

Amnesty International and Human Rights Biased Report on Eastern Ukraine, Accomplices to War Crimes

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When a true photo is used for a Human Rights lie

Amnesty International and Human Rights Watch issued a report on July 21, 2016 on the human rights situation in the Donbass region of eastern Ukraine. The report can only be described as covering up the ongoing war crimes being perpetrated by the governing regime in Kyiv, Ukraine since it launched its 'Anti-Terrorist Operation' (civil war) in April 2014. The war was launched in order to crush resistance in Donbass to the illegal coup d'état and seizure of power in Kyiv in February 2014 by the movement calling itself 'Maidan'.

Coincidentally, artillery and other attacks by Maidan Ukraine against the rebel Donetsk and Lugansk people's republics in Donbass intensified during the past two months, the very time frame in which the human rights defenders were preparing their report for publication.

'Human rights' report on Ukraine is everything but

The 65-page report by the two agencies is titled [You Don't Exist: Arbitrary Detentions, Enforced Disappearances, and Torture in Eastern Ukraine](#). It downplays the grim details as well as international dimension of Ukraine's two-plus year of 'anti-terrorist' civil war. It argues that the victims of the war share equal responsibility for rights violations as the perpetrators. The introduction reads:

Both the Ukrainian government authorities and Russia-backed separatists [sic] in eastern Ukraine have held civilians in prolonged, arbitrary detention, without any contact with the outside world, including with their lawyers or families. In some cases, the detentions constituted enforced disappearances, meaning that the authorities in question refused to acknowledge the detention of the person or refused to provide any information on their whereabouts or fate. Most of those detained suffered torture or other forms of ill-treatment...

The key recommendation in the report's introductory summary reads:

Amnesty International and Human Rights Watch call on the Ukrainian government and the de facto authorities in self-proclaimed DNR and LNR

[Donetsk People's Republic and Lugansk People's Republic] to immediately put an end to enforced disappearances and arbitrary and incommunicado detentions, and to launch zero-tolerance policies with regard to the torture and ill-treatment of detainees. All parties to the conflict must ensure that all the forces under their control are aware of the consequences of abusing detainees under international law, and that allegations of torture and ill-treatment in detention are thoroughly investigated and those responsible are held to account.

The methodology of the report is by now old hat, the same one employed in reports on Ukraine by the United Nations' Office of the High Commissioner for Human Rights going back two years. The OHCHR's latest report on Ukraine was issued one week prior to the AI/HRW report and was [reviewed here by this author](#).

Like the UN's OHCHR, Amnesty International and Human Rights Watch consider the rebel forces in eastern Ukraine to have the same obligations to follow international treaties on human rights as the government attacking them. Missing from this equation is the fact that the Ukrainian government is an existing signator to most international human rights conventions and yet it is waging an *internal civil war against its citizenry*. Whereas the rebels are shunned and unrecognized by the world, including by Amnesty International and Human Rights Watch, and therefore unable to become signators themselves, as they would surely agree if conditions permitted. As a member government of the United Nations and signator to international conventions, does the Ukrainian government bear special responsibility and duty in this conflict? Or are its responsibilities lessened when it can claim, accurately or not, 'Hey, the other side are human rights violators, too.'?

AI and HRW sidestep these uncomfortable questions. They use the same insulting and pejorative terminology as Kyiv to describe the rebel forces under attack. The terms "de facto authorities" and "Russia-backed separatists in eastern Ukraine" are used interchangeably to describe the elected officials in Donetsk and Lugansk. Let us recall that these officials have heroically led their populations in defending themselves against a brutal military offensive by the Ukrainian Armed Forces and its allied, extreme-right paramilitary militias. According to understated figures by the United Nations, Ukraine's offensive has caused the deaths of more than 10,000 people. It has seen tens of thousands injured and several million displaced from their homes or from their Donbass homeland altogether.

How are the leaders of Donetsk and Lugansk supposed to follow the niceties of AI/HRW's recommended 'humanitarian war' when they are shunned and vilified on the world stage, even by the supposed human rights defenders? Does no one in rarefied offices in London and New York care about the Donetsk and Lugansk populations who are subjected to daily artillery shellings and other attacks with the active encouragement and financial assistance of Western governments (not to speak of the blind eyes of international human rights organizations)? AI and HRW have no answers to such questions.

You Don't Exist consists of 18 case studies of prisoner treatment, nine from each side of the conflict, along with summary recommendations. There is no doubt about the gravity of accusations against the Ukrainian authorities. A litany of international reports have documented the human rights violations ongoing in Ukraine – detentions of critics and even mass killings, such as in Odessa in May 2014; harassment, detention and even killings of journalists and opposition politicians; torture in secret prisons; proscriptions of Russian-language media; destruction of monuments to Ukraine's Soviet past and the raising of World

War Two collaborators with Nazi Germany to the status of national heroes; and so on. As the AI/HRW report acknowledges ever so carefully and sketchily, the situation of illegal detention and torture in Ukraine is so bad that the UN's investigative rapporteur on the subject made an unprecedented decision in May 2016 to [cancel its country investigation](#).

On the rebel side? Let us assume that the established biases of AI and HRW did not prevent them from conducting impartial investigations and that the allegations of nine prisoner mistreatments in Donetsk and Lugansk are true. Let us also assume, a fair assumption, that rebel forces would accede to international conventions and related investigations on the treatment of prisoners if they were confident that such processes would not simply be used as propaganda tools against them, as is the case to date. How, then, to arrive at conditions of prisoner detention that would satisfy international conventions and human rights agencies? By vilifying those one is seeking to influence, and by turning a blind eye to a cruel war which is the source of human rights violations in the first place? Again, AI and HRW have no answer.

But in the meantime, our human rights agencies are effectively saying that the government of Ukraine is under no more and no less legal obligations than unrecognized, rebel forces. They trivialize Ukraine's violations by making the government no more responsible than what are declared to be "de facto authorities" and "Russia-backed separatists in eastern Ukraine".

Deep biases in AI/HRW report discount them as objective observers

The deep bias and prejudice of the AI and HRW report in favour of Ukraine and its Western backers is evidenced in the three-page 'Background' chapter of the report, pages 8 to 10. Here we read the standard, Western government and media presentation of the Maidan coup ("ouster" of an elected president, according to the language of the report). There is the "Russian annexation" of Crimea, completely ignoring the long, complicated history of Crimea's status in post-Soviet Ukraine and in Soviet Ukraine before that, and ignoring the referendum vote to secede from Ukraine on March 15, 2014. There is the whitewashing and trivializing of the violence of the new, Maidan regime in Kyiv against its opponents. The report places quotation marks around the term "self-defense units" when describing how the people of Donbass responded to the arrival of vengeful, extremist and neo-Nazi paramilitaries on their territory following the Maidan coup.

Incredibly, the Minsk-2 ceasefire agreement of February 12, 2015 is given one sentence of serious mention in the report. There is no mention of the agreement in the 'Recommendations' section of the report, notwithstanding the fact that the agreement is endorsed by the governments of Russia, Germany and France and also by the United Nations Security Council! (Kyiv did not sign Minsk-2; it assigned a former president to sign it in a ghost capacity). The report deals briefly with only one clause of Minsk-2, the one pertaining to prisoner exchanges by the two sides. (Like all the other clauses of Minsk-2, this one has not been adhered to by Kyiv). The full text of Minsk-2 is [here](#).

Minsk-2 provides a comprehensive basis for resolution of the armed conflict in eastern Ukraine (Donbass). But backers of the Ukrainian government, including the German and French governments, have never liked the agreement and have done anything to ensure its application. That's because the agreement's central recommendations address the heart of the conflict – that a decentralization of political power is required in Ukraine and political autonomy should be granted to regions that have a political and historic claim to such. Kyiv

is adamantly opposed to decentralization and to autonomy. Western governments concur, as do, seemingly, Western human rights agencies.

Another particularly damning aspect of the AI and HRW report is the use of the same inflammatory language against the Donetsk and Lugansk rebel republics as that of the government of Ukraine. The Donetsk and Lugansk people's republics are termed "self-declared" – conveying that the duly constituted and elected governing authorities there have no moral or legal authority. The rebel forces are termed "separatists". This is false – the struggle in Donbass has always been a struggle against the institutional violence of the Maidan state of Ukraine and in favour of political autonomy. But more scandalously, the language of "separatism" shows the high priests of human rights to be unaware that in today's Ukraine, a label of "separatist" against an individual is a licence to beat, imprison or kill him or her, while tagging an entire, pro-autonomy movement as "separatist" is a recipe for waging civil war. Imagine two human rights organizations with decades of political experience behind them blissfully unaware of the incendiary and destructive power of language in times of civil conflict! This defies comprehension.

The *New York Times*' Andrew Kramer took his cue from the high priests and led his [news item](#) summarizing the AI/HRW report with,

"A report by two leading human rights groups released on Thursday accuses Ukraine's Western-backed security services of practicing abuse and torture in a manner similar to that of the rebel groups they are fighting."

Clearly, the people of Donbass who are suffering daily shellings and attacks by the Ukrainian army cannot count on the human rights heroes of Amnesty International and Human Rights Watch for relief. Nor can the people of Ukraine as a whole, for whom the consequences of this war are a domestic economic disaster, widespread human rights violations, and seeing their country played as a pawn in the reckless drive by NATO to provoke war with Russia, complete with nuclear threats.

Relief for Donbass and Ukraine will come from stepped up domestic and international antiwar solidarity and from support by sympathetic governments. Considering NATO's roll of the nuclear dice in eastern Europe, the responsibilities of progressive and antiwar forces in the world should be self-evident.

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