



## **Ukraine – Researched and compiled by the Refugee Documentation Centre of Ireland on 17 August 2012**

**Information on murders and torture imputed to mafia in Ukraine. Information on links between government, banks and police on the one hand and criminal mafia-like organizations on the other hand.**

A report published by the *National Criminal Justice Reference Service*, in a section titled “Discoveries”, states:

“The first of these findings is that, within the state of Ukraine, organized crime operates in different ways depending on the geographical context. One such set of cleavages is regional, with many groups in particular regions also dominating particular functional areas. Indeed, although all organized crime groups tend to include most of the standard criminal activities within their repertoire, primary criminal activities vary across regions, depending on the opportunities provided by the operation of industrial and financial institutions, and local and regional government. For example, syndicates focusing primarily on smuggling are found within Odessa and the northwest and northeast sections of Ukraine, while criminal organizations in Kiev tend to focus more on financial crime and money laundering. In some cases, criminal organizations are linked in to the clan dominance of heavy industry; in others criminal violence is interlinked with conflict among the political elites giving the situation in Crimea and in Odessa particularly distinctive features. Furthermore, cleavages are found when one examines organized crime as a rural versus urban problem.” (National Criminal Justice Reference Service (6 December 2007) *Anticipating and Combating Ukrainian Organized Crime*)

This section of the report also states:

“Second, it is clear that different types of organized criminal entities operate within Ukraine. One significant cleavage in this regard is the notion of domestic versus foreign. Ukraine is both home state for many criminal organizations and a host state for others. For example, law enforcement in Ukraine commonly identifies foreign criminal organizations as the major source of narcotics trafficking within Ukraine. Moreover, Ukraine, because of its strategic location, is also a major transshipment state for various forms of contraband. Another differentiation is established through analysis of the sophistication and breadth of group operations. Thus, while more traditional organized criminal groups operate in very familiar ways, most significant and potentially damaging (if also most puzzling) are the ‘clans’ that intermix large business interests, politicians at the regional and national level, and more traditional elements of organized criminality.” (ibid)

In a section titled “Responses” this report states:

“The third problem – and this is one that faces many of the former Soviet republics is that organized crime has developed its own space, its *raison d’être*, and its pervasive reach in conditions characterized by political

upheaval, economic dislocation, and social distress. Feeding on these conditions, it has become deeply entrenched, politically and economically, displaying a traditional and familiar willingness to use corruption to defuse opposition and to resort to violence to eliminate that which cannot be defused.” (ibid)

An *Immigration and Refugee Board of Canada* response to a request for information on organised crime in Ukraine, in a section titled “Organized Crime in Ukraine”, states:

“According to the International Narcotics Control Strategy Report 2006 (INCSR 2006), ‘[d]espite a government crackdown on corruption, organized crime, smuggling, and tax evasion, these problems continue to plague Ukraine's economy and to provide an impetus to money laundering’. Ukraine has been identified as one of the main countries of origin where ‘organized crime networks’ are engaged in human trafficking and immigrant smuggling. These two criminal activities continue to be associated with money laundering and sexual exploitation. INCSR 2006 reported that although Ukraine has satisfactory counternarcotics legislation, ‘[t]rafficking and use of narcotics [have] continued to increase in 2005’. Illegal arms trafficking is another problem that Ukraine is trying to address, in close cooperation with the European Union (EU).” (Immigration and Refugee Board of Canada (14 March 2006) *UKR101124.E – Ukraine: Information on organized crime's infiltration of, and links with, government authorities; government initiatives taken against organized crime (2005 - 2006)*)

The 2007 *US Department of State* country report on Ukraine, in a section headed “Arbitrary or Unlawful Deprivation of Life”, states:

“During the year politicians, politically active businessmen, and journalists were the victims of sometimes fatal attacks that may have been politically motivated; however, business, government, and criminal activities were intertwined to such an extent that it was often difficult to determine the motives. For example, on August 20, the body of Roman Yerokhin, the former deputy head of the Ministry of Internal Affairs' organized crime directorate in Donetsk, was found in the Kyiv region almost a month after he disappeared. Minister of Internal Affairs Yuriy Lutsenko stated publicly that Yerokhin had been investigating economic crimes, in particular foreign currency exchange centers involved in money laundering, and that unnamed members of the Verkhovna Rada were involved in his disappearance. Head of the anti-corruption fund and businessman Borys Penchuk alleged that Yerokhin had been engaged in criminal activity himself.” (US Department of State (6 March 2007) *Ukraine: 2006 Country Reports on Human Rights Practices*)

An article from *The Observer* referring to the murder of Russian businessman Maksim Kurochkin states:

“The murder of Kurochkin - an ally of the Prime Minister, Viktor Yanukovich - has raised fears that Ukraine is slipping back to the days of the crime-ridden 1990s when such killings were common. Just over two years since the Orange Revolution brought hopes of a shining new future under President Viktor Yushchenko, corruption and contract killings appear to be making a comeback.” (The Guardian (1 April 2007) *Killing of Mad Max signals the return of Ukraine's gang wars*)

This article also states:

“Early in March Kurochkin's bodyguard and two associates were found dead in a bullet-riddled Toyota Landcruiser just outside Kiev. The director of the Ozerka market was killed in December. There have been a string of other murders of businessmen in the regions in recent months. Kurochkin boasted of surviving 18 attempts on his life. Critics of Yanukovich - himself convicted of theft and assault as a youth - claim the number of contract killings has risen under his government. Yanukovich was defeated during the Orange Revolution, but later muscled his way back to the premiership, which he held under former President Leonid Kuchma. Yanukovich's detractors say that he has halted the clean-up of Ukraine's notoriously corrupt Interior Ministry, which began after the revolution, and reinstated key figures from Kuchma's discredited regime. Opposition leader Yulia Tymoshenko said: 'The killing of businessmen and shady suicides gives every ground to say that Ukraine has returned to the early 1990s when a majority of conflicts in business were solved with guns.’” (ibid)

An *Australian Government – Refugee Review Tribunal* country advice document, in response to the request “Please provide general information on organised criminal activities in Ukraine.”, states:

“The US Department of State reported in April 2011 that corruption in government and society in Ukraine in 2010 was ‘widespread. In a diplomatic cable leaked to Wikileaks in 2010, the US ambassador to Ukraine states that gas supplies to Ukraine and EU states are linked to the Russian mafia. Former prime minister and main opposition leader Yulia Tymoshenko, herself under investigation for corruption, has stated that she has ‘documented proof that some powerful criminal structures are behind the RosUkrEnerg (RUE) company’. The person both the US Ambassador and Tymoshenko are referring to at the centre of the allegations is Russian crime boss, Semyon Mogilevich. In another Wikileaks document, a Spanish diplomat is quoted describing Ukraine to US officials as one of several ‘mafia states’ in Eastern Europe. Valentyn Nalyvaichenko, the former head of the Sluzhba Bespeky Ukrayiny (SBU) and current leader of the Our Ukraine political party, argues that while he does not believe that Ukraine is a mafia state, he does state that corruption among state officials and bureaucrats is ‘endemic’ and constitutes ‘the biggest threat to Ukraine’. “ (Australian Government – Refugee Review Tribunal (29 April 2011) *Ukraine – UKR38527 – Demographics – Political System – Sluzhba Bespeky Ukrayiny – Human Trafficking – Child Prostitution – Organised Crime – Mafia – State Protection – Corruption*, p.4)

A *Eurasia Daily Monitor* article states:

"A cable from the US Embassy in Kyiv reported that, ‘(Industrial Union of Donbas co-owner Sergei) Taruta dismissed the whole Donetsk-Regions group, saying ‘they are all looters’’. Former National Security and Defense Council Secretary, Volodymyr Horbulin, told US Ambassador to Ukraine John Herbst that the Party of Regions is ‘notable for its inclusion of criminal and anti-democracy figures’. Another cable from the US Embassy in Kyiv described the Party of Regions as, ‘long a haven for Donetsk-based mobsters and oligarchs,’ led by ‘Donetsk Clan godfather Rinat Akhmetov.’” (Eurasia

Daily Monitor, Volume: 9 Issue: 34 (17 February 2012) *Yanukovych Provides a Krysha for Organized Crime*)

An article on sex trafficking in Ukraine from *The Guardian* states:

“Once they are in Odessa, the exploitation and exportation of many of the women is managed by a hierarchy of pimps, mamas and mafiosi, who control the women with the complicity of corrupt elements in the police. This criminal network evolved after the collapse of the Soviet Union left a power vacuum, quickly exploited by the Russian mafia. In recent years it has flourished as never before. Last week's US report highlighted the role of government officials in trafficking. Prosecutors, counter-trafficking police and border guards are all implicated in the sex trade. The women at Tamozhennaya Square say they pay police 50 hryvnia (£3.90) a night. Many allege police brutality. Kostyuk, sitting amid the case files of the 8,000 or so women Faith Hope Love has assisted during the past decade, refers to a ‘global mafia’. Her charity operates freely in part because its head is a senior Odessa police officer; Kostyuk herself is a former officer. Sergiy Svystun, director of World Hope Ukraine, a charity that specialises in rescuing teenage girls from Odessa's streets, said: ‘It's highly dangerous. Trafficking is big business; the police are involved.’” (The Guardian (2 July 2011) *Sex trafficking trade forces women from Odessa to massage parlours in Britain*)

A *Reporters Without Borders* article, in a paragraph headed “Positive note?”, states:

“Despite all these incidents, Reporters Without Borders hails the progress in the investigation into investigative journalist Vasyl Klymentyev's disappearance in the northeastern Kharkiv region in August 2010. The police named Andriy Kozar, a former member of the Anti-Organized Crime Department, as the chief suspect on 21 June and an international warrant has been issued for his arrest. Reportedly the last person to see Klymentyev alive, Kozar is accused under sections 8 and 12 of the criminal code, covering ‘murder of an individual in connection with his official duties’ and ‘murder carried out under a prior arrangement with a group of persons,’ and under article 115-2 covering ‘premeditated murder.’” (Reporters Without Borders (22 July 2012) *Setbacks to media freedom in run-up to elections*)

The 2012 *Overseas Security Advisory Council* report on Ukraine, in a section titled “Crime Threat”, states:

“The U.S. Department of State continues to rate the crime threat as high. The crime situation in Kyiv – and throughout the country – is aggravated by widespread government corruption and inadequate law enforcement support. There was no improvement with regard to corruption or inefficiency in the last year. The U.S. Embassy expects crime to remain a serious problem in 2012.” (Overseas Security Advisory Council (OSAC) (21 February 2012) *Ukraine 2012 Crime and Safety Report*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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