



## U.S. EMBASSY KYIV, UKRAINE CONSULAR SECTION, AMERICAN CITIZEN SERVICES

### GUIDE FOR U.S. CITIZENS ARRESTED IN UKRAINE

*Officers of the U.S. Department of State and U.S. embassies and consulates overseas are prohibited by 22 CFR 91.81 from acting as agents, attorneys or in a fiduciary capacity on behalf of U.S. citizens abroad. U.S. Department of State personnel, including its attorneys, do not provide legal advice to private citizens.*

*Any information relating to conditions within a specific foreign country is provided as a courtesy, for general information only, and does not constitute legal advice. The Department of State makes no representation regarding the accuracy, completeness, or timeliness of this information. Questions about foreign laws and legal systems should be addressed to appropriate foreign attorneys.*

#### Initial Arrest Information

If a U.S. citizen is arrested in Ukraine, he or she should ask the local authorities to immediately notify the U.S. Embassy. According to the 1964 Bilateral Consular Convention between the United States and the Soviet Union, from which Ukraine is a successor state, Ukrainian authorities must notify the Embassy of the detention of a U.S. citizen within 72 hours of the confinement. The Embassy must be granted access to an imprisoned U.S. citizen within 96 hours after detention.

Any person including foreigners has the right to be represented by either a private or a state attorney. If you intend to employ a private lawyer it is advisable to do so as early as possible. In case of a lengthy absence of the chosen lawyer, the investigator and the court can appoint one. The accused can change lawyers at any stage of judicial proceedings.

#### The Embassy's Role

The Embassy will make every effort to ensure that U.S. citizens are treated in accordance with Ukrainian laws and regulations. To that end, in the event that a U.S. citizen is arrested, the Embassy may render the following services:

- Provide you with a list of local attorneys;
- Contact your family or friends upon your written permission to do so;
- Visit you regularly and bring you reading materials, hygiene items, and vitamin supplements, where appropriate and permitted;
- Help ensure that officials are offering you appropriate medical care;
- If you have been mistreated or abused, we can forward your complaint to appropriate Ukrainian authorities to investigate the allegations;
- Request that officials permit you visits, including with a member of the clergy of the religion of your choice;
- Help your family and friends send you money through OCS Trust if they are unable to send you money directly.

## **How to Obtain Legal Representation in Ukraine**

Although our office cannot recommend a particular attorney, we are able to provide you with a list of local lawyers who have shown interest in representing U.S. citizens.

The Embassy does not vouch for the integrity, competence or ability of the people on the list. When you hire a legal representative, it is recommended that you obtain a written contract specifying the exact amount that the lawyer expects to receive for his/her services. Once you have legal representation, we ask that you provide us with the contact information of your lawyer so that we can get updates on the progress of your case.

Please note that Ukrainian lawyers practice law differently than U.S. lawyers. The role of a defense attorney in the Ukrainian judicial process is a more restricted one than in the United States. A Ukrainian lawyer is not as active in court as an U.S. lawyer due to the prominent role of the presiding judge.

## **Life in a Prison in Ukraine**

Ukrainian prisons do not have all the services available in United States prisons. Many prisons only provide minimum basic services; although prison regulations guarantee medical attention from the prison doctor, the level of care varies widely. In serious cases, prisoners are transferred to a special security wing of an ordinary hospital for the length of their treatment. In general, most prisoners can send and receive mail, receive short-term visitors and have long-term (up to three days) “stay-in” visits from close relatives (parents, spouses, and children). These rights can be abridged by the prison administration if the prisoner has broken prison rules and/or is in solitary confinement.

Prisoners are allowed to maintain an account with the prison administration where they or others can deposit money. A prisoner can spend this money to procure basic food and toiletry items at the prison store. Please consult with your attorney for more information regarding specific prison rules.

## **CONTACT INFORMATION FOR THE U.S. EMBASSY KYIV, UKRAINE**

4 Igor Sikorsky St.  
Kyiv 04112

Phone: +38-044-521-5566  
E-mail: [kyivacs@state.gov](mailto:kyivacs@state.gov)