

# Ukraine Immigration Detention Data Profile

|   |                                       |               |
|---|---------------------------------------|---------------|
|  | <b>Quick Facts</b>                    |               |
|   | <b>Immigration detainees (2018)</b>   | 1,481         |
|   | <b>Detained minors (2017)</b>         | Not Available |
|   | <b>Persons expelled (2011)</b>        | 1,488         |
|   | <b>International migrants (2019)</b>  | 4,964,293     |
|   | <b>New asylum applications (2019)</b> | 1,589         |

## NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/europe/ukraine>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

## STATISTICS

### Detention, expulsion, and incarceration statistics

|   |        | Observation Date |   | Observation Date |      |
|---|--------|------------------|---|------------------|------|
| Total number of immigration detainees by year                           | 1,481  | 2018             | Total number of detained minors   | Not Available    | 2017 |
|   | 842    | 2017             |   |                  |      |
|   | 645    | 2016             |   |                  |      |
|   | 530    | 2015             |   |                  |      |
|   | 10,922 | 2011             |   |                  |      |
| Number of dedicated long-term immigration detention centres             | 13     | 2012             | Estimated capacity of dedicated long-term immigration detention centres | 373              | 2012 |
|   |        |                  |   |                  |      |
| Number of persons removed/returned (voluntary returns and deportations) | 1,488  | 2011             | Criminal prison population  | 60,771           | 2016 |
|   |        |                  |   | 117,440          | 2014 |
|   |        |                  |   | 137,965          | 2013 |
| Percentage of foreign prisoners   | 1.7    | 2011             | Prison population rate (per 100,000 of national population)             | 167              | 2016 |
|   |        |                  |   | 260              | 2014 |
|   |        |                  |   | 305              | 2013 |

### Demographics and immigration-related statistics

|  |            | Observation Date |   | Observation Date |      |
|--|------------|------------------|---|------------------|------|
| Population   | 43,700,000 | 2020             | International migrants                  | 4,964,293        | 2019 |
|  | 44,824,000 | 2015             |   | 4,834,900        | 2015 |
|  | 44,900,000 | 2012             |   | 5,151,400        | 2013 |
| International migrants as a percentage of the population | 10.8       | 2015             | Refugees                                | 2,166            | 2019 |
|  | 11.4       | 2013             |   | 2,620            | 2018 |
|  |            |                  |   | 3,257            | 2017 |
|  |            |                  |   | 3,252            | 2016 |
|  |            |                  |   | 3,232            | 2015 |
|  |            |                  |   | 2,968            | 2014 |
|  |            |                  |   | 2,844            | 2013 |
|  |            |                  |   | 2,807            | 2012 |
| Ratio of refugees per 1000 inhabitants                   | 0.07       | 2014             | Total number of new asylum applications | 1,589            | 2019 |
|  | 0.06       | 2012             |   | 1,329            | 2016 |
|  | 0.1        | 2011             |   | 1,295            | 2014 |
|  |            |                  |   | 3,285            | 2012 |
|  |            |                  |   | 2,228            | 2011 |

|                                 |      |      |                          |        |      |
|---------------------------------|------|------|--------------------------|--------|------|
| <b>Refugee recognition rate</b> | 15.3 | 2014 | <b>Stateless persons</b> | 35,600 | 2020 |
|                                 |      |      |                          | 35,650 | 2018 |
|                                 |      |      |                          | 35,294 | 2017 |
|                                 |      |      |                          | 35,363 | 2016 |
|                                 |      |      |                          | 35,179 | 2015 |
|                                 |      |      |                          | 33,271 | 2014 |
|                                 |      |      |                          | 35,000 | 2013 |
|                                 |      |      |                          | 35,000 | 2012 |

| <b>DOMESTIC LAW</b>                        |  |                                      |                         |                          |
|--|--|--------------------------------------|-------------------------|--------------------------|
| <b>LEGAL TRADITION</b>                     |  |                                      |                         |                          |
| <b>Legal tradition</b>                     | <b>Name</b>  |                                      | <b>Observation Date</b> |                          |
|  | Civil law  |                                      |                         |                          |
| <b>LAWS AND REGULATIONS</b>                |  |                                      |                         |                          |
| <b>Constitutional guarantees?</b>          | <b>Yes/No</b>  | <b>Constitution and Articles</b>     | <b>Year Adopted</b>     | <b>Last Year Amended</b> |
|  | Yes  | Constitution of Ukraine. Article 29. | 1996                    | 1996                     |
| <b>LAWS AND REGULATIONS</b>                |  |                                      |                         |                          |
| <b>Core pieces of national legislation</b> | <b>Name</b>  |                                      | <b>Year Adopted</b>     | <b>Last Year Amended</b> |
|  | Law No. 3929-XII of February 4, 1994 on the Legal Status of Foreigners and Stateless Persons, amended on 22 September 2011   |                                      | 1994                    | 2011                     |
| <b>LAWS AND REGULATIONS</b>                |  |                                      |                         |                          |
| <b>Additional legislation</b>              | <b>Name</b>  |                                      | <b>Year Adopted</b>     | <b>Last Year Amended</b> |
|  | Law of Ukraine No 3671-VI on Refugees and Persons in need of Complementary or Temporary Protection in Ukraine. 8 July 2011   |                                      | 2011                    | 2014                     |
|  | Criminal Code of Procedure. November 2012.   |                                      | 2012                    | 2014                     |
|  | Law on Combating Trafficking in Human Beings (LCT). 20 September 2011.   |                                      | 2011                    | 2013                     |
|  | Law on amendments to some legislative acts of Ukraine in connection with the adoption of the Law of Ukraine on the Legal Status of Foreigners and Stateless Persons of October 2012, No.5453-VI. |                                      | 2012                    | 2012                     |
|  | Code of Ukraine on Administrative Offences, 1984.  |                                      | 1984                    | 2008                     |

| LAWS AND REGULATIONS  |   |               |                  |
|---|---|---------------|------------------|
| Regulations, standards, guidelines  | Name  |               | Year Published   |
|   | Regulations on consideration of applications and processing needed for refugee status or complementary protection determination, or for refugee status or complementary protection deprivation, or for refugee status or complementary protection cancellation. 7 September 2011#649. |               | 2011             |
|   | State Border Service Instruction on Procedures of Keeping Persons Administratively Detained by the State Border Service of Ukraine for Infringement of Laws of Ukraine on the State Border of Ukraine and Those who Have Allegedly Committed Crimes. 30 June 2004.                    |               | 2004             |
| GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION  |   |               |                  |
| Immigration-status-related grounds  | Name  |               | Observation Date |
|   | Detention to prevent unauthorised entry at the border   |               | 2012             |
|   | Detention for unauthorised entry or stay  |               | 2012             |
|   | Detention to effect removal   |               | 2012             |
|   | Detention for failing to respect a voluntary removal order  |               | 2012             |
|   | Detention to prevent absconding   |               | 2012             |
| GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION  |   |               |                  |
| Non-immigration-status-related grounds providing for administrative detention in immigration legislation. | Name  |               | Observation Date |
|   | Detention on health-related grounds   |               | 2012             |
|   | Detention on public order, threats or security grounds  |               | 2012             |
| CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES   |   |               |                  |
| Does the country provide specific criminal penalties for immigration-related violations?                  | Fines   | Incarceration | Observation Date |
|   | Yes   |               | 2012             |
| LENGTH OF DETENTION   |   |               |                  |
| Maximum length for administrative immigration detention in law.   | Number of Days  |               | Observation Date |
|   | 365   |               | 2012             |
| LENGTH OF DETENTION   |   |               |                  |
| Maximum length of time in custody prior to issuance of a detention order                                  | Number of Days  |               | Observation Date |
|   | 3   |               | 2012             |
| LENGTH OF DETENTION   |   |               |                  |
| Maximum length of detention for persons detained upon arrival at ports of entry                           | Number of Days  |               | Observation Date |
|   | 3   |               | 2012             |

**PROCEDURAL STANDARDS**

| <b>Provision of basic procedural standards</b> | <b>Name</b>   | <b>In Law</b> | <b>In Practice</b> | <b>Observation Date</b> |
|--|---|---------------|--------------------|-------------------------|
|  | Information to detainees                            | Yes           | No                 | 2012                    |
|  | Right to legal counsel                              | Yes           | No                 | 2012                    |
|  | Access to consular assistance                       | Yes           | No                 | 2012                    |
|  | Access to asylum procedures                         | Yes           | No                 | 2012                    |
|  | Right to appeal the lawfulness of detention         | Yes           | No                 | 2012                    |
|  | Complaints mechanism regarding detention conditions | Yes           | No                 | 2012                    |
|  | Compensation for unlawful detention                 | Yes           |                    | 2012                    |
|  | Access to free interpretation services              | Yes           | No                 | 2012                    |

**VULNERABLE PERSONS**

| <b>Is the detention of vulnerable persons provided in law? Are they detained in practice?</b> | <b>Name</b>               | <b>In Law</b> | <b>In Practice</b> | <b>Observation Date</b> |
|---|---------------------------|---------------|--------------------|-------------------------|
|   | Stateless persons         |               | Yes                | 2014                    |
|   | Unaccompanied minors      |               | Yes                | 2012                    |
|   | Accompanied minors        |               | Yes                | 2012                    |
|   | Asylum seekers            |               | Yes                | 2012                    |
|   | Victims of trafficking    |               |                    | 2012                    |
|   | Persons with disabilities |               | Yes                | 2012                    |
|   | Pregnant women            |               | Yes                | 2011                    |

**EXPEDITED REMOVAL AND RE-ENTRY BAN**

| <b>Re-entry ban</b> | <b>Name</b> | <b>Observation Date</b> |
|---------------------|-------------|-------------------------|
|                     | Yes         | 2012                    |

**COVID-19 UPDATES**

|                             | Update Status   | Observation Date |
|-----------------------------|---|------------------|
| <p><b>Latest Update</b></p> | <p>According to information submitted to the GDP by the office of the UN High Commissioner for Refugees (UNHCR) in Ukraine, the number of newly detained migrants in the country has decreased during the pandemic. In Zakarpattia Oblast, those who have been apprehended while entering the country during the crisis have been placed in Border Guard Temporary Holding Facilities (THFs) and Specially Equipped Premises (SPs) (Mukachevo THF, Onokivzi SP, Velukuj SP, and Solotvino SP). THFs are designed for holding non-nationals for up to 72 hours (or for up to ten days with permission from the prosecutor), while SPs are designed for holding non-nationals for three hours (or up to three days if necessary and provided the public prosecutor is notified within 24 hours). Usually, persons who need to be detained longer are transferred to one of three state-run migrant custody centres (MCCs). However, during the pandemic such transfers have been halted leaving detainees confined in THFs and SPs for far longer than legislation permits. Although Ukrainian authorities announced a non-discriminatory approach to the pandemic, significant barriers exist in the country, preventing many undocumented nationals from accessing assistance during the pandemic. Individuals without identity documents—including thousands of stateless persons—are not entitled to access state services including medical examinations (which are free of charge to any documented individual). In a survey conducted by Right to Protection among stateless persons in Ukraine between April and May, 92 percent of stateless persons reported that they do not have a family doctor—and approximately half of all respondents reported that they had been denied registering due to their lack of identity documents. Although UNHCR estimates that there are 35,600 stateless persons in the country, in 2019 only 5,642 had a stateless person residence permit. Few are able to regularise their situation due to the fact that the country lacks a statelessness determination procedure (a draft law, #2335, which would establish this, is currently awaiting parliamentary debate).</p>   | <p>2020</p>      |
|                             | <p>According to information provided to the Global Detention Project (GDP) by the Kharkiv Human Rights Protection Group (KHPG), the Ukrainian government is currently preparing to release inmates from prisons across Ukraine in an effort to stem the spread of the virus. Together with the Ministry of Justice, KHPG has prepared two bills on amnesty and parole which have been approved by the government, and which are now awaiting parliamentary approval. According to the KHPG, rights groups hope for 40 percent of the prison population to be released from the country's "chronically underfunded" penitentiary system. On 30 April, the head of the UN Monitoring Mission for Human Rights in Ukraine called on the Ministry of Justice and Ministry of Health to strengthen their response to Covid-19 in the country's penitentiary system. There do not appear to be any specific plans to release people from migration-related detention, and to-date, KHPG is not aware of any calls from civil society to protect non-citizens. According to the rights group, some lawyers and government officials view - if inaccurately - immigration detention facilities as resembling hotels rather than prisons. They also hold that with deportation impossible and no alternative accommodation options in place, it would be "dangerous" to release non-citizens. In recent years, the number of people detained at Temporary Holding Centres for Foreign Nationals and Stateless Persons (THCs) for the purpose of expulsion has increased: from 407 in 2014 to 1,481 in 2018. KHPG says that there is significant overcrowding at THCs, which have a maximum capacity of 473, and that detainees have limited access to assistance. According to the Ombudsman's 2018 report, detention conditions are inadequate in THCs - those inside have limited space, and are restricted in their ability to communicate with the outside world. Within the context of a pandemic, such conditions raise significant concerns. In early May, the Parliamentary Commissioner for Human Rights also reported concerns regarding the detention of Ukrainian nationals (and others who have not taken Russian citizenship) in both Russia and occupied Ukrainian territories. Noting that Crimean Tatars detained in the Russian Federation and occupied Crimea lack sufficient space, ventilation, and sanitary conditions, she pointed to reports that they are not being provided with PPE, disinfectants, or medicines.</p> | <p>2020</p>      |
|                             | <p>While calls have been circulated urging authorities to take precautionary steps to protect prisoners, the GDP is not aware of such calls being made with regards to immigration detainees. On 24 March, 100 Ukrainian and European NGOs issued a statement urging Russian authorities to take necessary steps to protect prisoners confined in the Donbas and Crimea (as well as in Russia). According to the statement, inadequate measures have been adopted to protect prisoners - health services are "faulty," prison authorities cannot guarantee adequate sanitation and hygiene conditions, no masks are available for prisoners displaying symptoms, and facilities are overcrowded. The statement, however, did not address persons detained due to their migration status. In Ukrainian-controlled prisons, prisoners speaking to the Kharkiv Human Rights Protection Group have reported a lack of precautionary measures (including disinfection, temperature screening on arrival, and protective clothing for staff) despite the introduction of governmental decrees requiring penitentiary institutions to initiate anti-epidemic measures. On 23 March, the Justice Ministry Elena Vysotskaya, Deputy Minister of the Justice Ministry, stated that although there were no plans to release prisoners, authorities are observing practices of other countries and are not ruling out the option of releasing inmates. No mention of immigration detainees, however, was made.</p>  | <p>2020</p>      |

## INTERNATIONAL LAW

### Relevant international treaties and date of ratification

| International treaties   | Name   | Ratification Year |
|--|--|-------------------|
|  | OP CRC Communications Procedure  | 2016              |
|  | ICPED, International Convention for the Protection of All Persons from Enforced Disappearance  | 2015              |
|  | CRPD, Convention on the Rights of Persons with Disabilities  | 2010              |
|  | OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment                                   | 2006              |
|  | CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children   | 2004              |
|  | CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime | 2004              |
|  | CRSR, Geneva Convention Relating to the Status of Refugees   | 2002              |
|  | PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees  | 2002              |
|  | CRC, Convention on the Rights of the Child   | 1991              |
|  | VCCR, Vienna Convention on Consular Relations  | 1989              |
|  | CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment  | 1987              |
|  | CEDAW, Convention on the Elimination of All Forms of Discrimination against Women  | 1981              |
|  | ICCPR, International Covenant on Civil and Political Rights  | 1973              |
|  | ICESCR, International Covenant on Economic, Social and Cultural Rights   | 1973              |
| ICERD, International Convention on the Elimination of All Forms of Racial Discrimination | 1969   |                   |
| <b>Ratio of relevant international treaties ratified</b>                                 | 15/19  |                   |

### Relevant international treaties and date of ratification

| Individual complaints procedure  | Name  | Acceptance Year |
|--|---|-----------------|
|  | CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities                | 2010            |
|  | CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999 | 2003            |
|  | CAT, declaration under article 22 of the Convention   | 2003            |
|  | ICERD, declaration under article 14 of the Convention   | 1992            |
| ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966 | 1991  |                 |

### Relevant international treaties and date of ratification

| Ratio of complaints procedures accepted | Number | Observation Date |
|---|--------|------------------|
|   | 5/6    |                  |
|   | 5/6    |                  |

**Relevant international treaties and date of ratification**

|  | Name  | Recommendation Excerpt   | Recommendation Year |
|--|---|--|---------------------|
| <p><b>Relevant recommendations issued by treaty bodies</b></p> | Human Rights Committee                                | <p>"18. [...] ensure that all persons applying for international protection are given access to a fair and full refugee determination procedure, are effectively protected against refoulement, and have access to counsel, legal aid and an interpreter. The state party should ensure that detention is only used as a last resort, and where necessary, for as short a period as possible, and provide alternatives to detention. It should also consider increasing the time span for filing appeals and ensure that rejected applicants are not deported immediately after the conclusion of the administrative proceedings before they can submit an appeal against a negative asylum decision.</p>  | 2013                |
|  | Committee on the Rights of the Child                  | <p>"42. The Committee urges the State party to take all necessary measures to prevent and eliminate torture and all forms of ill-treatment of children, and, in particular: (a) To initiate comprehensive trainings for members of the Militia and the Ukraine State Border Guard Services on the prohibition of torture and ill-treatment and on international standards relating to juvenile justice; (b) To strengthen independent monitoring of children deprived of their liberty, including by "mobile groups/teams" (see CCPR/C/UKR/CO/6/Add.1, para. 11 and CAT/C/UKR/CO/5, para. 12) or other mechanisms, until a national preventive mechanism is formally established by the State party under the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; (c) To ensure prompt, independent and effective investigation of all alleged cases of torture or ill-treatment of children and, as appropriate, prosecute offenders; (d) To undertake a study on access to justice of children deprived of their liberty with a view to improving respect for legal safeguards against torture and ill-treatment;" "72. The Committee recommends that the State party: [...] (b) Ensure that unaccompanied asylum-seeking children are promptly appointed a legal representative in order to effectively access the asylum procedure, as well as assistance and protection, including access to free interpretation; (c) Ensure that no asylum-seeking or refugee child is deprived of his or her liberty; (d) Adopt the draft instruction on cooperation between State authorities regarding unaccompanied asylum-seeking children;"</p> | 2011                |
|  | Committee on the Elimination of Racial Discrimination | <p>"20. [...] b) ensure that all asylum-seekers remain documented throughout the asylum procedure, including the appeals stage, so that they do not face the risk of detention or refoulement while pursuing their asylum claims, and that adequate resources are available for the provision of interpretation to them, particularly in the courts and in places of detention so that they can enjoy meaningful access to justice"</p>  | 2011                |
|  | Committee on Economic, Social and Cultural Rights     | <p>"26. The Committee is deeply concerned about reports on substandard living conditions and overcrowding in prisons, pre-trial detention centres and centres for refugees and asylum-seekers, including in medical wards for inmates and detainees suffering from tuberculosis." 49. The Committee recommends that the State party take immediate measures to ensure adequate occupancy levels and access to safe water, sanitation, food, bedding, natural light, ventilation, and out-of-cell activities in prisons, detention centres and centres for refugees and asylum-seekers, as well as adequate treatment and medication for prisoners and detainees suffering from tuberculosis and other diseases</p>   | 2008                |
|  | Committee against Torture                             | <p>"20. adopt asylum procedures in accordance with international standards as well as improve detention conditions, including by the use of alternative measures"</p>  | 2007                |



**Regional treaties, regulations, and directives**

| <b>Regional legal instruments</b> | <b>Name</b>  | <b>Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)</b> |
|-----------------------------------|--|---|
|                                   | CPCSE, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse   | 2012  |
|                                   | ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights) | 1997  |
|                                   | ECHRP7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)   | 1997  |
|                                   | ECHRP1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)   | 1997  |
|                                   | ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment                                 | 1997  |
|                                   | CATHB, Convention on Action against Trafficking in Human Beings  | 2010  |
|                                   | ECHRP12, Protocol 12 to the European Convention on Human Rights  | 2006  |

**Regional treaties, regulations, and directives**

| <b>Regional treaty reservations</b> | <b>Name</b>    | <b>Reservation Year</b> |
|-------------------------------------|----------------|-------------------------|
|                                     | ECHR Article 5 | 1997                    |
|                                     | ECHR Article 6 | 1997                    |

**Regional treaties, regulations, and directives**

|  | Name   | Recommendation Excerpt   | Recommendation Year | Observation Date |
|--|--|--|---------------------|------------------|
| <p><b>Recommendations issued by regional human rights mechanisms</b></p> | <p>European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)</p> | <p>“CPT calls upon the Ukrainian authorities to implement its recommendations made in paragraph 42 of the report on the 2007 visit, and in particular to ensure that all persons held under aliens legislation: - have an effective right, as from the very outset of their deprivation of liberty (i.e. from the moment when the persons concerned are obliged to remain with a law enforcement agency), to inform a relative or a third party of their choice of their situation; - have an effective right of access to a lawyer as from the very outset of their deprivation of liberty and at all stages of the proceedings; - receive, when necessary, the assistance of a qualified interpreter. Further, the CPT invites the Ukrainian authorities to redouble their efforts to ensure that foreign nationals held under aliens legislation are fully informed about their situation and the procedure applicable to them.” The CPT has repeatedly recommended that the 12-hour period of time after which consulates or relevant diplomatic missions are to be contacted following the detention of a foreign national should be extended as the period is not long enough for many persons to apply for asylum (CPT 2011, para. 58).</p> | <p>2009</p>         | <p>2009</p>      |
|  | <p>Council of Europe Commissioner for Human Rights</p>   | <p>“ - Enact specific legislation on asylum seekers; - provide legal guarantees against discrimination of refugees on grounds of race, religion or country of origin; ensure legal representation of refugees by NGO staff; and a time frame for illegally entering migrants; - resort to detention only as a very last solution; put an end to the unacceptable situations of asylum seekers who, after some time, find themselves in a legal limbo and are kept in detention of indefinite duration.”</p>  | <p>2006</p>         | <p>2006</p>      |

**Bilateral/Multilateral agreements linked to readmissions**

| <b>Bilateral/multilateral agreements linked to readmission</b> | <b>Name</b>        | <b>Year in Force</b> | <b>Observation Date</b> |
|--|--------------------|----------------------|-------------------------|
|  | Bulgaria           | 2002                 | 2017                    |
|  | Denmark            | 2009                 | 2017                    |
|  | Hungary            | 1998                 | 2017                    |
|  | Moldova            | 1998                 | 2017                    |
|  | Poland             | 1994                 | 2017                    |
|  | Russian Federation | 2013                 | 2017                    |
|  | Slovakia           | 1994                 | 2017                    |
|  | Switzerland        | 2004                 | 2017                    |
|  | Turkey             | 1998                 | 2017                    |
|  | Turkmenistan       | 2002                 | 2017                    |
|  | Uzbekistan         | 2002                 | 2017                    |
|  | Viet Nam           | 2009                 | 2017                    |
|  | Armenia            | 1997                 | 2017                    |
|  | Austria            | 2014                 | 2017                    |
|  | Czech Republic     | 2015                 | 2017                    |
|  | Estonia            | 2015                 | 2017                    |
|  | Hungary            | 1994                 | 2017                    |
|  | Latvia             | 1998                 | 2017                    |
|  | Lithuania          | 1997                 | 2017                    |
|  | Norway             | 2011                 | 2017                    |
|  | Iceland            | 2013                 | 2017                    |
|  | EU                 | 2008                 | 2017                    |
|  | Georgia            | 2004                 | 2004                    |
|  |                    |                      |                         |
|  |                    |                      |                         |
|  |                    |                      |                         |

**Non treaty-based international human rights mechanisms**

| <b>Visits by special procedures of the Human Rights Council</b> | <b>Name</b>                          | <b>Year of Visit</b> | <b>Observation Date</b> |
|---|--------------------------------------|----------------------|-------------------------|
|   | Working Group on arbitrary detention | 2009                 |                         |

**Non treaty-based international human rights mechanisms**

| <b>Relevant recommendations of the UN Universal Periodic Review</b> | <b>Recomendation Issued</b> | <b>Year Issued</b> | <b>Observation Date</b> |
|---|-----------------------------|--------------------|-------------------------|
|   | No                          | 2012               | 2017                    |
|   | No                          | 2008               |                         |

**INSTITUTIONAL INDICATORS**

| Governing structures                               |  |   |                                     |                  |
|--|--|---|-------------------------------------|------------------|
| Federal or centralized governing system            | Federal or centralized governing system            |   |                                     | Observation Date |
|  |  | Centralized system                                    |                                     |                  |
| Governing structures                               |  |   |                                     |                  |
| Centralized or decentralized immigration authority | Centralized or decentralized immigration authority |   |                                     | Observation Date |
|  |  | Centralized immigration authority                     |                                     |                  |
| Institutions responsible for immigration detention |  |   |                                     |                  |
| Custodial authority                                | Agency   | Ministry  | Ministry Typology                   | Observation Date |
|  | State Border Guard Service of Ukraine              | Presidency  | Executive                           | 2012             |
|  | Militia  | Ministry of Interior                                  | Internal or Public Security         | 2012             |
|  |  | State Border Guard Service of Ukraine                 |                                     | 2012             |
|  |  | State Migration Service                               |                                     | 2012             |
|  |  | State Border Guard Service of Ukraine                 |                                     | 2011             |
|  |  | State Border Guard Service of Ukraine                 |                                     | 2010             |
|  |  | State Border Guard Service of Ukraine                 |                                     | 2009             |
|  |  | State Border Guard Service of Ukraine                 |                                     | 2008             |
|  |  | State Border Guard Service of Ukraine                 |                                     |                  |
| Institutions responsible for immigration detention |  |   |                                     |                  |
| Apprehending authorities                           | Name   | Agency  | Ministry                            | Observation Date |
|  | State Migration Service of Ukraine                 | Immigration agency                                    | Ministry of Interior (Home Affairs) | 2012             |
|  | State Border Guard Service                         | Law enforcement, border control and national security |                                     | 2012             |
| Institutions responsible for immigration detention |  |   |                                     |                  |
| Detention Facility Management                      | Entity Name  | Entity Type   | Observation Date                    |                  |
|  | State Border Guard Service                         | Governmental  | 2014                                |                  |
|  | State Migration Service                            | Governmental  | 2012                                |                  |
|  | State Border Guard Service                         | Governmental  | 2012                                |                  |
|  | State Border Guard Service of Ukraine              | Governmental  | 2012                                |                  |
|  | State Border Guard Service                         | Governmental  | 2011                                |                  |
|  | State Border Guard Service                         | Governmental  | 2010                                |                  |
|  | State Border Guard Service                         | Governmental  | 2009                                |                  |
|  | State Border Guard Service                         | Governmental  | 2008                                |                  |
| State Border Guard Service                         | Governmental                                       |   |                                     |                  |

| Institutions responsible for immigration detention                         |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
|--|--|---|---------------------------------|-----------------------------------|--|---------------------------|-------------------------------|---------------------------|----------------------------------|-------------------------|--------------------------------------|------------------------|---------------------------------------|-------------------------|------------------|
| Formally designated detention estate?                                      | Formally designated immigration detention estate?  |   |                                 |                                   | Types of officially designated detention centres           |                           |                               |                           |                                  |                         | Observation Date                     |                        |                                       |                         |                  |
|  | Yes  |   |                                 |                                   | Dedicated immigration detention facilities                 |                           |                               |                           |                                  |                         | 2012                                 |                        |                                       |                         |                  |
| Institutions responsible for immigration detention                         |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Types of detention facilities used in practice                             | Immigration detention centre (Administrative)  | Immigration field office (Administrative) | Transit centre (Administrative) | Reception centre (Administrative) | Offshore detention centre (Administrative)                 | Hospital (Administrative) | Border guard (Administrative) | Police station (Criminal) | National penitentiary (Criminal) | Local prison (Criminal) | Juvenile detention centre (Criminal) | Informal camp (Ad hoc) | Immigration detention centre (Ad hoc) | Surge facility (Ad hoc) | Observation Date |
|  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Detention monitoring institutions  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Authorized monitoring institutions   | Institution  |   |                                 |                                   | Institution Type   |                           |                               |                           |                                  |                         | Observation Date                     |                        |                                       |                         |                  |
|  | Ukrainian Parliament Commissioner for Human Rights   |   |                                 |                                   | National Human Rights Institution (or Ombudsperson) (NHRI) |                           |                               |                           |                                  |                         | 2014                                 |                        |                                       |                         |                  |
|  | Ukrainian Parliament Commissioner for Human Rights   |   |                                 |                                   | OPCAT National Preventive Mechanism (NPM)                  |                           |                               |                           |                                  |                         | 2012                                 |                        |                                       |                         |                  |
|  | Hebrew Immigrant Aid Society Kyiv  |   |                                 |                                   | Non-Governmental Organizations (NGO)                       |                           |                               |                           |                                  |                         | 2012                                 |                        |                                       |                         |                  |
|  | Caritas Uzhgorod   |   |                                 |                                   | Non-Governmental Organizations (NGO)                       |                           |                               |                           |                                  |                         | 2012                                 |                        |                                       |                         |                  |
|  | NEEKA  |   |                                 |                                   | Non-Governmental Organizations (NGO)                       |                           |                               |                           |                                  |                         | 2012                                 |                        |                                       |                         |                  |
| Detention monitoring institutions  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Is the national human rights institution (NHRI) recognized as independent? | Is the NHRI recognized as independent by the International Coordinating Committee of National Human Rights Institutions? |   |                                 |                                   |  |                           |                               |                           |                                  |                         | Observation Date                     |                        |                                       |                         |                  |
|  | Yes  |   |                                 |                                   |  |                           |                               |                           |                                  |                         | 2014                                 |                        |                                       |                         |                  |
| Detention monitoring institutions  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Does NHRI carry out visits?  | Does NHRI carry out visits in practice?  |   |                                 |                                   |  |                           | Observation Date              |                           |                                  |                         |                                      |                        |                                       |                         |                  |
|  | Yes  |   |                                 |                                   |  |                           | 2012                          |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Detention monitoring institutions  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Does NHRI have capacity to receive complaints?                             | Does NHRI have capacity to receive complaints?   |   |                                 |                                   |  |                           |                               |                           |                                  |                         | Observation Date                     |                        |                                       |                         |                  |
|  | Yes  |   |                                 |                                   |  |                           |                               |                           |                                  |                         | 2014                                 |                        |                                       |                         |                  |
| Detention monitoring institutions  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Does NHRI publicly release reports on immigration detention?               | Does NHRI publicly release reports on immigration detention?   |   |                                 |                                   |  |                           |                               |                           |                                  |                         | Observation Date                     |                        |                                       |                         |                  |
|  | Yes  |   |                                 |                                   |  |                           |                               |                           |                                  |                         | 2012                                 |                        |                                       |                         |                  |
| Detention monitoring institutions  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Does national preventive mechanism (NPM) carry out visits?                 | Does NPM carry out visits in practice?   |   |                                 |                                   |  |                           | Observation Date              |                           |                                  |                         |                                      |                        |                                       |                         |                  |
|  | Yes  |   |                                 |                                   |  |                           | 2012                          |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Detention monitoring institutions  |  |   |                                 |                                   |  |                           |                               |                           |                                  |                         |                                      |                        |                                       |                         |                  |
| Does NPM have capacity to receive complaints?                              | Does NPM have capacity to receive complaints?  |   |                                 |                                   |  |                           | Observation Date              |                           |                                  |                         |                                      |                        |                                       |                         |                  |
|  | Yes  |   |                                 |                                   |  |                           | 2012                          |                           |                                  |                         |                                      |                        |                                       |                         |                  |

| Detention monitoring institutions                           |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
|---|--|----------------------------|--------------------|---------------|-------------|-----------------|------------------|-------------------|------------|-----------------------------|------------|------------------|-------------------|----------------------|------------------|--|
| Does NPM publicly release reports on immigration detention? | Does NPM publicly release reports on immigration detention?  |                            |                    |               |             |                 |                  |                   |            |                             |            | Observation Date |                   |                      |                  |  |
|   | Yes  |                            |                    |               |             |                 |                  |                   |            |                             |            | 2012             |                   |                      |                  |  |
| Detention monitoring institutions                           |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
| Do NGOs carry out visits?                                   | Do NGOs regularly carry our visits?  |                            |                    |               |             |                 |                  |                   |            |                             |            | Observation Date |                   |                      |                  |  |
|   | Yes  |                            |                    |               |             |                 |                  |                   |            |                             |            | 2012             |                   |                      |                  |  |
| Detention monitoring institutions                           |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
| NGO capacity to receive complaints?                         | NGO capacity to receive complaints?  |                            |                    |               |             |                 |                  |                   |            |                             |            | Observation Date |                   |                      |                  |  |
|   | No   |                            |                    |               |             |                 |                  |                   |            |                             |            | 2012             |                   |                      |                  |  |
| Detention monitoring institutions                           |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
| Do NGOs publish reports on immigration detention?           | Do NGOs publish reports on immigration detention?  |                            |                    |               |             |                 |                  |                   |            |                             |            | Observation Date |                   |                      |                  |  |
|   | Yes  |                            |                    |               |             |                 |                  |                   |            |                             |            | 2012             |                   |                      |                  |  |
| Outsourcing and privatisation                               |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
| Types of privatisation/outsourcing                          | Types of Privatisation/Outsourcing   |                            |                    |               |             |                 |                  |                   |            |                             |            | Observation Date |                   |                      |                  |  |
|   | Health services  |                            |                    |               |             |                 |                  |                   |            |                             |            | 2009             |                   |                      |                  |  |
|   | Food services  |                            |                    |               |             |                 |                  |                   |            |                             |            | 2009             |                   |                      |                  |  |
|   | Other detention facility or detainee services  |                            |                    |               |             |                 |                  |                   |            |                             |            | 2009             |                   |                      |                  |  |
| Outsourcing and privatisation                               |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
| Detention contractors and other non-state entities          | Name of entity   | Type of entity             | Detainee transport | Food services | Health care | Social services | Laundry services | Legal counselling | Management | Owner of detention facility | Recreation | Security         | Telephone service | Translation services | Observation Date |  |
|   | International Organisation for Migration   | International organisation |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      | 2009             |  |
| Foreign sources of funding for detention operations         |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
| Does the country receive external sources of funding?       | Benefitted from non-state funding sources?   |                            |                    |               |             |                 |                  |                   |            |                             |            | Observation Date |                   |                      |                  |  |
|   | Yes  |                            |                    |               |             |                 |                  |                   |            |                             |            | 2011             |                   |                      |                  |  |
| Foreign sources of funding for detention operations         |  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   |                      |                  |  |
| Description of foreign assistance                           | Description of non-state assistance  |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   | Observation Date     |                  |  |
|   | <p>In 2011, the European Union (EU) allocated 30 million Euros to build 9 new detention centres for irregular migrants, which are slated to have a total capacity of 270 beds. The construction cost per bed would thus exceed 100,000 euros. This programme is part of the European Neighbourhood and Partnership Instrument (ENPI). It will finance the construction of centres of detention—"temporary holding facilities" in EU parlance—along the EU borders with Poland, Slovakia, Hungary, and Romania, each with a capacity of 10 beds. One of two larger "custody centres" with a capacity for 100 detainees will be located closer to the Russian Federation. The financing authority is the EU, represented by the European Commission. The contracting authorities are the Ministry of Internal Affairs for the two larger facilities and the Administration of the State Border Guard service of Ukraine for the 7 smaller ones (Europa TTED 2010, DECU 2011b).</p> |                            |                    |               |             |                 |                  |                   |            |                             |            |                  |                   | 2011                 |                  |  |

More information about immigration detention in Ukraine is available at the website of the Global Detention Project ([www.globaldetentionproject.org](http://www.globaldetentionproject.org))