

Index on Torture — 107.83

Facts and Assessments. 2019 - 2020



Population – **42 million**

Prison population (convicted) – **52 973**

In pre-trial detention (under investigation) - **8 131**

Detained - **no data**

Law enforcement budget **29.5 billion UAH**

Judgments documenting the problem of torture

Judgments and decisions of international bodies documenting the problem of torture and ill-treatment	5
Judgments of Ukrainian courts	4
Judgments excluding evidence obtained under torture	No data

Criminalization of torture and ill-treatment

Explicit prohibition of torture in criminal law	Yes
Criminalization of acts falling within the definition of torture	Article 365 of the Criminal Code (abuse of authority by a law enforcement officer)
Criminalization of torture as prescribed by international treaties	Yes. Article 127 of the Criminal Code. Does not fully meet the requirements of the relevant conventions

Government body investigating allegations of torture and ill-treatment

There is a body authorized to investigate torture	Yes
Number of investigators	25
Investigator workload	Fewer than 150 cases per year
Investigating body's jurisdiction	Not only torture cases. The proportion of torture cases is less than 50%
Institutional independence of the investigating body	Guaranteed
Geographic coverage	Average. Available only in larger territorial units
Budget	Adequate amount, covers contingencies as well as essential costs. Budget for 2019 - 1.12 billion UAH
Number of complaints of torture and ill-treatment	1681 – 52 under Article 127 (torture) and 1629 under Article 365 (abuse of authority) of the Criminal Code

Ratification of relevant international treaties

Relevant conventions	Yes
Optional Protocol to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2002)	Yes
Istanbul Protocol	Partially implemented in national legislation

Procedural guarantees (norms)

Documenting the actual detention start time	Yes.
Lawyer notification at the actual detention start time	Yes. Within 3 hours of the detention start time.
Family notification	Yes.
Medical examination	Yes. Within 3 hours of the detention start time for both criminal suspects and administrative detainees

Preventive mechanisms

Independent external review mechanism	Yes, available everywhere
Video surveillance	Yes, continuous and excluding private zones
Access to, and safekeeping of video evidence	Satisfactory, there are penalties for tampering with video archives