian casualties" (ibid.).

The Professor explained that

[t]here has also been occasional violence in other provinces of southern and eastern Ukraine, such as in the city of Odessa on 2 May 2014, but not on anything like the scale of the violence in Donetsk and Luhansk provinces. Rebel militias, several thousand strong and increasingly well-armed, control or partially control the cities of Donetsk and Luhansk, as well as towns such as Slavyansk/Sloviansk and Kramatorsk, and control at least two border crossing posts on the Ukrainian-Russian border. Slavyansk, Kramatorsk, and surrounding villages are subjected to daily artillery and air bombardment by the Ukrainian army and air force. There are a growing number of civilian casualties, not only there but also in other cities. (Professor 18 June 2014)

The BBC also reports that hundreds of combatants and civilians have been killed in Donetsk and Luhansk regions (BBC 13 June 2014).

According to the Professor, the "government has in many cases been unable to prevent seizures of buildings and towns by rebel forces, and it has itself contributed to the violence by launching its ... 'anti-terrorist operation,' which has resulted in ... deaths" of military and civilians (Professor 18 June 2014). These included the following attacks:

- On 9 May 2014, Ukrainian army troops opened fire on "anti-government civilian demonstrators" in Mariupol, killing "at least seven" and wounding "dozens more" (ibid.). The Associated Press (AP) also reports that fighting between Ukrainian government forces and pro-Russian activists in Mariupol resulted in seven deaths (AP 9 May 2014).
- On 2 June 2014, a Ukrainian aircraft bombed downtown Luhansk, killing 8 civilians (Professor 18 June 2014). BBC also reports that, according to "representatives of the so-called Luhansk people's republic," a Ukrainian jet bombed the area around the administration building in Luhansk, resulting in five people being killed (BBC 2 June 2014). However, a government spokesman for the antiterrorist operation claimed that "the Ukrainian security forces had not conducted any combat activities near the administration building" (ibid.).

Sources report that, according to the UN, as of June 2014, 356 people, including 257 civilians, have been killed in Ukraine (Professor 18 June 2014; RFE/RL 19 June 2014; *The New York Times* 18 June 2014). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

5.1 Police

The Professor indicated that

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

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

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

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

Sources report that in May 2014, in the city of Odessa, between 31 and 50 pro-Russian protestors were killed in a fire (CRG 6 May 2014; AP 2 May 2014; BBC 8 May 2014) when they sought refuge in a building that burned down (ibid.; AP 2 May 2014). The Professor explained that the protestors were "burnt to death by pro-government activists who threw Molotov cocktails into a building into which the anti-government protestors had fled" (Professor 18 June 2014). The AP similarly reports that, according to a police spokesman, the fire was caused by Molotov cocktails (AP 2 May 2014). According to the Professor,

[t]here is clear evidence of collusion between the police and some of the protestors/activists. Films of the events show demonstrators with red arm bands consulting with, and being protected by, policemen who were also wearing red arm bands. There is considerable dispute as to whether the demonstrators in question were pro- or anti-government, and so we cannot say with certainty which side the police were supporting, merely that they were not acting neutrally. (Professor 18 June 2014)

The Professor noted that "[t]o date, the police and judicial authorities do not appear to have made a serious effort to investigate the murders committed in Odessa" (ibid.). However, the Professor of political science stated that the police held many pro-Russian activists in Odessa, claiming that they were responsible for killing pro-Russian protesters who were burnt to death in the building (Professor of political science 22 June 2014). The Professor of political science further noted that the police officers failed to question far-right perpetrators and examine "evidence, such as videos and self-admissions by the Right Sector and the Social National Assembly, indicating that their side started the fire which resulted in the death of most of the victims" (ibid.). For further information on the investigations related to violence in Odessa in May 2014 and on other cases of human rights violations in Ukraine, please refer to Section III of the report of the Office of the UN High Commissioner for Human Rights, dated 15 June 2014 (UN 15 June 2014). The report is attached to this Response.

According to the Professor, "the Ukrainian government has shown no interest to date in investigating or arresting those of its supporters who have committed violent acts before, during, or after Yanukovich's overthrow" (Professor 18 June 2014). The Professor of political science also stated that the government "choose[s] not to prosecute those involved in the Euromaidan, including those who were suspected in serious crimes" (22 June 2014). Further information on investigations and prosecution could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

5.2 Peace Plan

Sources reported in June 2014 that the President Petro Poroshenko announced a ceasefire as part of a peace plan, but that pro-Russian insurgents rejected his proposal (Professor of political science 22 June 2014; BBC 20 June 2014). According to the BBC, the peace plan "promises to decentralise power and hold early local and parliamentary elections" (ibid.). *The Moscow Times*, an English-language daily newspaper published in Russia, also states that the peace plan includes the decentralization of authority and economic development aid for the eastern and southern regions, as well as new parliamentary elections and constitutional reform (23 June 2014). According to Reuters, the plan includes the call to end insurgency in the east (Reuters 22 June 2014). *The Moscow Times* similarly states that

the plan calls for the militias to disarm, end their occupation of public buildings and cities and free their hostages in return for amnesty for those not guilty of serious crimes, safe passage to Russia for the separatists and their mercenary cohorts and the creation of a 10-kilometer-wide buffer zone along the Ukrainian-Russian border. (23 June 2014)

Further information on the peace plan could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] "Euromaidan" refers to "the political crisis and social upheaval in Ukraine that led to several weeks of protest on the Maidan Nezalezhnosti (Independence Square) in central Kyiv" (*World Affairs* 1 Mar. 2014). According to the bimonthly international affairs journal *World Affairs* (*World Affairs* n.d.), the conflict "looked to many observers like yet another manifestation of the ongoing struggle for ideological and geopolitical hegemony between Russia and the West" (ibid. 1 Mar. 2014).

[2] The Foundation Robert Schuman is the "main French research centre on Europe" that develops research on the EU and its policies (Deloy [2014]).

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Additional Sources Consulted

Oral sources: Attempts to contact the following were unsuccessful within the time constraints of this Response: Party of Regions; Svoboda Party; academics at the following universities: Harvard University; The New School in New York; Oxford University; University of Alberta; Western University.

Academics of the following universities could not provide information within the time constraints of this Response: Baylor University; University of Toronto; University of Waterloo.

Internet sites, including: ABC News; Amnesty International; *Argumenti i Fakti*; CNN World; Deutsche Welle; EUObserver; Euromaidanpr.com; Freedom House; Human Rights Watch; *The Independent*; Institute of European, Russian and Eurasian Studies, Carleton University; International Crisis Group; Kyiv International Institute of Sociology; *Kyiv Post*; Minority Rights Group International; *The New York Times*; RT.com; Ukraine – Prosecutor's General Office of Ukraine, State Border Guard Service of Ukraine; *The Ukrainian Week*; *The Ukrainian Weekly*; United Nations – Refworld; Voice of Russia.

Attachment

United Nations (UN). 15 June 2014. Office of the United Nations High Commissioner for Human Rights. *Report on the Human Rights Situation in Ukraine*. <<http://www.ohchr.org/Documents/Countries/UA/HRMMUReport15June2014.pdf>> [Accessed 25 June 2014]

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[Top of Page](#)

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