Assaults against community activists

On October 13, 2015, Petro Ivanov, an investigative journalist and activist in Ladyzhyn city in Ukraine’s Vinnytsya region received an anonymous call from someone claiming they had information to share on local election fraud. When Ivanov went to meet the caller at the designated meeting spot, two men in their mid-twenties approached him and, without saying a word, punched him with brass knuckles.

On November 25, 2015, Danylo Halych, a local farmer and Chetvertynivka village leader was in his vehicle at the Ladyzhyn city market, when two men knocked on the window and told him he had a flat tire. When he got out of the car to check the tire, the men attacked him, again with brass knuckles, breaking the bones in his face.

A month later, on December 21, 2015, Vasyl Tkachenko, the head of the Yasnozirya village council in the region of Cherkasy was attacked by two unknown assailants inside the local administration building. He suffered brain trauma and severe damage to his face, and was hospitalized for nearly a month. Investigations identified two boxers as the attackers.

The only known and clear common thread among these attacks is that each of the victims were prominent leaders in movements critical of the Ukrainian agribusiness company Myronivsky Hliboproduct PJSC, commonly known as MHP.

MHP is a long-term client of the European Bank for Reconstruction and Development (EBRD), the World Bank Group’s International Finance Corporation (IFC), and the European Investment Bank (EIB). Between 2010 and 2017, the EBRD approved a series of loans investing a total of US$280.75 million in the company. The IFC has invested a total of US$321.25 million in MHP between 2003 and 2014, and in 2014 EIB invested approximately US$116 million.

In 2015 MHP was expanding its industrial poultry business in four regions in Ukraine: Dnipropetrovsk, Vinnytsya, Cherkasy and Kyiv. Communities in those regions were concerned about the impacts of MHP poultry rearing zones and supportive infrastructure on the local environment, public health and water resources. Members of the communities, particularly in Vinnytsya and Cherkasy, felt the company was pressuring local residents, especially the elderly, to lease their lands to MHP. Communities could not get access to information, and MHP inadequately addressed their concerns.

Cherkasy
In April 2015, in Moshny village, Cherkasy region, residents at a public hearing voted against the construction of the poultry farm. Ignoring the decision, MHP went ahead with preparatory works for construction and was met with strong opposition from villagers. When community members began organizing against the operations, the smear campaigns began. Kateryna Onopriienko, a district council member in Cherkasy region, and a community leader, was the subject of a number of leaflets distributed widely in the district attacking her character.
Activism against MHP’s expansion ramped up in other regions over the summer, and that December 2015 Vasyl Tkachenko, the head of the Yasnozirya village council in Cherkasy region was brutally attacked after vocally opposing the MHP expansion. On June 23, 2016, Nina Martynovska, a deputy of the Ratseve village council, was attacked, suffered a concussion and was hospitalized for her injuries. The victim was well known for her opposition to MHP’s expansion. The attacker was found guilty, and court rulings confirmed that the incident was related to the conflict over the poultry operations.

Despite appeals from civil society groups, neither EBRD nor IFC publicly condemned the attacks nor reached out to the victims.

Vinnytsya

EBRD played a somewhat more proactive role in Vinnytsya region, though to limited effect. In the summer of 2015, at a public meeting in Chetvertynivka village, residents voted against the construction of the new MHP poultry operation. When MHP attempted to build, locals responded with a road blockade. Protesters faced violent backlash. In autumn 2016 an activist from Vinnytsya had drugs planted in his luggage and was then questioned by police who had received anonymous tips. Petro Ivanov, a local journalist, and Danylo Halych, the community leader and a participant in the blockade, were attacked. Eventually Chetvertynivka received a Memorandum of Understanding from the company committing not to pursue construction without community approval.

After the attacks on Petro Ivanov and Danylo Halych, and upon receiving a number of complaints from Ukrainian civil society groups, the EBRD launched an in-country monitoring mission in Vinnytsya region in November 2015. Although the report did not address the allegations of attacks and intimidation of activists, the EBRD and MHP agreed to an updated Environmental and Social Action plan that addressed the communities’ concerns and provided them with more relevant information. On November 11, 2017, Chetvertynivka voted to approve the construction of an MHP operation.

In March 2017, nearly 1500 residents of Tulchyn Rayon signed an open letter to Ukrainian President Petro Poroshenko, raising environmental concerns and expressing their disagreement with MHP’s expansion and the provision of construction permits. In response, the local government filed a libel lawsuit against the lead authors as well as the online outlet that published the letter. Neither IFC nor EBRD made public statements condemning the repression of free speech in Vinnytsya regions.

Thus, despite some success in Chetvertynivka, other villages cite little actual change in the company’s engagement. The EBRD states that it discussed the allegations of intimidation extensively with EBRD’s teams and with top management at MHP, that the company investigated the alleged incidents and “categorically denied involvement”, and that an assessment by EBRD’s Chief Compliance Officer supports that assertion. EBRD adds that despite this finding, “we stressed the utmost importance for the Company to address the allegations in an open and transparent manner and clearly stated the rights of communities and activists to voice concerns without fear of intimidation or retaliation.” IFC reports that it looked into the reported incidents, meeting with a local NGO and soliciting information from MHP, and “was satisfied based on those responses that the company was not involved in the incidents and had no obvious motive to engage in such behavior.” IFC also cites MHP’s “positive record of public engagement,” including the hiring of stakeholder engagement consultants and development of an engagement protocol, as well as the fact that the company is not the subject of legal actions related to the incidents.

While there have been no additional physical attacks, the smear campaigns against activists continue.

In June 2018, representatives of three communities of Vinnytsya region filed complaints with the IFC’s Compliance Advisor Ombudsman and the EBRD’s Project Complaint Mechanism. The complaints raise concerns that current and planned poultry facilities threaten air, water and soil quality, as well as residents’ livelihoods and homes, and that the absence of consultation violates IFC and EBRD standards. The individual complainants requested confidentiality out of fear of retaliation should their identities be disclosed.
1 Name has been changed to protect privacy.


3 Name has been changed to protect privacy.


11 Ibid.


16 The decision has been appealed to the High Specialised Court of Ukraine and it ruled to re-open the lower appeal court case. Vladlena Martsynkevych, “Court confirms attacks on Ukrainian villagers are related to poultry business” CEE Bankwatch Network, May 12 2017, https://bankwatch.org/blog/campaign-update-court-confirms-attacks-on-ukrainian-villagers-are-related-to-poultry-business.


22 The case was closed in February 2018, Тамара Харчилава [Tamara Harchilava], “Голова Тульчинської РДА передумав продовжувати судитися з активістами, що виступають проти планів МХП (ТМ Наша Ряба)” [“The chairman of the Tulchin Regional State Administration has changed his mind to continue to sue the activists opposed to the plans of the MHP (TM Nasha Ryaba)”], Екодіся [Ecoaction], February 28, 2018, http://ecoaction.org.ua/holova-tulchynskoji-rda-peredumava.html.

23 EBRD response to request for comment, on file with authors.

24 Ibid.

25 IFC response to request for comment, on file with authors.

26 e.g. “Активісти за викликом: чому між зруйнованими дорогами і бездумними протестами існує прямий зв’язок” [“Activists on a call: why there is a direct connection between broken roads and mindless protests”]. ДЗВІН, May 9, 2018, https://dzvin.media/news/aktivisti-za-viklikom-chomu-mizh-zruynovanimi-dorogami-i-bezsdumimi-protestami-isnu-prymiy-zvazok/; Обурює, що одна особа дозволяє собі колотити громадою села та району». Відкрите звернення мешканців Заозерненської сільської ради” [“It is outrageous...”].