



OPEN DIALOG

# Euromaidan



The point of no return for Ukraine:  
Failure to sign the agreement with the EU and oppression  
of civil protesters and journalists discredited Ukrainian  
authorities

*The history and characteristic features  
of the mass anti-government protest  
in Ukraine*

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## 1. INTRODUCTION

Since the time when the government decided to suspend the signing of an Association Agreement with the EU and to gamble on trade and economic relations with Russia, for three-and-a-half weeks Kiev and other regions have seen the most widespread anti-government protests in the 20-year history of Ukraine's independence.

***It's the fourth consecutive Sunday that Kiev's central square is filled with 200 thousand to half a million people***, protesting against government policies and corruption in the state, against the brutal attacks on protesters and journalists, demanding the resignation of the government and the President, and to appoint a re-election of Parliament as well as to resume the path to European integration. The European Parliament expressed its solidarity with the protests of the Ukrainian civil society and noted that "in any democracy, a new election may be appointed whenever it is necessary to restore the people's legitimacy". ***In their public statements, representatives of the government and the pro-presidential party openly displayed an improper attitude towards hundreds of thousands of protesters.*** The Prime Minister and the pro-presidential party labelled protesters as 'provocateurs', 'Nazis', 'extremists', 'criminals', 'coup instigators'.

After the commencement of the protests, internal troops of the Ministry of Internal Affairs, as well as special police units began to gather en masse in Kiev. ***Under the cover of darkness, authorities twice tried to forcefully disperse the peaceful demonstration.*** As a result of police action, dozens of protesters and journalists suffered moderate injuries during the protests. Several protesters are still missing. [\[1\]](#) ***The prolonged non-public investigation, launched by the General Prosecutor's Office has not yet been completed.*** Four officials are suspected of involvement in the violent dispersal of the Euromaidan, but no action has been taken against leaders of the Ministry of Internal Affairs (MIA) and the National Security and Defence Council (NSDC), who, by virtue of their positions, should have been informed of the planned operation to forcibly disperse the crowd or should have authorised it. For example, one of those officially accused of the dispersal of the Euromaidan is deputy secretary of the NSDC, Volodymyr Syvkovich, but the General Prosecutor's Office filed no claims against his immediate supervisors – the NSDC Secretary, Andriy Klyuyev, and the Head of the NSDC, Viktor Yanukovich. Also, officers of 'Berkut' Special Forces and the Ministry of the Interior who used brute force against peaceful protesters and journalists, were not brought to account.

***In response to the growing social discontent, the authorities take action that could be construed as nothing other than political oppression.*** Across the country, activists of the Euromaidan are being assaulted. Peaceful protesters and journalists, beaten by police, are accused of organising and participating in the riots. Criminal proceedings against participants of anti-government protests are instituted not only in Kiev but also in other regions of the country. Pre-trial investigations and judicial proceedings are conducted with gross procedural violations.

***In connection with the participation in mass protests, criminal cases were opened against 30 activists.*** Of them, as of 20 December, 2013, three people are being held in a detention facility; one man received a suspended sentence; five people had fines imposed on them and were later released (four of them will have a criminal record). Under pressure from the Ukrainian and international community, on 19 December, 2013, the Ukrainian parliament approved a draft law of the opposition, which provides for the exemption from criminal liability of participants of anti-government protests starting from 21 November, 2013. However, some experts and politicians fear that the law will be used in favour of the police officers who beat peaceful protesters and journalists. On 23 December, 2013, the President signed off the law. Deputy Head of the High Specialised Court of Ukraine, Pavel Gvozdik, stated that from a legal point of view, this law "cannot be applied in practice by law enforcement authorities or courts due to the lack of legislative

*mechanisms for its implementation*". In particular, the judge noted that the law does not clearly define persons to whom it applies, and that it contravenes the Criminal Code. [2]

In addition, the Security Service of Ukraine has opened a criminal case "on charges of committing illegal actions aimed at seizing state power by individual politicians". Searches were conducted in the offices of the opposition party and in the offices of some mass media outlets. MPs from the pro-presidential party stated that a number of respected independent analytical structures and civil society organisations are waging "information warfare" against Ukraine. MPs from the pro-presidential party demand that dozens of foreign politicians, analysts and businessmen be declared *persona non grata*; some of them are no longer permitted to enter Ukraine.

***The phenomenon of the Maidan exists in its social, not political nature.*** Unlike the Orange Revolution of 2004, the Maidan-2013 is not formed around one or several political leaders. Among the organisers and participants of the Maidan, there are many public organisations, both left-wing and right-wing, united in the aim of democratising the system of government in the country. The Maidan is a place where numerous decision-making centres are located, extensive volunteer activities are being conducted, and a network of civic activists and NGOs is being formed and enhanced. Within three weeks, the Maidan attracted approximately 3 million hryvnias (about 275 thousand euros) in donations. [3]

***The Maidan demonstrates a high standard of self-organisation and solidarity of a certain element of society*** - the middle class, students, representatives of different professions and different age groups from the Eastern and Western regions of Ukraine. This has a positive effect on the development of the civil society as a whole. The order and security on the Maidan are provided by the protesters themselves, many of whom are former police officers and members of Special Forces units, including soldiers from various public organisations who fought in Afghanistan. They are striving to prevent any provocations.

Also, the Maidan has no single political aim and, still less so, ideology. According to the results of sociological research, ***the main motives that prompted people to come to the Maidan***, were: the severe beating of peaceful protesters on 30 November, 2013 (69.6%); Viktor Yanukovich's refusal to sign an Association Agreement (53.5%), the desire to change life in the country (49.9%), the desire to change the government in the country (39.1%). It is worth noting that the call of the opposition to come to the Maidan was answered by only 5% of the protesters. [4] Thus, people with different political leanings and individual interests seek to determine the direction of development of society and demand that the state shows transparency and respect for their constitutional rights. It also reflects the crisis surrounding opposition in Ukraine, which is incapable of consolidating around itself a large sector of civil society, critical of the current government. Therefore, EU institutions need to develop new forms of cooperation, focusing not only on dialogue with representatives of political parties, but also on direct contact with representatives of the civil sector.

Actions of solidarity with Ukraine's Euromaidan were held in many countries: Belgium, Great Britain, Hungary, Germany, Greece, Georgia, Estonia, India, Ireland, Spain, Italy, Canada, Norway, Portugal, Russia, South Korea, Poland, USA, France and the Czech Republic.

Ukraine is experiencing an acute political crisis. ***If the government does not heed the voice of civil society and continues to operate from a position of strength, the country may witness an escalation in the conflict and an authoritarian 'rollback' mirroring Belarusian developments.*** Suppression of society's voice and violation of fundamental rights may lead to a loss of confidence on the part of the EU and the international isolation of Ukraine.

**List of definitions used in this report:**

**All-Ukrainian Association 'Batkivshchina' ['Fatherland'], All-Ukrainian Association 'Svoboda' ['Freedom'], the political party 'UDAR' ['BLOW']** - political opposition parties represented in the Parliament of Ukraine and actively involved in anti-government protests.

**Antimaidan** - rallies in support of the Government of Ukraine.

**Automaidan** – an organised peaceful protest of motorists – supporters of Euromaidan.

**Bankovaya** – Ukraine's Presidential Administration (located at 11 Bankovaya Street).

**Berkut** - special police units at the regional departments of the Ministry of Internal Affairs of Ukraine. The main tasks of 'Berkut' units involve the protection of public order during public events and emergencies. The very units employed in the violent dispersal of mass protests on 30 November and 1 December, 2013 in Kiev.

**Euromaidan** - mass protest actions in Ukraine, which were prompted by the decision made on 21 November, 2013 by the Cabinet of Ministers to suspend preparation for signing of an Association Agreement between Ukraine and the European Union. Following the violent dispersal of Euromaidan on 30 November, 2013, the protests have become characterised by anti-government sentiment.

**Internal Troops of the Ministry of Internal Affairs of Ukraine** - military units and subdivisions which are part of the Ministry of Internal Affairs of Ukraine. They are designed for the protection and defence of important public facilities. They also participate in the protection of public order. Internal troops are subject to the Minister of Internal Affairs. The personnel of the Internal Troops comprises of conscripts and contract soldiers. They are entitled to exercise the same rights and responsibilities as police workers.

**Maidan** - mass public rallies and protests in Ukraine. The term acquired its modern definition back in 2004, when tens of thousands of Ukrainians took to the central square of Kiev – **Independence Square** (in Ukrainian: **Maidan Nezalezhnosti**), protesting against the massive vote rigging of the presidential election in Ukraine.

**Party of Regions** - pro-government political party with a majority in the Ukrainian parliament.

**Sources:**

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## 2. FORCEFUL DISPERSAL OF THE EUROMAIDAN AND EMERGENCE OF THE NEW MAIDAN

### 2.1. THE EUROMAIDAN AS A RESPONSE OF CIVIL SOCIETY TO THE BLOCKING OF THE PATH TO EUROPEAN INTEGRATION

Immediately after the adoption of the order to suspend the process of preparation for the conclusion of the Association Agreement with the EU by the Ukrainian government on 21 November 2013, prolonged mass anti-government protests erupted in the country. With no pre-organisation and no party symbols on display, people began to gather on the capital city's central square – Independence Square, demanding that the government sign the Association Agreement with the EU. **The action was called 'Euromaidan' and was described by its participants as non-political and peaceful.** On 23 November, 2013, approximately 2 thousand protesters were gathered on the Maidan. On 24 November, 2013, according to various estimates, 50 to 100 thousand protesters, including activists of political parties, civil society organisations and members of the middle class came to the central streets of Kiev. From 25 November, 2013 to 29 November, 2013 an average of approximately 10,000 protesters were present on Kiev's Euromaidan every day.

On 26 November, 2013, students of two prestigious universities: Kiev-Mohyla Academy and Taras Shevchenko University announced a student strike and, having formed a column of 3000 people, they marched along the central streets to Independence Square, demanding the signing of the Association Agreement with the EU. The strike was soon joined by students from other universities: Kiev Polytechnic Institute, Bogomolets National Medical University, Dragomanov National Pedagogical University. [1].



The students' strike, 26 November, 2013

**Over time, the audiences of the Kiev and regional Euromaidan have become more diverse:** an element of the protesters stood for the European path and European values; others expressed dissatisfaction with the inconsistent policies of the incumbent president and the government; others demonstrated civil solidarity with the peaceful protest which was sprawling across the country. As a result, another opposition rally, attended by politicians and party activists, was organised near Independence Square. However, on 26 November, 2013, at approx. 11.00 p.m., in

response to the call of opposition leaders, party activists lowered their party symbols, came to Independence Square and joined the protesting students and civil society activists. ***The protest on the Euromaidan was proclaimed apolitical and so only national flags and symbols of the European Union were visible.***

On 29 November, 2013 at the summit of the Eastern Partnership in Vilnius, the High Representative for Foreign Affairs and Security Policy, Catherine Ashton stated that "the door of the European Union remains open" for Ukraine. [2] However, ***the President of Ukraine, Viktor Yanukovich, enunciated that Ukraine is not currently ready to sign the Association Agreement, as it is presently in a difficult economic situation and faces threats due to the pressure from Russia.*** [3], [4] The Association Agreement with Ukraine was not signed. On the evening of 29 November, 2013, the Euromaidan in Kiev attracted more than 10,000 protesters. Maidan Square was completely cordoned off by police. Opposition leaders: Arseniy Yatsenyuk, Vitaliy Klitschko and Oleg Tyahnibok announced that a 'popular assembly' would be held the following day. After midnight, on 30 November, 2013, representatives of opposition parties began dismantling loudspeakers and other equipment. Civil society activists on Euromaidan expressed their concern that the party representatives were seeking to curtail support for the civil society action in order to organise their own political rally in the coming days. [5]

## **2.2. THE SANGUINARY NIGHT AFTER THE VILNIUS SUMMIT: ON 30 NOVEMBER, 2013 A SPECIAL POLICE UNIT VIOLENTLY DISPERSED THE EUROMAIDAN**

On 30 November, 2013, at approximately 4 a.m., 290 officers of the 'Berkut' Special Forces violently dispersed about 500 peaceful protesters on Euromaidan (mostly students). The Ministry of the Interior (MOI) stated that the forceful dispersal was carried out ***in order to ensure the possibility of carrying out works relating to the installation of a Christmas tree***, as the protesters "*were hindering the transportation of municipal equipment to Independence Square*". One piece of the video footage shows protesters fencing the Square with their own bodies by forming a human shield. Some people repeatedly threw eggs and refuse at the police officers, but activists stopped them from such action. [6] Thereafter, the police employed force. According to protesters, as they were being dispersed by the police, mobile communication networks at Independence Square were inaccessible.



The night of 30 November, 2013

**Of particular note is the brutality with which the police dispersed the Euromaidan.** Tear gas was used against protesters. Students, including girls, were beaten with truncheons and kicked about the head and collarbone, even after they had fallen to the ground. [7] **Police officers beat persons fleeing as far as 400 metres from Independence Square.** [8] The opposition politician Anatoliy Gritsenko, received audio files, which were subsequently published on the Internet, which are likely to be radio communications of the 'Berkut' workers on the night of the dispersal of the Euromaidan. From the media it has been possible to decipher that the Special Forces unit not only received an order to disperse activists from Independence Square, but also to hunt them down in the surrounding streets. [9]

Law enforcement officers shielded by a metal fence blocked the territory of Independence Square, where mass peaceful protests were ongoing for weeks. At the Euromaidan, 'mopped out' from protesters, the staff of municipal enterprises began to wash the blood off the pavements and install a Christmas tree.

Fleeing from police aggression, several dozen protesters hid behind the gate of St. Michael's Golden-Domed Monastery, which is located in proximity to Independence Square. Buses carrying police officers immediately began to emerge near the church. **As soon as this information was disseminated, on the morning of 30 November, 2013, thousands of Kiev residents came to the square, assembling in front of the monastery, in order to protect the protesters.** Soon after, the police left Mikhailovsky Square. On the evening of 30 November, 2013, approximately 20 thousand people gathered in the square, shouting: "Kiev - get up!" And "Revolution!". As reported by information agencies, ambassadors of Canada, Latvia, Lithuania, Netherlands, Poland, Finland, the Czech Republic, Estonia and the EU Ambassador to Ukraine arrived at the square to support the protesters.

According to Lieutenant-General of the police, Gennadiy Moskal and police General, Nikolay Kapliy, 'Berkut' Special Forces from Lugansk, Donetsk, Dnipropetrovsk, Cherkasy and the Autonomous Republic of Crimea (mainly Eastern and Southern regions of Ukraine) were deployed in Kiev in order to disperse the Euromaidan. [10] The Head of the General Directorate of the Ministry of Internal Affairs of Ukraine in Kiev, Valeriy Koryak stated that he himself ordered 'Berkut' Special Forces to forcefully disperse the Euromaidan "due to the situation that has arisen". Gennadiy Moskal noted that by these words, Valeriy Koryak is covering for his superiors as he did not have the authority to give orders to the 'Berkut' officers from other regions: *"Only the Minister of the Interior or his deputies are entitled to give such orders, and so they are fully responsible for the current events"*. [11]

**Taking into consideration the number of police officers and civic activists in the Euromaidan, law enforcement officials could have forced the protesters back without any use of force.** In addition, there is reason to believe that an order to disperse the Euromaidan by force on 30 November, 2013, could have been a result of exacerbated conflicts within the pro-government elite. [12] However, such methods of political struggle are unacceptable as they endanger the health and lives of citizens.

As a result of the actions undertaken by the police, a Reuters journalist, Gleb Garanich and a Danish journalist, Vamberg Andersen suffered head injuries. Also, two Polish citizens: a journalist Tomasz Piechal and a company director, Jacek Zabrocki, were injured; in this connection, the Ukrainian ambassador was called to the Ministry of Foreign Affairs (MFA) of Poland and asked to give an explanation regarding this matter. The chief physician of the Kiev ambulance station, Anatoliy Vershigora, reported that **medical assistance was provided to 35 injured activists, 21 of whom were taken to hospital.** Doctors sent to law enforcement agencies approximately 20 reports of casualties who had suffered injuries as a result of police action. According to the

General Prosecutor's Office, 79 people were injured, including six students and seven policemen. 10 people were hospitalised. [13] Three criminal cases were instituted against employees of 'Berkut' for abuse of power during the dispersal of the Euromaidan [14] 32 activists were arrested in connection with the violent dispersal of the Euromaidan on 30 November, 2013 (see Appendix 2). They were released following the production of administrative protocols in their case for 'disorderly conduct' and 'malicious disobedience of a lawful order by a police officer'.

Two weeks after the dispersal of the Euromaidan, on 14 December, 2013, the President of Ukraine dismissed the head of the Kiev City State Administration, **Alexander Popov** and Deputy Secretary of the National Security and Defence Council (NSDC), **Vladimir Sivkovych** at the request of the General Prosecutor in connection with suspicion of their involvement in the dispersal of the Euromaidan on 30 November, 2013. The General Prosecutor stated that the chief of the Kiev police, **Valeriy Koryak** and his deputy, **Piotr Fedchuk**, were also involved in the dispersal of the Maidan. [15] According to **Ruslana Lyzhychko**, one of those interrogated by the prosecutors, the officials were charged with abuse of office or official authority (Article 365 of the CC).

It should be noted that during the interrogation in the General Prosecutor's Office on 13 December, 2013, **Alexander Popov** stated that it was *the NSDC Secretary, Andriy Klyuyev* who first phoned him and demanded that a Christmas tree be installed on Independence Square as soon as possible on the night of 30 November, 2013. Alexander Popov also reported that on that night, *six deputies of the pro-presidential Party of Regions* were present at his office and were aware of the dispersal (*an informer of an authoritative newspaper 'Mirror Week' gave only three names: Elbrus Tedeyev, Nestor Shufrich, Alexander Egorov*). The Kiev police chief, Valeriy Koryak stated during the interrogation that the *Minister of the Interior, Vitaliy Zakharchenko* ordered him to execute all commands of the Deputy Secretary of the National Security and Defence Council. [16]

The brutal dispersal of the Euromaidan caused a rise in protest sentiment in society. **In protest against the actions of the authorities, dozens of times more people came to the streets, this time with more decisive political demands.** Since this point in time, the prefix 'euro' been used less frequently and anti-government protest has become synonymous with the word '**Maidan**'.

#### Sources:

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2. Interfax-Ukraine // The door of the European Union remains open for Ukraine, says Ashton. - <http://ua.interfax.com.ua/news/political/177554.html>
3. Ukrainskaya Pravda // Yanukovich told Merkel and Grybauskaite, how difficult the situation is for him. <http://www.pravda.com.ua/news/2013/11/29/7003498/>
4. On 20 November, 2013, the Russian Prime Minister, Dmitriy Medvedev stated that Russia would follow the developments in talks between Ukraine and the EU and, based on the results, it would make 'recommendations', not excluding the introduction of protective economic measures. The Prime Minister, Nikolay Azarov, stated that the budget for 2014 would be dependent negotiations with Russia. In November, 2013, it became known that the Migration Service of Russia had banned entry to the territory of around 20 thousand citizens of Ukraine due to violations of the law they had committed. Russia also changed the rules for customs clearance on the Ukrainian-Russian border, which led to large queues forming at the border ( information based on the Ukrainskaya Pravda) - <http://www.pravda.com.ua/>

5. The all-Ukrainian civil society organisation 'The Coalition of Members of the Orange Revolution' // 'The Organising Committee' relinquished the Euromaidan!!! - <https://www.facebook.com/vgo.kupr/posts/607989415925251>
6. The dispersal of the Euromaidan – the sequence of events. - <http://www.youtube.com/watch?v=t8u6l6BNEb0&feature=share>
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8. Radio Svoboda // 'Berkut' even beat people 400 metres away from the Maidan – as shown in video footage from surveillance cameras. - <http://www.radiosvoboda.org/content/article/25185206.html>
9. Radio Svoboda // The sanguinary dispersal of the Euromaidan. The radio live broadcasting of 'Berkut' conversations (decoded). - <http://www.radiosvoboda.org/content/article/25191458.html>
10. Procherk // Among the 'Berkut', which was dispersing protesters, workers from Cherkassy were present <http://procherk.info/news/euromaydan/18987-sered-berkutu-scho-rozganjav-mitinguvalnikiv-buli-i-cherkaschani>
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14. UNIAN // Three criminal cases were instituted against 'Berkut' workers for abuse of power. - <http://www.unian.ua/news/609706-za-perevishchennya-povnovajen-proti-berkuta-porushili-3-kriminalni-spravi.html>
15. Ukrainskaya Pravda // Sivkovich, Popov and Koryak will be punished for the dispersal of the Euromaidan. - <http://www.pravda.com.ua/news/2013/12/14/7006835/>
16. Ukrainskaya Pravda // How Popov gave away Klyuyev. New interrogation protocols regarding the dispersal of the Euromaidan. - <http://www.pravda.com.ua/articles/2013/12/15/7006937/>

### 3. FURTHER BATTERY OF PEACEFUL PROTESTORS AND JOURNALISTS. THE SECOND ATTEMPT OF THE AUTHORITIES TO DISPERSE THE MAIDAN

#### 3.1. AS A RESULT OF PROVOCATION, THE POLICE BRUTALLY BEAT JOURNALISTS AND PEACEFUL PROTESTERS NEAR THE PRESIDENTIAL ADMINISTRATION BUILDING ON 1 DECEMBER, 2013

On 1 December, 2013, at 12.00 p.m., one of the most extensive actions of civil protest in the history of independent Ukraine commenced. It was attended, according to various estimates, by **500 to 700 thousand people**. Thousands of protesters began to proceed in a column formation along the central streets of Kiev. The march was joined by European diplomats, the Vice President of the European Parliament, Jacek Protasiewicz, former president of the European Parliament, Jerzy Buzek, a former head of the Polish government, Jaroslaw Kaczynski. The all-Ukrainian strike was announced by the Confederation of Free Trade Unions of Ukraine. **Mass protests were held also in other cities:** in Lvov – 40,000 people went to the streets, in Lutsk – 8,000, in Chernivtsi – 5,000, in Kharkov – 2,000, and in Dnepropetrovsk – 1,000. [\[1\]](#)



Participants of the Popular Assembly are walking along Khreschatyk Street towards Independence Square, 1 December, 2013

In Kiev, protesters occupied the room of the Kiev City State Administration, the House of Trade Unions and the October Palace. **At the same time, the Federation of Trade Unions of Ukraine, which, through its companies, owns the House of Trade Unions and the October Palace, decided to give these buildings to protesters on a leasehold basis.** [\[2\]](#) Later, the owner of the House of Architects, also invited protesters to occupy the facility on a leasehold basis. Activists stated that since the Kiev City Administration building does not constitute a state or communal property, the government should not be interested in the occupied room. Protesters took over only the first two floors of the building. The main part of the room where the offices of administration are located, were not occupied. Therefore, the protesters urged administration officials to come to work, stressing that their activities would not be interfered with.

In addition, the protesters removed the barriers, erected by the police, from Independence Square. The police hurriedly left the central square. On Independence Square, opposition leaders put forward their demands: the resignation of the government, new presidential and parliamentary elections and the bringing to justice all those responsible for the forceful dispersal

of the Euromaidan (including the Minister of the Interior, Vitaliy Zakharchenko). Politicians urged protesters to organise a nationwide strike and to peacefully block the government quarter.



Popular Assembly on Independence Square, 1 December, 2013

On 1 December, 2013, at approx. 2.00 p.m., a group of young people, mostly masked, stormed the Presidential Administration building. Several thousand peaceful protesters gathered behind them. Troops of MIA soldiers lined up in front of the Presidential Administration building. An unknown person brought a bulldozer [3], which was used to try to ram into the soldiers. [4] Individuals from among the protesters began to beat MIA soldiers with sticks and iron bars, and throw fireworks, stones, and bottles containing flammable liquid. MIA soldiers formed a human shield and took no action. Among the protesters were those who shielded soldiers with their own bodies in an attempt to prevent individuals from violent acts.



A protest action near Ukraine's Presidential Administration building, 1 December, 2013

**Behind the soldiers' backs were employees of the Interior Ministry's special police unit 'Berkut', who were observing the developments for two hours.** From time to time, members of 'Berkut' threw stun grenades and smoke bombs at protesters from behind the soldiers' backs.

After 4.00 p.m., 'Berkut' workers began to disperse protesters from the Presidential Administration building, brutally beating anyone who didn't manage to escape. **'Berkut' workers and some of the MIA soldiers repeatedly kicked and clubbed civilians who had fallen to the ground and offered no resistance.** Video footage of the dispersal confirms that almost every policeman who ran past a lying man tried to strike him with a truncheon a few times or kick him in the head or torso. Still, some policemen tried to stop their colleagues from brutally beating persons lying on the ground. [5] On 1 December, 2013 and 2 December, 2013, **190 injured protesters** sought medical aid in the Kiev ambulance station. 46 people were hospitalised. [6]

**Police also destroyed video cameras and brutally beat journalists, despite the fact that were presenting themselves as mass media workers and displaying documentation.** As a result of the actions of the 'Berkut' Special Forces unit, near the Presidential Administration building, 4 foreign and 36 Ukrainian journalists suffered injuries to their heads and torsos (including fractures) (see Appendix 2). Police threw stones at some journalists. A journalist, Lesya Koval was knocked to the ground along with her mother, kicked in the kidneys and sworn at. A journalist, Ivan Nakonechnyi was dragged along the ground by policemen who also tried to throw him over the fence. A correspondent of the newspaper 'Litsa' ['Faces'], Valeriy Garaguts reported that while he was lying on the ground with other victims, 'Berkut' policemen took turns posing in front of them to take photographs of each other whilst planting one foot on the heads of the injured victims. They portrayed themselves as hunters and referred to the detainees as 'meat'. [7] Twelve criminal cases were instituted in connection with the beating of journalists – the Head of the Parliamentary Committee on Freedom of Expression and Information, Nikolay Tomenko, announced. [8]

According to the organisation Reporters Without Borders, which fights for the rights of the press, due to the sharp increase in the number of attacks on journalists in 2013, Ukraine was recognised as the worst country in Europe for journalists to work. 120 incidents of physical violence, in 45 cases, the attacks were committed by representatives of law enforcement agencies. [9]



Units of MIA troops blocked the streets leading to the Presidential Administration building, 1 December, 2013

In protest against the beating of journalists, the National Union of Journalists of Ukraine withdrew from the interagency working group, affiliated with the President of Ukraine (the group monitors observance of the law on freedom of expression). ***The Union of Journalists noted that the government's actions suggest that it is an 'enemy of civil society' and only 'maintains an appearance of supporting European values'.*** [\[10\]](#)

One of the organisers of the clashes near the Presidential Administration building, according to the police, is Dmitriy Korchinskiy, the leader of 'Bratstvo' ['Brotherhood'], which is known for its provocative acts. [\[11\]](#) On the day of the storming, Dmitriy was seen by journalists next to the bulldozer near the Presidential Administration building. Journalists unsuccessfully appealed to law enforcement authorities with a request that the investigation into the role of Korchinskiy in the clashes be carried out. It wasn't until two weeks later, on 14 December, 2013, that the Interior Ministry put him on the international wanted list. At that time, Dmitry Korchinskiy was already outside Ukraine.

***Opposition leaders stated that provocateurs are responsible for the events near the Presidential Administration building, and urged citizens to hold a peaceful rally on Independence Square.***

Public concern was also caused by the fact that 2 hours prior to the beginning of the clashes, on Bankova street, the police freely let pass two buses with civil registration plates, filled with persons who weren't wearing any recognisable uniforms, into the courtyard of the Presidential Administration building. [\[12\]](#) Also, during the storming, three men in helmets were observed, who were first standing in the crowd and pushing MIA soldiers, but were later seen standing behind the police officers. Officers of 'Berkut', who were standing next to them, did not react. After some time, MIA soldiers freely released these three to rejoin the protesters. Programmer Anton Nemtsev named himself one of those who were behind the security cordon of policemen. According to him, the protesters 'pushed him' through the rows of MIA soldiers. Then one of the policemen formed a corridor for the three, allowing them to leave the territory of the Administration building, cordoned off by the police. [\[13\]](#)

According to the Interior Ministry, as a result of the clashes near the Presidential Administration building, approximately 100 police officers suffered moderate injuries. 50 of them were hospitalised. [\[14\]](#)

On 3 December, 2013, the Ukrainian parliament considered the motion to dismiss the government, but it was not accepted - the pro-presidential Party of Regions and the Communist Party of Ukraine didn't take part in voting for the resignation. The Kiev protesters continued to block Independence Square and the government quarter, as well to picket the base stations of 'Berkut' Special Forces, the buildings of the Prosecutor's Office, the Interior Ministry and the courts, which ruled to detain activists. At the same time, on 5 December, 2013, the Ministry of the Interior, citing the court's decision, announced to the protesters that if they did not stop blocking the government building within 5 days, the police will 'take measures'. [\[15\]](#)

***On 8 December, 2013, at the anti-government rally in central Kiev, according to various sources, 300 to 600 thousand people gathered*** (yet another one of the largest protests in the history of independent Ukraine). At a national meeting, primary requirements were declared: the release of those unjustly arrested for taking part in the protests, the resignation of the government and the president, the signing of the Association Agreement with the EU by the new government. Police blocked all the streets leading to government buildings with buses and cordons. Protesters began to strengthen the barricades in the streets leading to the buildings of the Presidential Administration and the Cabinet.

The next day, on 9 December, 2013, MIA troops started being deployed to Kiev, where they surrounded the government quarter. Protesters peacefully talked with the soldiers, asking if they were not cold and whether they were hungry; they treated the soldiers with tea and sandwiches. ***On the evening and night, 'Berkut' workers pushed protesters away from the barricades installed near the government buildings.*** Protesters protected the barricades with their bodies, but they didn't provoke a conflict. [\[16\]](#) Subsequently, municipal services dismantled the barricades.

***On 9 December, 2013, armed officers of 'Berkut' broke open the door to the office of the opposition party 'Batkivshchina' ['Fatherland'], broke into the server room and began to seize equipment.*** Police also raided the office of the media outlet 'Tsensor.net', 'Vecherniye vesti' ['Evening News'] and INTV. The Ministry of Internal Affairs announced that the search and seizure of the equipment was part of 'a criminal investigation regarding fraud and abuse of office'. 'Berkut' workers did not present permits or produce an inventory of the seized property. [\[17\]](#) Previously, ***on 8 December, 2013, the Security Service of Ukraine opened a criminal case 'in connection with committing illegal actions aimed at seizing state power by individual politicians' under Article 109 § 1 of the Criminal Code (CC) of Ukraine.*** According to the opposition leader Arseniy Yatsenyuk, in this case, aside from him, politicians Aleksandr Turchynov, Oleg Tyahnibok and 8 others are involved. [\[18\]](#)

### **3.2. MISSIONS OF THE EU AND THE UNITED STATES WITNESSED THE SECOND ATTEMPT BY THE AUTHORITIES TO DISPERSE THE PROTEST ON INDEPENDENCE SQUARE ON THE NIGHT OF 11 DECEMBER, 2013**

After diplomatic assurances had been given that force would not be used, the authorities, for the second time made an attempt to disperse the Maidan with the use of Special Forces.

On 9 December, 2013, in his video appeal to protesters, the General Prosecutor, Viktor Pshonka urged the crowds: *"Stop blocking public bodies, organising riots and brazenly violating the law. (...) Do not test the patience of the authorities, do not provoke law enforcement bodies, leave the facilities and unblock public transportation"*. At the same time, the General Prosecutor noted that organisers of the protests are trying to evade responsibility by ***"hiding behind parliamentary mandates and claiming to have the support of some international institutions. There has been no permission granted for such actions!"*** [\[19\]](#)

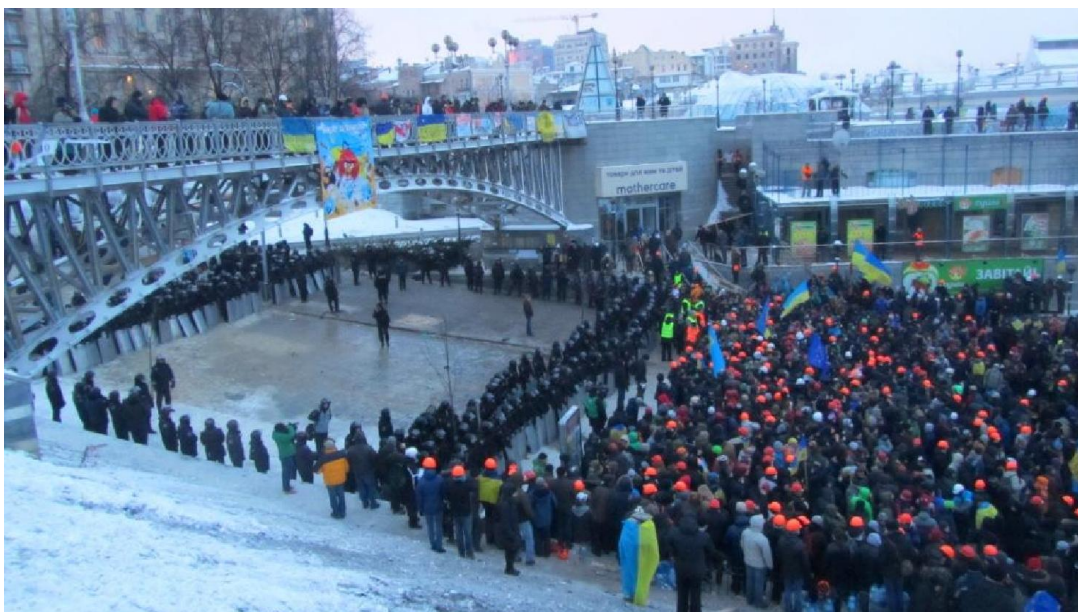
On the night of 11 December, 2013, MIA soldiers and police special unit 'Berkut' conducted a special operation to liberate the territory of Independence Square from protesters. ***At approx. 1:00 a.m., police began to surround Independence Square from four different sides: European Square, Instytutska Street, Mikhailovskaya Street and Kreshchatik Street.*** Heavy municipal vehicles (with drop-side and dump trailers) began to drive towards Independence Square. Law enforcement workers announced that they *"must clear the roadway in order to enforce the judgment of the administrative court regarding the ban on the blocking of public transportation"*. According to Article 29 of the Ukrainian Law on Enforcement Proceedings, ***enforcement actions must not be carried out earlier than at 6.00 a.m. and not later than at 10.00 p.m.*** Enforcement of the judgment during the night is only permitted "if the non-enforcement poses a threat to the life or health of citizens". [\[20\]](#)

Men, present at Independence Square, lined up before the MIA soldiers and 'Berkut' workers in order to defend the square. [\[21\]](#) Women singing the national anthem of Ukraine, remained near the Maidan stage. In Michael's Cathedral, bells began to chime, priests were reading prayers on the stage. At about 3:00 a.m., 'Berkut' officers broke one of the cordons in proximity to the

European Square and approached the stage. At the positions occupied by the police, unknown persons in yellow vests began to disassemble the tents. The property was loaded into trucks and transported away from the Maidan. [22]

After 2:00 a.m., Kiev residents began to report the violent dispersal through social networks and exchange phone numbers in order to arrange lifts to Independence Square. **By 6:00 a.m., as many as 15,000 protesters were gathered on the square, significantly outnumbering police.** According to the protesters, 'Berkut' officers applied force; they dragged people into their ranks and beat them there. [23] According to the leader of the party 'Svoboda' ['Freedom'], Oleg Tyagnibok, 'Berkut' officers used not rubber, but plastic truncheons which are more traumatic. [24] Activists noted that during the storming of the Maidan, some groups of MIA soldiers refused to advance on peaceful protesters, thereby keeping 'Berkut' workers behind their backs.

As a result of the storming of Independence Square, 30 people suffered injuries; 15 of them were hospitalised with various diagnoses, including brain injuries, bruises and fractures. [25] Among the victims were MPs of Ukraine, in particular, a representative of the party 'Svoboda' ['Freedom'], Andrey Iliencko. [26] Police took eight protesters to the Shevchenko district police precinct. They were released after the preparation of administrative protocols presenting charges under Article 173 of the Code of Ukraine on Administrative Offences ('disorderly conduct').



The morning of 11 December, 2013. Independence Square.

**On 11 December, 2013, at 9.00 a.m., Berkut' Special Forces 'proceeded to storm the building of the Kiev City State Administration, in which a group of protesters were barricaded.** Three buses filled with 'Berkut' employees drove up to the door of the building. Over 5,000 protesters gathered near the building. **When the Special Forces officers disembarked from the buses, people began to surround them and push them, forcing them to reembarc.** People asked 'Berkut' workers, sitting on the buses, not to use force. From the second floor of the building, protesters began to spray water on the buses using a fire hose. Also, they threw a smoke bomb and a few firecrackers on the buses. Tear gas was used against the protesters. The number of protesters grew. Soon, buses carrying policemen left the territory of the building, accompanied by the protesters. Afterwards, the protesters approached other MIA buses, demanding that the policemen leave the area around Kreshchatik. The buses began to drive away, while the protesters were pushing them. At approximately 10:30 a.m., MIA soldiers and 'Berkut' workers began to

leave the area around Independence Square. Protesters began to fortify barricades on the conquered positions around Independence Square.

***On 15 December, 2013, approximately 400,000 protesters came to Independence Square in order to take part in the protest action.***



The night on Independence Square, 15 December, 2013



Barricades on Independence Square, 15 December, 2013

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## 4. PROSECUTION AND OPPRESSION OF ACTIVISTS OF ANTI-GOVERNMENT PROTESTS AND JOURNALISTS

### 4.1. ARRESTS FOLLOWING CLASHES NEAR THE GOVERNMENT BUILDING ON 24 NOVEMBER, 2013

On 24 November, 2013, near the Ukrainian Cabinet of Ministers buildings, clashes took place between protesters and police. There were four persons detained in connection with this incident – **Valeriy Radchenko, Oleg Matyash, Vitaliy Blagorodnyi and Roman Bilenkiy**. All of the above were presented with charges under Article 296 of the Criminal Code of Ukraine (hereinafter referred to as the CC) – “hooliganism” [1], and Roman Bilenkiy was charged under Article 345 of the CC – “Threats or violence against a law enforcement officer”. [2] As a result of preliminary court hearings, preventive measures were undertaken towards the suspects in the form of house arrest or signing of personal commitments not to leave the place of residence for a duration of two months. [3]



Oleg Matyash  
photo: <http://5.ua>

On 18 November, 2013, the Shevchenskiy District Court of Kiev examined the case of 27-year-old activist Oleg Matyash. **The court found Oleg Matyash guilty of the charges levied against him, i.e. intentional assault and battery of a law enforcement officer (Article 345, section 2 of the CC of Ukraine) and sentenced him to a conditional 3 years' imprisonment with a probation period of one year.** It is noteworthy that during a pre-trial investigation, the accused acknowledged his guilt and signed an agreement of reconciliation with the victim. [4] Oleg Matyash is a group 3 disabled person, lawyer by education.

### 4.2. OPPRESSION OF PROTESTERS AND JOURNALISTS NEAR THE PRESIDENTIAL ADMINISTRATION BUILDING

After the clashes near the Presidential Administration buildings on 1 December, 2013, nine persons were detained, all of whom were diagnosed with numerous traumas and severe injuries. A number of other activists were detained on the subsequent days. **The Majority of them are charged under Article 294 of the CC – ‘organisation of and participation in mass disorders’ – which provides for a punishment of 5 to 8 years' imprisonment.**

**On 3 December, 2013, two months after the clashes, the court sanctioned a two-month incarceration in relation to 9 persons detained. Five of the suspects were presented with their charges right in hospital, where they were undergoing treatment due to gross bodily harm inflicted upon them by the ‘Berkut’ special police forces officers.** The court ruling to incarcerate the detainees was based solely on the testimonies presented by the prosecution, and no witnesses were called to testify in the process. All of the motions and evidence from the defence were rejected. [5] There was no conclusive proof of guilt presented against the defendants; what is more, the video recordings [6] of the events constitute clear evidence that the persons arrested had suffered extensive beating at the hands of the police next to the Presidential Administration buildings. There are also other facts serving to benefit the nine persons detained: none of them were acquainted with any of the others prior to the events and none of them had been identified as perpetrators. Below are stories of the nine persons detained near the Presidential Administration building.



photo:

<http://vyaznibankovoi.com>

**Yuriy Bolotov** – aged 39, a private entrepreneur. Charged under Article 294 of the CC of Ukraine ('Organisation of and participation in mass disorders'), during the appellate stage of proceedings, the charges were altered to Article 293 ('Violation of public order').

Yuriy Bolotov took no part in the protest actions whatsoever; he was simply standing by and observing the events. When he noticed the 'Berkut' special police officers running towards him, he raised his hands in the air. He was knocked off his feet and subsequently dragged several hundred metres along the asphalt pavement and into the courtyard of the Presidential Administration building, where those detained were being gathered. As a result of the beating, he suffered numerous soft tissue wounds, hematoma on his body, bruised knees and elbows. Yuriy Bolotov was interrogated in the absence of a lawyer. [7] His family were able to see him only two days after the arrest, when the case was being examined by the court on 3 December, 2013, where a decision was issued to incarcerate Bolotov for a period of two months. [8]

On 11 December, 2013, the Kiev Appellate Court heard the case of Yuriy Bolotov. The public prosecution put forward a motion to alter the charges brought against Bolotov from Article 293 ('Organization of and participation in mass disorders') to Article 293 ('Violation of public order'). [9] Yuriy Bolotov agreed to plead guilty of the violations he was incriminated with. The court found him guilty and imposed a fine of 850 hryvnias (approximately 80 euros). Afterwards, Yuriy Bolotov was released from custody. [10]



photo:

<http://vyaznibankovoi.com>

**Valeriy Garaguc** – aged 45, journalist. Charged under Article 294 the CC of Ukraine ('Organisation of and participation in mass disorders').

Valeriy Garaguc was taking photographs and capturing video footage near the Presidential Administration building in order to prepare an article for the Dnepropetrovsk 'Litsa' newspaper, where he works as the editor-in-chief. After the 'Berkut' special police forces cleared the street near the Presidential Administration building, Valeriy went back there on his own initiative in order to give aid to persons who had suffered in the process (he had a first aid kit on his person at that time). *"He came back to Bankovaya and started administering first aid to people. As he was putting some bandages on yet another injured man, he was suddenly, without any warning – probably he did not even realise what was coming to him – hit on his legs and back a number of times from behind. He fell down, they started beating him, kicking him on the head"* – Aleksandr Denisenko, a friend of his, reported. Afterwards Garaguc was grabbed and dragged into the courtyard of the Presidential Administration building, where other detained persons were being gathered. The protocol of his detainment was made out in the absence of a lawyer, who managed to reach Garaguc only four hours after the latter had been detained.

During the 3 December court session, Valeriy Gagaruc's barrister presented documents testifying to the former's occupation as a journalist and therefore his actions being the result of carrying out professional duties. Nevertheless, Judge Nataliya Grinkovskaya did not take this into account and issued a decision to incarcerate Valeriy Gagaruc for the duration of two months. [11] On 10 December, 2013, the Kiev Appellate Court was to hold the examination of an appeal by Valeriy Gagaguc; the court session, however, was interrupted by protesters and MPs from the 'Svoboda'

party On 13 December, 2013, however, the appeal by Valeriy Garaguc was finally examined, whereupon the court decided to change the mode of his preventive measures from incarceration to a personal commitment not to leave the place of his residence.

On 27 December, 2013, the Pechersk District Court held a subsequent session on Valeriy Garaguc's case. The court issued a decision for Garaguc case to be re-examined. It is noteworthy that the defendant's barrister submitted a motion for his release in relation to the passing of an amnesty act for the protest participants. The court, however, refused to accept the plea, citing procedural reasons; the plea will possibly be granted on the stage of resumption of pre-trial investigation. [12] For the time being, the criminal case against Valeriy Garaguc remains open.



photo:

<http://vyaznibankovoi.com>

**Vladislav Zagovorko** – aged 38, long-distance lorry driver; married with three children. Charged under Article 294 of the CC of Ukraine ('Organisation of and participation in mass disorders'), during the appellate proceedings, the charges were altered to Article 293 of the CC ('Violation of public order').

During the assault on the protesters at the Presidential Administration building, Vladislav Zagovorko suffered injury to his eye (right eye ablation retinae) in a detonation of a flashbang grenade, as a result of which his eyesight significantly deteriorated. After that incident he was also assailed, battered and detained by the 'Berkut' special police. He was then transported to a police station, and only after 11 hours was his lawyer allowed to see him. Having seen Vladislav Zagovorko covered in blood, the latter called an ambulance. ***Apart from the eye trauma, he was also diagnosed with a craniocerebral trauma, brain concussion, contusion, rib fracture and numerous other traumas. Regardless of these severe traumas, the doctors allowed for Vladislav Zagovorko to be transported into an investigatory isolation ward,*** where his interrogations were held on the matter of organisation of mass disorders. Vladislav Zagovorko's statement and information of him being victim of a crime committed by the 'Berkut' officers was not accepted. It was only on 6 December, 2013, that, under the pressure from the community and the mass-media, the prosecutor's office deemed Vladislav Zagovorko a victim of the 'Berkut' maltreatment and instigated a relevant criminal case. Vladislav Zagovorko was also transported from his isolation ward to a hospital. [13]

On 10 December, 2013, Vladislav Zagovorko's house was searched by the police; nothing, however, was confiscated as a result. [14] On 11 December, 2013, the case of Vladislav Zagovorko was examined at the Kiev Appellate Court. The public prosecutor proposed to alter the charges levied against him from Article 294 to Article 293 of the CC. [15] Vladislav Zagovorko agreed to plead guilty to the acts he was incriminated with. The court found the defendant guilty and sentenced him to pay a penalty fine of 850 hryvnias (approximately 80 euro). After his release, Vladislav Zagovorko will be forced to spend a number of further weeks at the Alexandrovskiy hospital in Kiev. It was there (at the neurology ward) that Vladislav Zagovorko's wife, Svetlana, remained for some time after his detention; during a court session she lost consciousness, fell and hit herself on the head. She was subsequently diagnosed with concussion. [16]



photo:  
<http://vyznibankovoi.com>

**Nikolay Lazarevskiy** – aged 23, designer. Charged under Article 294 of the CC of Ukraine ('Organisation of and participation in mass disorders').

As a result of an assault and battery on his person by the 'Berkut' special police officers, Nikolay Lazarevskiy suffered concussion, multiple lacerated wounds to the head, a broken nose, hematoma and bruises all over his body. The police also took away his wallet. [17]

On 10 December, 2013, Nikolay Lazarevskiy's flat was searched. As stated by his barrister, Anton Marchuk, the court decision on conducting the search features the name of a specific investigator, whereas the actual action was performed by another worker. Such actions may, therefore, be interpreted as a lawless entrance into a private domicile. [18] As a result of the search, no property was confiscated from the flat. [19]

On 11 December, 2013, the Kiev Appellate Court held an examination of an appeal on the Nikolay Lazarevskiy's case. The court issued a decision to release the activist, having changed his preventive measures to house arrest for the duration of two months (until 30 January, 2014). [20] **The criminal court case, instituted against him on charges of participation in mass disorders, remains open. Nikolay Lazarevskiy refused to plead guilty.**



photo:  
<http://vyznibankovoi.com>

**Sergei Nuzhnenko** – aged 31, photographer. Charged under Article 294 of the CC of Ukraine ('Organisation of and participation in mass disorders').

Arrived at the protest site with the aim of taking photographs of the developments. When the assault on the protesters began, he did not manage to run a safe distance away in time and was beaten and detained by the 'Berkut' special police force officers. As a result of the assault, Sergei Nuzhnenko was diagnosed with a closed craniocerebral injury, numerous other contusions and hematoma. During the court session on 3 December, 2013, Sergei Nuzhnenko was unable to assume a standing position and was forced to remain seated. [21]

On 11 December, 2013, the Kiev Appellate Court issued a decision to alter Sergei Nuzhnenko's preventive measure from incarceration to a personal commitment not to leave the place of residence. The criminal court case against Sergei Nuzhnenko remains open. [22]



photo:  
<http://vyznibankovoi.com>

**Egor Perevir** – aged 27, IT-specialist. Charged under Article 294 of the CC of Ukraine ('Organisation of and participation in mass disorders').

After the assault on him, he was hospitalised with a craniocerebral injury, concussion, nose fracture and sprained lower jaw. Even after two days, when his case was being examined at court on 3 December, 2013, he repeatedly lost consciousness, which testifies to the severe head trauma he must have suffered. **In spite of the grave severity of the traumas inflicted, the investigators sought his transfer to an investigatory isolation ward.** This information was reported by Valentina Grigorevna, a doctor at the emergency ward. Chief physician of the medical emergency hospital, Aleksander Tkachenko, demanded that she diagnosed Egor with an illness which would not prevent him from being transferred to the detention facility. Nevertheless,

Valentina Grigorevna refused and recorded a true (i.e. not falsified) diagnosis; as a consequence, she was dismissed from work. “I simply wrote a diagnosis and said the man was in need of cerebral rehabilitation treatment. That’s it!” [23], - Grigorevna said.

During the court session, Egor Perevir described the particulars of his beating by the ‘Berkut’ officers; they were harassing him, posing for photos with him lying on the ground, pretending to be his conquerors, and simply treading on him with their feet. He was detained at approx. 5 p.m., but transported to a police station only at 10 p.m. – all the time in between having been kept on the street, right on the pavement (the temperature that night was on the verge of zero degrees Celsius). During the court session, members of parliament cited their intention to stand bail for Egor Perevir, thus attempting to release him, but the judge declined their motion. [24] Egor Perevir is charged with crimes punishable under Article 294 of the CC of Ukraine (‘Organisation of and participation in mass disorders’). The prosecution claimed that during his detention, Egor Perevir was allegedly wearing an armored vest, which is strongly contradicted by his sister Christina. In her words, the 1 December rally was all but the first one that Egor Perevir ever visited, and the only reason for his presence near the Presidential Administration building was sheer curiosity, as there was a significant number of people crowded there. [25]

On 9 December, 2013, the investigating officers conducted a search at Egor Perevir’s flat **prior to the arrival of his barristers**. During the search, the following items were confiscated: system unit of the computer; blank application form to join the Dmitriy Korchinsky ‘Bratstvo’ organisation; and agitation leaflets of the ‘Bratstvo’. **During the search and the seizure of these materials, the witnesses were in another room**. Egor Perevir’s relatives are certain that the alleged ‘evidence’ must have been planted by the law enforcement officers. [26]

On 13 December, 2013, the Kiev Appellate Court issued a decision to change the preventive measures for Egor Perevir from incarceration to house arrest for the duration of two months. The criminal case against him remains open.



photo:  
<http://vyznibankovoi.com>

**Aleksandr Ostashchenko** – aged 32, engineer, married with child. Charged under Article 294 of the CC of Ukraine (‘Organisation of and participation in mass disorders’).

The video footage of the events near the Presidential Administration building on 1 December, 2013 gives a clear account of the ‘Berkut’ special police officers beating Aleksandr, after which he is being dragged into the Administration building courtyard, receiving further continuous blows. [27] As a result of the battery, he suffered concussion, fractures of fingers, contusion of the chest and numerous hematoma all over the body.

Aleksandr Ostashhenko’s wife was only able to visit him during the court session of 3 December, 2013. The argumentation of the defending barrister was not taken into account and Ostashhenko was subsequently incarcerated for the duration of two months. [28]

On 12 December, 2013, the Kiev Appellate Court decided to alter the preventive measures for Aleksandr Ostashhenko from being held in custody to personal commitment not to leave his place of residence. The criminal case under Article 294 (‘Organisation of and participation in mass disorders’) against him remains open. [29]



photo:  
<http://vyaznibankovoi.com>

**Yaroslav Pritulenko** – aged 21, sales assistant at an extreme sports equipment shop. Charged under Article 294 of the CC of Ukraine ('Organisation of and participation in mass disorders').

When he was detained, Yaroslav Pritulenko was wearing a helmet and special protection on his back – one similar to that used by snowboarders (numerous of Euromaidan participants, fearing the battery by the police, come to the rallies with some type of *ersatz* protection). For this very reason, he was detained. Plain clothes persons knocked him on the ground and started beating him, after which he was transported to a police department.

On 10 December, 2013, Yaroslav Pritulenko's flat was searched; as a result, the police officers confiscated children's knee protection pads, collector's motorcycle helmets, as well as swimming goggles. [30] On 11 December, 2013, the Appellate Court examined the case of Yaroslav Pritulenko; the appeal was dismissed. He will be remanded in the investigatory detention ward for the duration of two months. [31]



photo:  
<http://vyaznibankovoi.com>

**Gennadiy Cherevko** – aged 41, sales agent, married with two children. Charged under Article 294 of the CC of Ukraine ('Organisation of and participation in mass disorders').

During the clashes at the Presidential Administration building, Gennadiy Cherevko was standing next to the police line, filming the events with his mobile telephone. When the 'Berkut' special police started assailing the protesters, Gennadiy Cherevko attempted to run, together with the remaining crowd, but stumbled and fell, after which he was captured by the police. As he was being force-led through the 'Berkut' police officers ranks, each of them landed a blow with their batons. After the beatings, Gennadiy Cherevko was diagnosed with a fracture of the right wrist, a cut

on his head, as well as numerous hematoma. The charges of participation in mass disorders were presented to him in hospital. [32]

On 11 December, 2013, the Kiev Appellate Court ruled to alter the preventive measures for Gennadiy Cherevko from incarceration to house arrest for the duration of two months. The criminal case against him remains open. [33]

**The data cited prove that near the Presidential Administration building, peaceful protesters who were merely observing the developments, were being detained. The 'Berkut' special police officers severely beat them, which is confirmed by numerous traumas of each and every one of the persons detained. Afterwards, they were all, in absence of any significant evidence, charged of 'organisation of and participation in mass disorders'. Two of the detained (namely, Vladislav Zagovorko and Yuriy Bolotov) decided to cooperate with the investigators and pleaded guilty, as a result of which the charges against them were altered to lesser charges, after which they were fined and released. It is obvious that Vladislav Zagovorko and Yuriy Bolotov decided to take this step as they wanted to be released as soon as possible, even at the price of blotting their criminal record, which will remain theirs to carry.**

**Nikolay Lazarevskiy stated that a prosecutor's office employee suggested to him that he should admit his guilt in participation in mass disorders in exchange for dropping more serious charges of their organisation. There were also attempts to influence Nikolay Lazarevskiy through his**

relatives, but he refused to plead guilty of any criminal acts whatsoever [34]. It is quite probable that other persons accused were also presented with proposals to admit their alleged guilt, but they refused to do so, hoping to be acquitted of the charges by the court. The alleged crimes they are charged with ('organisation of and participation in mass disorders') are punishable by imprisonment of 5 to 8 years.

Owing to interference by the international community, which has condemned the battery of peaceful activists, all detainees, except for Yaroslav Pritulenko, had their preventive measures reduced and were released from custody. Nevertheless, it is doubtful whether this action may be viewed as positive, taking into account the fact that these were innocent people who were detained and now, aside from the suffered physical traumas and contusions, they are all threatened with prison sentences.

The developments which unfolded near the Presidential Administration building on 1 December, 2013 also led to subsequent arrests on the days that followed of the 'Dorozhnyi kontrol' public organisation journalist **Andrey Dzyndzya** as well as activist **Vladimir Kadura**.

Andrey Dzyndzya and Vladimir Kadura are both accused of having stolen the bulldozer that was used to ram through the police barricade at the Presidential Administration building.



photo:

<http://vyznibankovoi.com>

**Andrey Dzyndzya** was detained on 5 December, 2013 and beaten in the process. On 6 December, 2013 the Shevchenskiy District Court of Kiev held an examination of the Andrey Dzyndzya case, wherein he was presented with the charges under Article 293, section 3 of the CC of Ukraine ('lawless appropriation of a means of transport, coupled with violence posing a threat to life and health of wronged parties'). The prosecution failed to present conclusive evidence that would substantiate Andrey Dzyndzya's guilt; the photographs and video recordings of the protest show the journalist busy capturing video footage of the events, whereas the actual driver of the bulldozer is another individual. The national delegates attempted to stand bail for Egor Perevir, thus trying to release him, but the judge Vladimir Bugin declined their motion and pronounced his decision that Andrey Dzyndzya be incarcerated for the duration of two months. On 20 December, 2013, the Kiev Appellate Court upheld the decision.

It is noteworthy that incarceration for two months was also imposed on Andrey Dzyndzya's lawyer, **Viktor Smaliy**, who is accused of an 'attempt on the judge's life' (Article 379 of the CC of Ukraine). [35], [36] On 11 December, 2013, the Dneprovskiy District Court of Kiev ruled to incarcerate him for the duration of two months, and the Kiev Appellate Court upheld the latter's decision.



photo:

<http://vyznibankovoi.com>

The alleged "theft of the bulldozer that was used to ram through the police barricade at the Presidential Administration building" also led to the two-month-long incarceration of **Vladimir Kadura**, who is, similarly to Andrey Dzyndzya, incriminated with a crime under Article 293, section 3 of the CC of Ukraine. As Yulya Gress, Vladimir Kadura's wife, stated, the court session was all but a formality, as the arguments of the barristers were in no way taken into consideration. Vladimir Kadura's barrister, Evgeniy Grushovec, stated that the house of his client was searched by the police; in the process, numerous procedural violations were observed, which may testify to the falsification of evidence. [37] **Vladimir Kadura's barristers**

have admitted that it was none other but he who was in the bulldozer when the police line was being rammed near the Presidential Administration building, rejecting, however, the allegations of attempts on the police officers' lives by their client. On 17 December, 2013, the Kiev Appellate Court issued a decision that Vladimir Kadura is to remain in custody, regardless of the fact that certain members of parliament were willing to stand bail for him. [38]

Andrey Dzyndzuya and Viktor Kadura are both facing a possible 12 years' imprisonment.

#### 4.3. ARRESTS FOLLOWING THE STORMING OF THE KIEV CITY ADMINISTRATION BUILDING

With relation to the assault and capture of the Kiev City Administration building, the police instigated a criminal investigation due to corporal damage having been inflicted on the law enforcement officers. On the following days, Roman Teslenko, a student, and Oleg Panas, a press photographer, were arrested. The attempt to topple a monument of Lenin, located next to the Bessarabskaya square in Kiev, led to the arrest of Aleksandr Solonenko.



photo:  
<http://portal.lviv.ua>

**Oleg Panas**, a 27-year-old non-staff correspondent of the 'Vinnikivskiy visnik', 'Vinniki plyus' and 'Uspenskiy visnik', was detained in Lvov on 9 December, 2013. Afterwards, for unknown reasons, he was promptly delivered to Kiev, where on 10 December, 2013, the Shevchenskiy District Court of Kiev examined his case. Oleg Panas was not present at the court session in person; he was questioned via a videoconference. Oleg stated that he suffered a beating during his detainment: "I was assailed by two men, who started beating me. They knocked me down, showed no ID, twisted my hands behind my back and dragged me over to the junction. I screamed the whole time. I didn't see a thing as they drove me in their car, all that time I had no idea they were police". [39]

There are currently five ongoing criminal investigations against Oleg Panas:

- Article 194 ('Willful damage or destruction to property'),
- Article 294 ('Organisation of and participation in mass disorders'),
- Article 341 ('Seizure of state-owned or public buildings'),
- Article 342 ('Resistance shown to acting law enforcement or legal authority officer'),
- Article 345 ('Threats or violence against law enforcement officer').

In relation to Oleg Panas, the court issued a decision to put him into custody for the duration of two months. [40]

On 17 December, 2013, the court ruled to release Oleg Panas owing to the agreement reached by him with the investigators – he pleaded guilty to the criminal offence under Article 293 of the CC of Ukraine ('Violation of public order') and agreed to pay a fine of 850 hryvnias (approximately 80 euros). Aside from that, according to the agreement reached, he will have no criminal record. [41]



photo:  
<http://procherk.info>

**Roman Teslenko** – aged 22, student, born in Cherkassy. Detained on 10 December, 2013 as, according to the police version, on 1 December, 2013, near the Kiev City Administration building, he was allegedly found in possession of an incendiary mixture. He was incriminated under three Criminal Code articles:

- Article 294 ('Organisation of mass disorders'),
- Article 342 ('Resistance shown to acting legal authority officer'),
- Article 345 ('Threats or violence against law enforcement officer'). [42]

On 11 December, 2013, the Shevchenskiy District Court of Kiev decided that Roman Teslenko is to be incarcerated for the duration of two months. Motions of members of parliament offering to stand bail for him were not taken into consideration. [43]

On 17 December, 2013, yet another court session was held on Roman Teslenko's case by the Shevchenskiy District Court. Teslenko acknowledged he was guilty of the criminal acts he was accused of in their full extent, as described in Article 293 of the CC of Ukraine ('Violation of public order'), and agreed to plead guilty thereto. Judge Marina Antonyuk decided to fine Roman Teslenko for 850 hryvnia (approximately 80 euro) and release him from custody. [44]



photo:  
<http://korec.org.ua>

**Aleksandr Solonenko** – member of the Koretskiy District Council of Rovensk Province, head of VO 'Svoboda' district organisation. Detained on 1 December, 2013 in Kiev during a failed attempt to topple a monument of Lenin (having been thwarted by a 'Berkut' special police detachment which arrived just in time to prevent it). Aleksandr Solonenko was accused of 'hooliganism performed by a group of persons, coupled with active resistance to acting police officers and use of firearms or sidearms or other objects, wilfully prepared or previously adapted in order to inflict corporal trauma" (Article 296, section 4 of the CC of Ukraine). On 3 December, 2013, the Shevchenskiy District Court of Kiev decided that Aleksandr Solonenko is to be incarcerated for the duration of two months. [45]

On 13 December, 2013, the Shevchenskiy District Court ruled to release Aleksandr Solonenko in view of his resolve to admit his guilt to act described in Article 293 of the CC of Ukraine. He is to pay a fine of 850 hryvnia (approximately 80 euro). [46]

#### 4.4. CRIMINAL PROCEEDINGS AGAINST PARTICIPANTS OF ANTI-GOVERNMENT PROTESTS IN VARIOUS REGIONS OF UKRAINE

In an attempt to scare the participants of anti-governmental protests into submission and prevent the further spread of the wave of civil dissent, the authorities attempted to bring to justice as many of the protesters as it is possible. Arrests and detainments take place not only in Kiev exclusively, but also in other regions of the country.



**Mariya Babyuk**  
photo:  
<http://20minut.ua>



**Mariya Chashka**  
photo:  
<http://politrada.com>



**Vladimir Stayura**  
photo:  
<http://deputat.te.ua>

**Mariya Babyuk, Vladimir Stayura, Mariya Chashka** – activists of the Ternopol Maidan, members of the 'Svoboda' party. All the three activists were accused of 'seizure of buildings vital to the

activity of state authorities' under Article 341 of the CC of Ukraine, which provides for punishment of imprisonment for the duration of 3 years. The law enforcement authorities took a similar interpretation of the peaceful protest action of 3 December, 2013 near the Ternopol Regional Council building; the respective case was examined in the Ternopol City District Court on 13 December, 2013 before the presiding judge Oleg Holyava. None of the accused resolved to plead guilty, claiming that they were taking part in a peaceful assembly and were not intending to seize the council building. An employee of the municipal administration, one of the examined witnesses, stated that she was able to reach her working place without any hindrance whatsoever on the day of the assembly. The public prosecution demanded that preventive measures – i.e. house arrest - be imposed on all the three detained; however, Judge Oleg Holyava decided to release the suspects from custody against their personal commitment not to enter the premises of the regional council. [47] According to Vladimir Stayura, by asking for house arrest measures for the detained activists, the public prosecution sought to isolate them from the places of further mass protests. [48]



photo:  
<http://deputat.volyn.ua>

**Sergey Grigorenko** – aged 34, head of the Lutsk cell of the 'Batkivshhina' party, member of the Lutsk Municipal Council. With relation to the peaceful actions conducted on 2 and 3 December in Lutsk, the municipal prosecutor's office and police accused Sergey Grigorenko of violations of two of Articles of the CC – Article 295 ('Incitement to actions posing a threat to public order') and 341 ('Seizure of state of civil buildings and infrastructure'). Grigorenko does not accept these accusations.

On 13 December, 2013, the judge of Lutsk City District Court, Vitaliy Kovtuchenko decided to elect a preventive measure for Sergey Grigorenko

– house arrest for the duration of 2 months, for as long as the investigative actions are being carried out. [49] He is facing 3 years' imprisonment.



photo:  
<http://guzi.info>

**Igor Guz** – aged 31, member of the Volyn Regional Council, deputy head of the Volyn branch of the 'Batkivshhina' party (the city of Lutsk). On 20 December, 2013, law enforcement authorities presented Igor with a notice, listing him a suspect in a criminal case in relation to Article 296, section 2 of the CC of Ukraine ('Hooliganism'), Article 295 ('Incitement to actions posing a threat to public order') and Article 341 ('Seizure of state-owned or civil buildings and infrastructure'). The activist is facing a sentence of up to 4 years' imprisonment. [50] On 25 December, 2013, Judge Vitaliy Kovtunencko selected a measure of prevention for Igor Guz,

namely: a house arrest of two months' duration. [51] The court case against Igor Guz was instigated in relation to a criminal investigation into the 2 December, 2013 events, when the rally participants were picketing the building of the Volyn Regional Council.



photo:  
[facebook.com](https://www.facebook.com)

**Maya Moskvich** – aged 23, head of the ‘Nacyonalniy Alyans’ community organisation (the city of Lutsk). Maya Moskvich is accused of having organised an action which took place on 2 December, 2013, when a number of portraits of Viktor Yanukovych were removed and carried out of the Volyn Regional Council premises. One of the aforementioned portraits was hung upside down on a pine tree on the central city square, Theatre Square. Maya Moskvich was presented with charges under Article 295 of the CC of Ukraine (‘Incitement to actions posing a threat to public order’), as well as Article 296, section 2 (‘Hooliganism performed by a group of persons’). [52]

On 17 December, 2013, the Lutsk Regional City Court held a session to examine the case of Maya Moskvich. The investigator Yuriy Markevich and the prosecutor Vadim Priymachok insisted that preventive measures should be taken towards Maya Moskvich, as she repeatedly stated that she intended to participate in the anti-governmental protests held in Kiev. Judge Vitaliy Kovtunenکو ruled to ban Maya Moskvich from leaving the territory of the Volyn Province as well as appearing on Theatre Square in Lutsk. The court obliged her to wear an electronic bracelet on her leg for the duration of two months as means of restraint. [53] However, Maya Moskvich submitted a complaint regarding the bracelet, claiming it irritated her skin and made it uncomfortable for her to wear winter boots; the court subsequently allowed for the bracelet to be taken off. If Maya Moskvich’s guilt is proven, she may be sentenced to 4 years’ imprisonment.



photo:  
<https://www.facebook.com>

**Vitaliy Podlobnikov** – aged 49, leader of the Zoporozhe cell of the ‘Svoboda’ party. Vitaliy Podlobnikov was accused of violation of public order during a peaceful protest action near the building of the Zaporozhe City Council on 2 December, 2013. He is charged under Article 293 of the CC of Ukraine (‘Violation of public order in a group of people’) for which he is facing up to six months’ incarceration or a fine. On 17 December, 2013, the court decided to impose a preventive measure on him in the form of a personal commitment not to leave his place of residence.



photo:  
<http://kropyva.ck.ua>

**Yaroslav Prihodko** – aged 22, activist of the Cherkassy Euromaidan. On 11 December, 2013, there were approximately 150 persons gathered on the square near the Cherkassy City Council, expressing their support for the protesters in Kiev. Participants of the rally started to raise the EU flag on a flagpole next to the council building. Dozens of police officers attempted to prevent them from doing so, as a result of which, clashes broke out between the police and the protesters. The flag, however, was raised nonetheless. There were numerous local politicians and civil activists taking part in the events [54] but Yaroslav Prihodko was the only one detained.

On 11 December, 2013, a criminal case was opened against him for ‘using violence against an acting police officer’ (Article 345, section 2 of the CC of Ukraine - the respective article providing for a punishment of up to 5 years’ imprisonment). On the very same

day, according to the official data, he was presented with legal charges. [55] Nevertheless, Yaroslav himself claims that he was informed of his status as a defendant only on 13 December, 2013 – barely an hour prior to the case’s examination by the court. As a result, the court ruled to put Yaroslav Prihodko under house arrest for the duration of two months. As for the time being, the case is still being investigated. [56]



**Sergey Sabov**  
photo:  
<http://dt.ua>



**Viktor Pandzhakidze**  
photo:  
<http://vasilkovnews.com>

**Sergey Sabov** – member of the Vasilkovsky City Council from the ‘UDAR’ party; **Viktor Pandzhakidze** – the head of ‘Vasilkyservis’ utility company (Vasilkov town of the Kiev Province). There are criminal cases instigated against Sergey Sabov and Viktor Pandzhakidze under Article 279 of the CC of Ukraine (‘Blocking communication routes’). They were among the activists, who on 9 December, 2013 and 10 December, 2013 attempted to route the way of ‘Tigr’ special police force detachment, which was deployed in the cities

of Vasilkov and Kiev. Searches have been conducted in the suspects’ domiciles upon court orders. [57], [58] If the guilt of Sabov and Pandzhakidze is proven, they are both facing a fine or a restraint of freedom for up to 3 years’ in duration.

The ‘Tigr’ special police detachments had been stationed in Vasilkov (Kiev’s satellite town) for over a week in case reinforcements were needed in order to forcibly-disperse the rally participants in the Ukrainian capital. All this time, the town dwellers attempted to thwart their departure towards Kiev. On 10 December, 2013, the police dispersed the activists attempting to block the departure of the ‘Tigr’ detachments.



photo:  
<http://www.0462.ua/>

**Leonid Senchenko** – aged 36, private entrepreneur, head of the ‘Golos Ukrainy’ broadcasting company (the city of Chernigov). A criminal case was instigated against Leonid Senchenko under Article 382, section 1 of the CC of Ukraine (‘Failure to execute court verdict’). He is accused of the fact that, contrary to a court verdict (regarding limitations to the use of audio equipment on the Krasnaya Square from 23 November, 2013 to 7 January, 2014), he provided sound-amplifying equipment for a rally which was held by the opposition forces on the Krasnaya Square in Chernigov on 7 December, 2013.

On 17 December, 2013, the Desnyansky District Court of Kiev held a session to examine the case of Leonid Senchenko. The public prosecution demanded that preventive measures should be taken against Leonid Senchenko, namely one in the form of house arrest. Judge Ruslan Grigoryev, having taken into account the circumstances (i.e. Leonid Senchenko having two minor children, as well as the fact that limitations in his freedom of movement will make his business activity impossible) decided to disregard the motion by the public prosecution. The criminal case against Leonid Senchenko remains open, he is facing a sentence of up to 3 years’ imprisonment. [59]

On 19 December, 2013, the Ukrainian Parliament enacted a bill of law proposed by the opposition, providing for an unconditional release from criminal liability of “participants of protest actions, as well as members of mass events, in relation to their actions and decisions”. [60] According to this bill of law, the release (constituting the release of detained and closure of all criminal cases) is to encompass all the persons who participated in protest actions from 21 November, 2013 until the moment the bill entered into force. Viktor Yanukovich is expected to sign the bill or return it for amendments within 15 days.

The opposition has labelled this bill of law ‘the victory of protesters’; numerous lawyers and Members of Parliament, however, remain its fierce critics. For example, Ukrainian national MP Anatoliy Gritsenko considers that “the act will also exempt from responsibility law enforcement officers and especially officers of ‘Berkut’, who repeatedly beat the peaceful protesters”. [61] In the opinion of the former head of Ministry of Justice, Roman Zvarych, certain difficulties may arise in the interpretation of the notion ‘participants of protest actions’. ***The term ‘participant’ has no legal definition in the Ukrainian law, which opens up possibilities for a selective implementation of the law.*** Zvarych does not exclude the possibility that since the bill does not include a clear definition of who the “participants of protest actions, as well as members of mass events” are to be understood as, then the law may well be implemented outside of the primary scope intended. [62]

***The intended selective use of the said act of law is also prognosticated by the ruling party members.*** Member of Parliament of the pro-presidential Party of Regions, Vladimir Oleynik, stated that the law is intended to release from liability the “members of mass events” which also appears to include the police. Member of Parliament of the Party of Regions, Mikhail Chechetov, remarked: “The bill of law has no relation to those who called for the overthrow of state authorities or assailed police officers – these people will be punished as the law provides”. [63]

On 25 December, 2013, Member of Parliament of the Party of Regions, Nikolay Levchenko, registered with the Parliament a draft bill on ‘inadmissibility of prosecution against law enforcement officers and state officials, as well as any and all other participants of events transpiring during the mass events’.

The said bill of law, providing for exemption from liability of the activists, became the cause for numerous disputes and discords. It is highly unlikely that it will become a consolidating factor for the authorities and civil society, being in any way whatsoever capable of resolving the political crisis in the country.

#### 4.5. ASSASSINATION ATTEMPTS AND THREATS AGAINST ACTIVISTS OF THE EUROMAIDAN



Tatyana Chornovol  
photo: <http://portal.lviv.ua>

After midnight, on the night of 25 December, 2013, an assault took place on **Tatyana Chornovol** – an activist of the Euromaidan and renowned Ukrainian journalist, a repetitive critic of the highest state officials of the country (such as Viktor Yanukovich, Nikolay Azarov, Andrey Kluyev, Vitaliy Zaharchenko), having described in detail the excessive luxury and opulence of their private property. On the day before the assault, on 24 December, 2013, Tatyana Chornovol was capturing video footage of the property belonging to the Minister of

Interior, Vitaliy Zakharchenko and General Prosecutor Viktor Pshonka. The journalist published an article describing Zakharchenko's estate and the extensive security surrounding him. [64]

On the night of 25 December, 2013, while driving home, Tatyana Chornovol noticed that she was being followed by a car. She tried to evade her pursuers, but the car driving behind her managed to cut her car off. In Tatyana's words, two men ran to her car and broke the window glass. She started running away; however, they chased and caught her, after which she was beaten severely and left lying on the ground. It was not long afterwards that a patrol of traffic police noticed the damaged car standing on the roadside; Tatyana Chornovol was lying not far from it. [65] The doctors diagnosed Tatyana Chornovol with craniocerebral trauma, concussion, a fractured nose, numerous haematomae on her face and contusions of tissue.

Sergey Pashinskiy, Member of Parliament from the opposition party 'Batkivshhina' noted that the character of the assault testifies to the fact it was no mere act of hooliganism, but rather an attempt on the journalist's life through a meticulously planned operation. The opposition politician Anatoliy Gricenko stated that the video recording from Tatyana Chornovol's camera is available: "To begin with, there were three assailants; the car make and license plate are visible on the footage". [66]

The president Viktor Yanukovich condemned the attack on Tatyana Chornovol and ordered the General Prosecutor and the Minister of Interior to promptly examine the case. The Ministry of Interior stated that one of the possible motives for the assault on Tatyana Chornovol could have been 'provocation': *"As it is known to the investigators, the activist was known to often stay overnight at the Trade Unions House [Dom Profsoyuzov] and only travelled in the company of other people. On the night of the assault she was alone and therefore it is likely that was an opportunity the assailants took advantage of"*. [67] The activists claim that Tatyana Chornovol had remained on the Maidan for a long time already that night and was going back home to see her family. On 25 December, 2013, 18 hours later, the press services of the Ministry of Interior stated that the identities of the three assailants had been determined; two of them had already been detained and a warrant of arrest had been issued for the third. Initially, a criminal case was instigated on Tatyana Chornovol's case from the criminal code article of 'Hooliganism' (maximum sentence thereto being 4 years' imprisonment), but later, under pressure coming from civil society, the charges were altered to 'infliction of gross bodily harm' (punishable by a sentence of up to 8 years' imprisonment). [68]

Before that, the Euromaidan activists stated that Tatyana Chronovol was one of the persons involved in the criminal case instigated by the prosecutor's office with relation to the assault on the Ukrainian Security Service (the SBU) during the mass protest action on 25 November, 2013. It was then that Tatyana Chornovol, together with other opposition activists, forced her way into a microbus parked next to the Maidan wall on the European Square. What they discovered inside was apparently spying audio equipment and persons in plain clothes, refusing to state their names. The opposition politician stated that these people were illegally wiretapping members of parliament. The Security Service of Ukraine, in turn, stated that, by doing so, they were implementing anti-terrorist security measures during the mass event. Tatyana Chornovol claimed she was attempting to live in the Maidan so that the police would not be able to arrest her.

***For one of the activists, the beating he suffered from people dressed in uniforms of internal security troops became the most likely cause of his demise.*** Pavel Mazurenko, aged 41, was allegedly beaten by the police officers on 18 December, 2013. He was stopped in one of the streets of Kiev by a group of three men, all of them dressed in black uniforms, with helmets and batons, appearing as officers of the internal security forces, asking him to show his ID. Pavel Mazurenko only had a Xerox copy of his national passport on him, which he proceeded to present.

*“His registered place of residence is not in Kiev. As soon as the police checked his ID, they started talking about the Maidan. They said: “Flocking into the Maidan... getting tired of you all and your Maidan” and started beating him about the head with their batons.”* – Pavel Mazurenko’s wife, Lesya Mazurenko, told the journalists. Regardless of the traumas suffered, Pavel Mazurenko refused to go into hospital. After some days, his condition deteriorated. **On 21 December, 2013, Pavel Mazurenko was hospitalised and diagnosed with concussion. He subsequently died on 22 December, 2013.** [\[69\]](#)

**According to the official version given by the Ministry of Interior, Pavel Mazurenko’s cause of death was pneumonia, and not the traumas inflicted on him.** The press-secretary to the Kiev police, Olga Bilyk, the craniocerebral trauma is not mentioned in the conclusions of the forensic expertise. Also, according to her, there is no evidence that Pavel Mazurenko was beaten by police officers and not other individuals. The Ministry of Interior is continuing the investigation into the case. [\[70\]](#)

On 21 December, 2013, an assault took place on the ‘Dorozhnyj Kontrol’ activist **Vladimir Maralov**; he was shot at from a pistol and had his car set on fire. The perpetrators were attempting to coerce Vladimir Maralov into disclosing the whereabouts of Andrey Dzyndza, which he was unable to do, having not been aware thereof. After that, he was shot with a pistol (the bullet missing the heart by a couple of centimetres). In Vladimir Maralov’s own words, his assailants were very professional in handling their weapons. [\[71\]](#)

The journalists of lb.ua published a ***list of Euromaidan activists and members of opposition parties having suffered attacks or damage to their property in various regions of Ukraine***. The assaults were carried out by persons unknown, and the police did not publish any results of the investigative actions. [\[72\]](#)

- Artsiz (Odessa region): on 21 December, 2013 the activist Evgeniy Burkut had his car set on fire.
- Zhitomir: on 23 November, 2013 and 28 November, 2013 the editor-in-chief of the ‘20 minut’ newspaper, Vlad Puchin, was assailed and beaten up twice. On 15 December, 2013, the president of the local division of the ‘Svoboda’ party, Viktor Brokarev, was beaten up. On 22 December, 2013, an assault took place on the head of local division of the ‘Democratic Alliance’ party, Dimtriy Tkachuk.
- Ivano-Frankivsk: during the night of 30 November, 2013, one of the organisers of the local Euromaidan, Maksim Kitsyuk, was assailed and beaten.
- Lugansk: on 6 December, 2013, the advocate and activist Igor Chudovsky had his car set on fire.
- Sevastopol: on 15 December, 2013 and 24 December, 2013, unknown persons used a telephone to threaten the mother of Dmitriy Belocerkovec, activist of the opposition party ‘UDAR’; she was told that if her son did not cease his civil and political activity, he would have endangered his life and health. Specifically, the persons claimed that they would have Dmitriy attacked with acid. The activist reported the relevant fact to the local prosecutor’s office. Earlier, on 12 December, 2013, unknown persons punctured all the tires in Dmitriy Belocerkovec’s car, having used red paint to write ‘For Maidan’ and ‘UDAR’. [\[73\]](#)
- Simferopol: on 20 December, 2013 the activist Sergey Kovalsky had his car vandalised.
- Ternopol: on 30 November, 2013, the activist Vladimir Hanas was assaulted.
- Uzhgorod: on 16 December, 2013, the activist Yaroslav Shafar had his car set on fire.
- Feodosiya (Autonomous Republic of Crimea): on 22 November, 2013, the activist Sergey Mokrenyuk was assaulted, and on 27 November, 2013 he had his car vandalised.

- Harkov: on 24 December, 2013 an assault took place on one of the coordinators of the local Euromaidan, **Dmitriy Pylypec**. Two perpetrators of athletic bodily structure assailed him late at night as he was coming back home, having inflicted 12 knife wounds; the majority of wounds were to the arms and legs, and also some to the head and abdomen. Dmitriy Pylypec connects the assault with his civil and local community activity and sees it as an attempt on his life. In his words, he had been followed a number of weeks prior to the incident. [74]

It is notable that the assault on Dmitriy Pylypec was preceded by numerous cases of vandalism against the Kharkov's Euromaidan. On 5 December, 2013, the microbus rented by the Euromaidan activists was robbed, having an electricity generator stolen from it; on 13 December, 2013 the very same bus was set on fire. On 20 December, 2013, an attack took place on the office of the 'Prosvita' civil organisation, which at that time was the headquarters of the local Euromaidan. On 20 December, 2013, a group of unknown assailants stormed the 'Euromaidan – Kharkov' headquarters, having broken the windows and written provocation slogans on the building façade. On 24 December, 2013, a car was set on fire which had been used for driving the coordinators and transporting equipment of the Kharkov's Euromaidan. [75] On 27 December, 2013, one more car was set on fire; this time belonging to Euromaidan volunteers. [76]

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## 5. THE RESPONSE OF THE GOVERNMENT AS WELL AS UKRAINIAN AND WORLD PUBLIC OPINION TO THE PROTESTS IN UKRAINE

### 5.1. THE GOVERNMENT OF UKRAINE IGNORES CRITICISM, EXPRESSED THROUGH GLOBAL AND CIVIC OPINION IN CONNECTION WITH THE FORCEFUL DISPERSAL OF PEACEFUL PROTESTERS

On 2 December, 2013 at a meeting with ambassadors of the EU, Canada and the United States, Prime Minister Nikolay Azarov stated that neither he, nor President Viktor Yanukovich were aware of the operation to disperse the EuroMaidan on 30 November, 2013. In addition, **according to Nikolay Azarov, the Euromaidan was 'of no relevance' to him.** In a conversation with Secretary General of the Council of Europe, Thorbjørn Jagland, the Ukrainian prime minister stated that during the dispersal of the Euromaidan, there were no students in the square but only 'provocateurs'.

The Prime Minister Of Ukraine also noted that the protest actions bore signs of a coup, and that he urged people not to come to the streets, as this could destabilise the economic situation in the country. **At a meeting with German Foreign Minister, Guido Westerwelle, the Ukrainian prime minister stated that the opposition and the protesters were "Nazis, extremists and criminals".** The prime minister also threatened the protesters with criminal responsibility for blocking government buildings and enunciated that the government is prepared to allocate funds to non-resident protesters who wish to return home, but may not have the money to do so. **Foreign Minister Leonid Kozhara stated that 'Every Maidan stands against Ukraine today'. [1]**

Only on the evening of 30 November, 2013, did President Viktor Yanukovich issue a statement in which he noted his "indignation with the violent dispersal of Euromaidan" and promised "those guilty will be punished". On the evening of **11 December, 2013, after the police's second attempt to disperse a peaceful rally on Independence Square, in his official appeal, Yanukovich once again stated that "the authorities will never use force against peaceful assembly". [2]** However, the president called on the protesters of the Euromaidan "not to take hasty action, and wait until the elections in 2015".

Taking a stand against the violent dispersal of the Euromaidan, members of **the pro-presidential Party of Regions:** Inna Bogoslovskaya, Vladimir Melnichenko, Nikolay Rudkovskiy, David Zhvania severed themselves from the party. On 9 December, 2013, at a meeting of the Lvov City Council, members of the Party of Regions issued a statement announcing their resignation from membership of the party. [3] The Head of the Presidential Administration, Sergei Liovochkin resigned, but the president did not accept Liovochkin's resignation and assigned him the task of working on the resolution of the political crisis.

**The Party of Regions labelled the protesters "extremists who act on the instruction of "opposition coupists" using "vile and heinous methods". [4]** Member of the Party of Regions, Vadim Kolesnichenko, labelled protesters of the Euromaidan "scum who wish to seize power".

Deputy Head of the Party of Regions, Oleg Tsarev, filed a request to the Foreign Ministry and the Security Service of Ukraine to **revoke the right of entry to Ukraine of particular foreign analysts, academics and politicians for their participation in organising anti-government protests in Ukraine.** In particular, the member of the pro-presidential party proposes to declare Andreas Umland, Alexander Rose, Taras Kuzio, Mikheil Saakashvili, George Targamadze and George Kikvadze *persona non grata*. On 22 December, 2013, it became known that one of the persons included in the list, businessman George Kikvadze, **was denied entry to Ukraine** by the Ukrainian border guard. The Financial Times noted that the list of **'foreign agents' who will be denied entry to Ukraine, can be extended to up to 200 people.** Andreas Umland, a German scholar who

teaches in Ukraine, noted that, according to unofficial information (or misinformation) from a reliable source, the issue of declaring him and another 200 people *persona non grata* has already been settled. [5] In turn, Oleg Tsarev stated that the Foreign Ministry and the Security Service of Ukraine had granted his request to ban the entry of 36 foreigners to Ukraine. Ukraine's Foreign Ministry declined to comment on the issue, since it has no authority to prohibit foreigners from entering Ukraine. Reporters could not obtain a comment of the Security Service of Ukraine, as the press secretary did not answer phone calls. Previously, on 12 December, 2013, Ukrainian border guards "on the basis of a decision of an authorised state authority" did permit the entry to Ukraine of the Russian opposition politician Boris Nemtsov, who supported the Euromaidan.

In addition, the pro-presidential party has produced a list of analytical and public organisations, which, according to the authorities, are funded mainly by American and European sources. The purpose of this funding is, supposedly, 'recruitment' of the local population and formation of future leaders of opinion, which brings about an 'information war' against Ukraine. The 'list' includes non-public authoritative analytical structures which cannot be influenced by the government and which provide the Ukrainian and international community with independent weighted analysis: World Bank, Freedom House, the Konrad Adenauer Foundation, the Friedrich Ebert Foundation, the Carnegie Foundation, the Fulbright Foundation, the International Renaissance Foundation, Razumkov Centre, Institute of Mass Information, the Democratic Initiatives Foundation, the Kiev International Institute of Sociology, the International Centre for Policy Studies, CHESNO Civic Movement, 'Stop Censorship!' Civic Movement. [6]

Senior government officials have repeatedly accused the protesters of a 'transport collapse'. At the same time, MIA troops cordoned off central streets and blocked the government quarter completely. Furthermore, on 9 December, 2013 and 10 December, 2013, on the eve of the second attempt to disperse the Maidan, the authorities announced the closing of the central underground stations - allegedly in connection with reports of explosives having been planted there (still, no explosives were found). On 11 December, 2013, after the night when the attempt to disperse the crowd was undertaken, central underground stations were closed again - officially, in connection with the mass events. Still, on 15 December, 2013, when several hundred thousand protesters gathered on the central streets of the capital, underground stations were not closed. Also, on 11 December, 2013, MIA halted the operation of metropolitan railway stations as well as 'Borispol' and 'Zhuliany' airports for a while, in connection with reports of 'the planting of explosives'. Subsequently, the police stated that they had found the person who was guilty of falsely reporting the planting of explosives at the stations, but the person's name was not disclosed.

Also, numerous media reports have emerged about the ***forcing of citizens and residents of the regions of Ukraine (mainly Eastern and Southern regions), mainly employees of public sector, to participate in pro-government rallies in Kiev.*** According to unofficial data, with the assistance of the authorities, more than two dozen trains, as well as dozens of buses from Lugansk, Donetsk, Odessa, Sevastopol, Kharkov and Zaporozhiye were hired in order to transport people to the rally. [7], [8] Departure for the rally in Sevastopol was personally overseen by the First Deputy Head of the state administration of the city, Fedor Rubanov. At the same time, special lists of participants in pro-government rallies were drawn up. [9] In the period between 14 December, 2013 and 15 December, 2013, members of the pro-government rally were accommodated in army tents in the Mariinsky Park in Kiev. In personal conversations, they said that the ruling party promised to pay them 300 to 500 hryvnias per day of 'work' (approx. 30-50 euros). Sometimes they complained about the poor food supply. Employees of state enterprises who refused to go were threatened with sanctions. Students of major universities of Odessa (National University 'Odessa Law Academy', Odessa National University of Economics and Odessa National Maritime Academy) were forced to attend a rally in support of the President. In particular, the leadership promised to

give students credit for all failed subjects and a pass for all end-of-semester exams. In some cases, students were offered payment for participation in the rally. [\[10\]](#)

On 22 December, 2013, approximately 80 participants in the rally in support of the president picketed near the office of the pro-presidential party, demanding that they be paid the promised 'remuneration' for their participation in the protests. [\[11\]](#)



Tents of Viktor Yanukovich's supporters near the Cabinet of Ministers of Ukraine, 14 December, 2013

## **5.2. THE ROLE OF THE EU IN THE EUROPEAN INTEGRATION OF UKRAINE; PRESIDENT YANUKOVICH INCREASES ECONOMIC DEPENDENCE ON RUSSIA**

Actions of Ukrainian authorities in the violent dispersal of the Euromaidan on 30 November, 2013, were condemned by:

- the Union of Lawyers of Ukraine;
- the Ukrainian security forces veterans who are members of the organisation 'Sila i chest' ['Strength and Honour'];
- Independent Miners' Labour Union of Donbass;
- three former Ukrainian presidents: Leonid Kravchuk, Leonid Kuchma and Viktor Yushchenko;
- more than 100 teachers and students of the London School of Economics, Oxford, Cambridge, University of London, Harvard, Universities of Columbia, Alberta and Toronto.

Moreover, concern over the incident was expressed by:

- the European Commissioner for Enlargement and European Neighbourhood Policy, Stefan Füle;
- EU High Representative for Foreign Affairs and Security Policy, Catherine Ashton;
- the EU Delegation in Ukraine;
- Secretary General of the Council of Europe, Thorbjørn Jagland;
- Foreign Ministries of Lithuania, Sweden, Poland;

- the U.S. State Department;
- U.S. Ambassador to Ukraine, Jeffrey Payette;
- representatives of Ukrainian Diaspora (Ukrainian Congress Committee of America);
- international human rights organisation Amnesty International.

In protest against the dispersal of Euromaidan on 30 November, 2013, First Secretary of the Embassy of Ukraine in Canada, Natalia Golub resigned (see Appendix 4).

At a meeting with a representative of the Open Dialog Foundation, Parliamentary Commissioner for Human Rights, Valeria Lutkovska reported that the Ombudsman's office provides the necessary legal assistance to victims of dispersal of the Euromaidan on 30 November, 2013.

Concern about acts of violence on both sides of the conflict, as well as appeals to the authorities not to violate the rights of journalists and protesters was expressed by: President of the European Parliament, **Martin Schulz**, President of the European Commission, **Jose Manuel Barroso**, U.S. Secretary of State, **John Kerry**, the OSCE Representative on Freedom of the Media, **Dunja Mijatovic**; NATO Secretary General, **Anders Fogh Rasmussen**, the French Foreign Ministry, German Chancellor, **Angela Merkel**, international human rights organisations **Human Rights Watch** and **Amnesty International**. *"Just look at Ukraine. Those young people in the streets of Ukraine, with freezing temperatures, are writing the new narrative for Europe"*, - **Jose Manuel Barroso** stated on 9 December, 2013. [\[12\]](#)

After the attempt to forcibly disperse the Maidan, on 11 December, 2013 immediate reaction followed from the EU [\[13\]](#), USA [\[14\]](#) and Canada [\[15\]](#), which condemned the actions of the Ukrainian authorities. The United States expressed their "disgust regarding the decision of the Ukrainian authorities to suppress a peaceful protest". [\[16\]](#) At approximately 4 a.m., when the conflict between the peaceful protesters and the police continued, the EU High Representative for Foreign Affairs and Security Policy, **Catherine Ashton** stated: *"I was among you on Maidan in the evening and was impressed by the determination of Ukrainians demonstrating for the European perspective of their country. Some hours later I observe with sadness that police used force to remove peaceful people from the centre of Kiev"*. [\[17\]](#)

In connection with the massive anti-government protests, Kiev was visited by European Union High Representative for Foreign Affairs and Security Policy, Catherine Ashton, 9 members of the European Parliament, approximately 15 representatives of the EU Member States and 3 representatives of the United States (see Appendix 3).

***On 9 December, 2013, Freedom House urged the Ukrainian president to resign and announce early presidential elections as the only non-violent means of resolving the conflict with the protesters: "President Yanukovich lost the support and legitimacy of the Ukrainian people".*** [\[18\]](#)

On 12 December, 2013, the European Parliament adopted the resolution on the results of the Vilnius summit, especially in the part relating to the situation with Ukraine. The European Parliament noted that the Ukrainian government's decision to suspend the signing of the Association Agreement undermined several years of work carried out in order to deepen bilateral relations between Ukraine and the EU; Ukraine should have justified its decision in advance, instead of doing so at the last moment. MEPs acknowledged the Ukrainian civil society's protests and urged the EU institutions to meet the needs of Ukrainian society, including the conclusion of an agreement on visa-free regime. The European Parliament noted that ***"in any democracy, new elections can be called when renewed popular legitimacy is needed"***. [\[19\]](#)

On 20 December, 2013, Chairman **Herman Van Rompuy**, on behalf of the European Council, stated: *"Our offer of political association and closer trade ties, is still on the table. We are willing to*

sign, as soon as the country is ready." [20] The European Parliament also expressed its **support for the signing of the Association Agreement with Ukraine**. Lithuanian President, **Dalia Grybauskaitė**, stated: "The European Union is open to Ukrainian people, but not necessarily the current Ukrainian government". [21]

On 20 December, 2013 **Jose Manuel Barroso** stated that after the suspension of the signing of the Association Agreement, Ukrainian authorities assured the inalterability of the path towards the European integration, "but for all the talks have never been followed by the clear signs of commitment of the Ukrainian authorities to sign the Association Agreement. Therefore, we believe that actions which can be regarded as nothing more than a way of continuing the dialogue without concrete results should not be continued". **Ukrainian Prime Minister Nikolay Azarov replied**: "Perhaps Mr. Barroso is already under the influence of the upcoming Christmas holidays. On 23 December, holidays begin in Europe, and until 8 January, indeed, there won't really be anyone to talk with". [22]

On 19 December, 2013, **having secretly signed a contract with Russia on the receipt of a 15-billion loan under provisions which were not made known to Ukrainian society, the President of Ukraine** stated: "It is important that no countries interfere with our domestic issues and that they don't think that they can rule the roost here, as they want, whether on Maidan Square or not on Maidan Square. **I categorically oppose anyone coming to our country and teaching us how we should live here**". On 18 December, 2013, Russian Foreign Minister, Sergey Lavrov, stated: "It is surprising to see attempts to openly exert pressure on the government of Ukraine, which are being continued despite the decisions made in Moscow yesterday. Kiev is receiving peremptory demands to make a free choice in favour of Europe". [23]

On 17 December, 2013, in Moscow, during a meeting of Viktor Yanukovich and Vladimir Putin, an agreement to change the terms of the contract for the purchase and transit of gas to Ukraine was signed. Officially, the details regarding the amendments to the contract are unknown. However, according to Deputy Prime Minister of Ukraine, Yuriy Boyko, from 1 January, 2013, Russia **reduced its gas price from 406 dollars per one thousand cubic meters to 268.5 dollars per one thousand cubic metres**. At the same time, Ukraine can increase the supply of gas. Prime Minister Nikolay Azarov stated that the price agreement made by Viktor Yanukovich will be valid until the expiration date of the contract (until 2019). However, Vladimir Putin noted that this is a temporary solution, as a long-term agreement will be reached later. The price will also depend on the cost of petroleum derivatives. Each quarter, the pricing formula will be revised.

**In addition, Russia has granted Ukraine a loan of \$15 billion from the reserves of the National Welfare Fund**. Russia shall put that amount in the securities of the Ukrainian government (state Eurobonds). The exact dates of issuance and repayment of the loan is not yet known. So far, we know only that on 20 December, 2013, Ukraine sold Eurobonds worth of \$3 billion for 2 years at 5%. Thus, Russia has become one of the largest creditors of Ukraine. The parties also agreed to include the Russian ruble in the first group of the currency classification, which enhances the status of the ruble and can potentially translate part of the bilateral trade operations into rubles.

**The non-public nature of the agreements, in particular, of the conditions under which Russia will purchase Ukrainian Eurobonds and of the commitments which have been given to Vladimir Putin for his financial assistance, raises concern**. There is reason to believe that these agreements were reached as early as on 6 December, 2013, in the midst of the protests in Ukraine, at the time when Viktor Yanukovich, following his official visit to China, went to Sochi in order to meet with Vladimir Putin. First Deputy Prime Minister of Russia, Igor Shuvalov, answering a question about the potential signing of the Association Agreement by Ukraine after receipt of the Russian loan, stated: "This is not just an agreement between two Ministries of Finance, that someone is giving

something to someone else. It is settled in accordance with a very strict procedure, and Russia ensured the observance of its legal rights". [24]

One of the reasons for the refusal of the Ukrainian government to take the loan from the International Monetary Fund (IMF) in favour of the Russian loan was that the IMF made conditions regarding the reduction of social benefits, so that the money is not "eaten away at", but rather used to improve the investment climate and the economic situation in the mid to long term. Ukrainian Prime Minister, Nikolay Azarov said that if the requirements of the IMF (tariff increases, budget cuts) were observed, Ukraine would fall into 'bankruptcy and social collapse'. [25] Instead, the Russian loan may be used in the short term, because, according to Vladimir Putin, the money is loaned to support the Ukrainian budget "so that the country will be able to pay salaries, pensions and social benefits".

The Guardian reports that, according to experts, ***Ukraine urgently needed to receive approximately \$10 billion in the coming months in order to avoid bankruptcy.*** The Guardian notes the possibility that Viktor Yanukovich, in exchange for economic aid, agreed not to sign the Association Agreement with the EU. [26] 'The Financial Times' also notes that ***a loan from Russia suspends the possibility of concluding the Association Agreement with the EU.*** [27] German Foreign Minister, **Frank-Walter Steinmeier** commented on the agreement between Yanukovich and Putin in the following way: *"It is just scandalous how Russia took advantage of the economic problems in Ukraine for their own purposes, as well as to prevent the signing of the Association Agreement with the EU"*. Swedish Foreign Minister, **Carl Bildt** stated that the Russian emergency loans delay the necessary European modernisation of Ukraine.

The representative of the EU External Action Service, **Gunnar Wiegand** enunciated that the EU should not *"get involved in the conflict, which many people describe as a cold war"*. Lithuanian Foreign Minister, **Linas Linkyavichus** stated: *"There will be no fight for Ukraine. This is not boxing or wrestling. Nor is it an auction, where parties compete to see who will pay a higher price. We need to abandon this scheme. The choice must be made by the country, by its authorities, but we emphasise that we want this choice to be free. (...) It feels that the choice is in favour of closer relations with Russia, but this is the choice of President Yanukovich"*. Ukrainian political analyst, Vladimir Fesenko stated that Putin made such serious economic concessions to Ukraine in order to help Viktor Yanukovich face the challenges of the Maidan and suspend Ukraine's European integration. Russian expert, Fyodor Lukyanov argued that Yanukovich will have to work off this huge advance payment, "as in the situation in which Ukraine dwells, he cannot hope to receive similar gifts from anyone else". [28]

### 5.3. THE EU AND USA ARE CONSIDERING THE POSSIBILITY OF IMPOSING SANCTIONS ON REPRESENTATIVES OF THE REGIME OF YANUKOVYCH

Famous Ukrainian journalists: Vitaly Sych, Sergey Leshchenko, Mustafa Nayem published material on Bloomberg's website, calling for sanctions against major financial partners of Viktor Yanukovich. The reporters noted that Ukrainian oligarchs **Rinat Akhmetov** and **Dmitriy Firtash** are supporters of the regime of Viktor Yanukovich, while trying to maintain their reputation in the West. *"International banks, reputable galleries and other institutions must make it clear to Akhmetov and Firtash that they will continue as their partners only if they stop supporting Yanukovich's increasingly despotic regime. (...) Targeted personal sanctions, including visa bans, should be applied to the leaders of Yanukovich's government, especially to those implicated in the crackdowns that have inflamed the protests in Kiev. The first on the list could be **Andriy Klyuev**, Yanukovich's long-term close associate and the head of the National Security and Defence Council.*

***Senior Ukrainian officials should endure the consequences of their policies by spending vacations in Minsk and Almaty, rather than in Milan and Sardinia, as they have become accustomed to doing.*** - reads the material on the Bloomberg site. [29], [30]

Besides the above listed individuals, "pillars of Yanukovich's regime", Ukrainian analysts labelled such oligarchs as: **Igor Kolomoisky, Viktor Pinchuk, Vadim Novinskiy, Sergey Tigipko**. Over the three years of Yanukovich's government, the status of these oligarchs has increased several-fold: ***Dmitriy Firtash's income increased by 463%, and the capital of the president's son, Alexander Yanukovych, has increased by 172%***. The oligarchs, who are loyal to Yanukovych, keep their assets in England, Switzerland, Austria, the Netherlands, Cyprus, Ireland, Latvia, Monaco, the Bailiwick of Guernsey and the Isle of Man. [31]

Ukrainian oligarchs are sensitive to loss of reputation in the West. For example, after 30 activists picketed Rinat Akhmetov's London apartment in the *One Hyde Park* residential complex on 18 December, 2013, he hired representatives to apologise to the neighbours for any inconvenience. [32] On 20 December, 2013 in Vienna, in the room where Andriy Klyuyev's office is located, activists distributed leaflets explaining that he is one of the main culprits in the use of force against peaceful protesters.

***The U.S. Senate is considering a resolution which calls for sanctions against those guilty of the use of force against peaceful protesters in Ukraine.*** Senator John McCain stated that *"if the government of Ukraine continues to practice oppression, sanctions must be considered"*. [33] On the website of the U.S. President Administration, a petition was published, calling for sanctions against President Yanukovych and members of the Ukrainian government. As of 25 December, 2013, the petition had been signed by 137,361 people. [34]

Polish Foreign Minister, Radoslaw Sikorski stated that the imposing of sanctions against Ukrainian authorities is premature. The representative of the European Parliament, Aleksander Kwaśniewski, enunciated: *"Sanctions are a one-time weapon, and very strong. One needs to have them up the sleeve, and the Ukrainian authorities should know that this possibility exists... But this is an ultimate weapon"*. According to British MP, Charles Tenoka, European Commissioner, Stefan Füle in a personal conversation declared to him that if Azarov's government continues its aggressive policy against protesters, *"the EU may impose sanctions, similar to those which were imposed on members of Lukashenko's regime"*. [35]

MEP, Michael Haller stated that Ukrainian oligarchs siphon off amounts of money abroad which are comparable to the size of the government deficits: *"It is an interesting fact: many of those who now oppose the signing of Association Agreement with the EU, in fact, are very active themselves in doing business in Europe. It would be useful to call on, for example, fiscal authorities of the European Union to carry out inspection of certain activities of these people in order to force them to behave properly. Perhaps they were not very impressed by the protest on the Euromaidan, but if their own assets were at stake, I think it would alter their positions."* [36]

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## 6. MID-TERM RESULTS OF THE EVENTS: OPPRESSION OF PROTESTERS AND IMPUNITY OF PUBLIC OFFICIALS AND SECURITY FORCES

The government's policy has given rise to disappointment and outrage in hundreds of thousands of citizens from all regions of Ukraine. In general, the authorities do pay heed to the calls of Ukrainian society, the European Union and the United States.

Regardless of the result of the law on amnesty of the protesters, one can state that: ***a direct reaction of the Ukrainian authorities to the peaceful anti-government protests was the institution of dozens of criminal cases against protestors across the country.*** In most cases, criminal cases are groundless and have been instituted without the presence any hard evidence. Direct evidence for this statement may be that the accused are offered lesser charges in exchange for cooperation with investigators. The investigators do not have conclusive evidence to support the criminal proceedings that have been instituted, and therefore are endeavouring to negotiate with the defendants themselves.

Across the country, civil society activists are subjected to sexual assault and intimidation, and their property is damaged. Despite the adoption of the amnesty law, the oppression against activists bears a systemic and pervasive nature. In some cases (as with Tatiana Chornovol and Vladimir Maralov), the attacks are particularly brutal and bear traits of explicit attempted assassination.

Prosecutions of peaceful protesters, along with the criminal cases on charges of attempts to seize power, searches of the offices of an opposition party and some media outlets, constitute a flagrant violation of freedom of assembly and freedom of expression, as well as suppression of a public initiative, which is unacceptable for a country that chairs the OSCE. From 5 December, 2013 to 6 December, 2013, a meeting of the OSCE Ministerial Council was held in Kiev. Unfortunately, the OSCE did not support the resolution on the protection of the rights of journalists who were aggravated as a result of the actions of the police during protests in Kiev. According to some participants, the main party guilty of the failure of the resolution was Russia, which stated that 'some differences of opinions' did not allow it to make a favourable decision. [\[1\]](#)

The drawing up of lists of analytical structures which allegedly 'function in the political orbit of the opposition' is a violation of the right to freedom of analytical and scientific activities, and may indicate the possibility of further reprisals. All this proves the tightening of the regime in Ukraine, which, following the example of other authoritarian regimes in the region i.e. the Belarusian and Russian, employ methods involving intimidation and oppression of dissidents.

During the dispersal of the Euromaidan on 30 November, 2013, and during the events near the Presidential Administration building on 1 December, 2013, officers of the 'Berkut' Special Forces and internal troops applied excessive physical force. According to Article 12 of the Law of Ukraine 'On the Police', "the use of physical force by the police should be such that minimises the possibility of damage to the health of offenders and other citizens". The police also violated Clause 14 of the Rules of the Use of Special Measures in the Protection of Public Order, which prohibits striking with a truncheon on the head, neck, collarbone, stomach and genitals. [\[2\]](#) It should be noted that officially the basic tasks of the 'Berkut' Special Forces are involvement in operations aimed at apprehending armed criminals, rescuing hostages, counter-terrorism, holding off attacks on buildings, maintenance of public order during mass events and halting riots. [\[3\]](#), [\[4\]](#) The use of 'Berkut' Special Forces, designed to fight against the most dangerous criminals, at mass protest actions, may not serve the purpose for which Special Forces employees had undergone their training. Therefore, under the guise of protecting public order, the brutal suppression of protests is carried out, causing aggravation of civil activists and journalists.

The fact that the investigation carried out by the General Prosecutor's Office is non-public and prolonged, raises special concern; as of 20 December, 2013, investigators of the General Prosecutor's Office could not state who gave the order to disperse the Euromaidan on 30 November, 2013. [5] ***It has not been stated in public what kind of role in the dispersal of Euromaidan the Interior Minister, Vitaliy Zakharchenko and Secretary of the National Security and Defence Council, Andriy Klyuyev played, although the command to forcibly disperse the Euromaidan on 30 November, 2013 was given by these agencies.*** The General Prosecutor's Office stated without further explanation that "Klyuyev has no relation to the events of the night of 30 November, 2013 at the Independence Square". [6] Also, criminal charges have not yet been presented to the police officers who beat individuals, thus exceeding their authority. Contrary to the assertions of the Prime Minister, the Head of the Kiev police, Valeriy Koryak wasn't dismissed from work; on the contrary, he continued to carry out his duties "due to the tense situation in the capital city". [7]

***The President and the government avoid political responsibility and openly ignore the scale of the social protest, thereby causing further rise of public discontent.*** The President stated that those responsible for the violent dispersal of the Euromaidan would be brought to justice, but in this way, he, as the highest official in the state, brushed off any political responsibility for the actions of the security forces.

***In addition, the actions of representatives of the authorities contradict their own statements.*** For a long time, the president had announced the immutability of the path towards European integration, while at the last minute, without public debate, the decision to suspend the Association Agreement negotiations was made. Soon after, the president received a huge loan from Russia, having signed an ambiguous non-public agreement, and declared that he was against "anyone coming to our country and teaching us how to live here". ***The President expressed his gratitude to the participants of the Euromaidan for their civil position, but the security forces have twice attempted to forcefully disperse the peaceful demonstration.*** Moreover, the attempts at storming the Maidan were made after meetings at the highest level – on the night after the Vilnius summit and on the night following the President's meeting with Catherine Ashton.

On the basis of court decisions and statements issued by individual citizens and officials, the government has repeatedly tried to disperse or restrict peaceful demonstration. Thereby, fundamental civil rights which the state must ensure as a priority under the Constitution and international treaties are being violated. ***Taking into account the massive, peaceful and long-term nature of the protest, legal orders of the displacement of the protesters may be essentially illegitimate.*** The use of specific restrictive measures as a tool used to fight peaceful assembly is unacceptable and violates international principles in the sphere of human rights. Thus, the government ignored numerous appeals of the international community to prevent the use of force against civilians.

The statements issued by the President of Ukraine confirmed that the government can use the pre-trial investigation authorities and courts as an instrument for its own benefit and manipulate them. On 10 December, 2013, Viktor Yanukovich stated: "I had a conversation late last night. Another conversation with the General Prosecutor: [speaking about] how the investigation is going and what has been determined to date. I asked him to find a way ... to release some people who, conventionally speaking, did not commit such grave offences". [8]

The Open Dialog Foundation hereby condemns the use of force as a method of political struggle and calls on all parties involved in the conflict to bring about a peaceful resolution of the crisis. The authorities should demonstrate in practice, their willingness to engage in a real dialogue with due

account of the demands of hundreds of thousands of protesters across Ukraine. The search for a compromise must be carried out in accordance with the principles of publicity [\[9\]](#).

U.S. officials warn against the possibility of introducing sanctions against the Ukrainian government - appropriate measures are already being discussed at the decision-making table. At the same time, the EU has not yet included in the agenda, the question of sanctions against the regime of Yanukovich. We emphasise that Ukraine expects the European Union to use real instruments of pressure against the government, and so, we underline the need for a strong and specific consideration of the issue of introducing sanctions not only against specific high-level officials, but also against those who support the regime financially.

The Open Dialog Foundation hereby addresses the governments of the European Union countries and the United States with the following recommendations:

1. Governments, financial institutions, businesses and NGOs should stop cooperating with companies that belong to, or are dependent on, businessmen and politicians, loyal to the regime of Yanukovich. As the Secretary of the National Security and Defence Council, Andrey Klyuyev, oligarchs Rinat Akhmetov, Dmitriy Firtash and other representatives of large businesses continue to actively support Yanukovich's regime, they thereby share responsibility for multiple beatings and widespread oppression of activists and journalists. The majority of the members of the pro-presidential Party of Regions are controlled by the above named persons, but the party continues to use the rhetoric of the 'cold war', ignoring the voice of society and protecting law enforcement officers who used excessive force against peaceful protesters. Economic or any other cooperation with these people would be tantamount to indirect support of the actions of the regime and connivance to the increase of Ukraine's dependence on Russia.
2. Taking into account the fact that the Ukrainian authorities began to oppress not only activists and journalists of the Euromaidan, but also foreign nationals (which may make it impossible for several dozen politicians, analysts and researchers supporting the Maidan to enter the country), on the basis of the results of the investigation, a ban on the entry to the EU and U.S. of the officials who sanctioned oppression against activists and journalists, as well as representatives of big business who financially support the regime, should be considered.
3. The advisability of freezing bank accounts and assets, located on the territory of the EU and U.S. and in the names of representatives of the regime of Yanukovich, who were involved in the attempts to violently suppress the civil protest and in the violation of journalists' rights.

Taking into account the rise of social tension in society and lasting protests of many thousands of people in the cities and towns of Ukraine, caused by dissatisfaction with the current policy of the authorities, the Open Dialog Foundation hereby addresses the competent authorities of the Ukrainian Government, urging it to:

- Ensure effective political dialogue with the participation of representatives of civil society, opposition leaders, international human rights organisations, diplomatic missions of the EU and the U.S.
- With the assistance of representatives of civil society and the international community - conduct a thorough public investigation into the circumstances of the use of excessive force by the police against the protesters and journalists on 30 November, 2013 and 1 December, 2013; take into account information from journalists and activists, who identified several workers of the 'Berkut' Special Forces, who had beat civilians. [\[10\]](#)

- To dismiss from their positions and bring to justice all those involved in the beating of protesters and journalists, as direct perpetrators, and those who, by virtue of their positions held, couldn't have been unaware of the prepared scenario of forceful dispersal, and, who were possibly its initiators.
- Investigate numerous incidents of violent attacks, intimidation and attempts on the lives of activists in Kiev and regions of Ukraine. Bring to justice not only the attackers, but also the 'orchestrators' of the oppression. If the perpetrators are not found, Ukrainian authorities should bear responsibility.
- To comply with the law on exemption of protesters from criminal liability with no exceptions. After the entry into force of this Law - prevent further harassment of journalists, protesters, activists, opposition parties and civil society organisations for their social and professional activities.
- Investigate the reports of persons missing after the dispersal of the Euromaidan on 30 November, 2013.
- Confirm the justifiability of such a large-scale mobilisation of security forces from all regions of Ukraine, which in practice, leads to increased panic among the population.
- Not to use the force of Interior Ministry troops and special police units against civilians, endangering their lives and health.
- Explain the insufficient nature of the legal regulation of operation of the 'Berkut' Special Forces, as well as the legality of the use of said Special Forces unit for the maintenance of public order during the mass protest actions.
- Discontinue the use of administrative resources in order to exert pressure on citizens and force them to participate in rallies.
- In circumstances where a significant proportion of society is questioning the legitimacy of the current government - take into account the recommendations of the European Parliament resolution of 12 December, 2013, and consider the possibility of early elections in order to prevent further escalation of the conflict.

You are welcome to support our appeals by sending your statements to the following addresses:

- The President of Ukraine, Viktor Yanukovich - the Presidential Administration of Ukraine: 01220, Kiev, 11 Bankovaya Street, +38 044 255 73 33;
- The Prime Minister of Ukraine, Nikolay Azarov - 01008, Kiev, 12/2 Grushevskogo Street; 0 800 507 309;
- The Head of the Verkhovna Rada of Ukraine, Vladimir Rybak - 01008, Kiev, 5 Grushevskogo Street; +38 044 255 42 46;
- The Minister of Internal Affairs of Ukraine, Vitaliy Zakharchenko - 01601, Kiev, 10 Akademika Bohomoltsia Street; +38 044 256 03 33;
- The General Prosecutor of Ukraine, Viktor Pshonka - 01011, Kiev, 13/15 Reznitskaya Street, +38 044 280 10 20, fax: +38 044 280 26 03, [interel@gp.gov.ua](mailto:interel@gp.gov.ua);
- The Secretary of the National Security and Defence Council, Andrey Klyuyev - 01601, Kiev, 8 Komandarma Kameneva Street; + 38 044 255 05 36;

- The Head of the Security Service of Ukraine, Alexander Yakimenko - 01601, Kiev, 35 Vladimirskaya Street, +38 044 256 99 53; [pressinfo@ssu.gov.ua](mailto:pressinfo@ssu.gov.ua);
- The Ukrainian Parliament Commissioner for Human Rights, Valeria Lutkovska - 01008, 21/8 Institutskaya Street, +38 044 253 75 89; [hotline@ombudsman.gov.ua](mailto:hotline@ombudsman.gov.ua);
- The Minister of Foreign Affairs of Ukraine, Leonid Kozhara - 01018, Kiev, 1 St. Michael's Square, +38 044 238 16 57; [zsmfa@mfa.gov.ua](mailto:zsmfa@mfa.gov.ua).

#### Sources:

1. News Channel 24 // Most Ukrainians support the Euromaidan and its demands, a survey showed. - [http://24tv.ua/home/showSingleNews.do?ukrayina\\_peredala\\_golovuvannya\\_v\\_radi\\_obsye&objectId=389806](http://24tv.ua/home/showSingleNews.do?ukrayina_peredala_golovuvannya_v_radi_obsye&objectId=389806)
2. Verkhovna Rada of Ukraine. The official website // Council of Ministers of Ukrainian SSR 'On approval of the use of special measures in the protection of public order'. - <http://zakon4.rada.gov.ua/laws/show/49-91-%D0%BF>
3. The Main Department of the Ministry of Internal Affairs in Kiev. The official website // A regiment of 'Berkut' special police forces. - <http://mvs.gov.ua/mvs/control/kyiv/uk/publish/article/81351>
4. In addition, the legal status of 'Berkut' is questionable. The Police Lieutenant General Gennadiy Moskal draws attention to the fact that Berkut is officially called 'Special Police Unit', but this term is not provided for in the Law of Ukraine 'On the Police'. Also, he said, the Order to form 'Berkut' hasn't been approved by the Ministry of Justice. - <https://www.facebook.com/hennadii.moskal/posts/368033553341694>
5. Ukrainskaya Pravda // The General Prosecutor: investigators are still attempting to determine who gave the order to beat people on the Maidan. - <http://www.pravda.com.ua/news/2013/12/20/7007805/>
6. UNIAN // Workers of the General Prosecutor's Office don't trust Popov's testimony regarding Klyuyev's involvement in the dispersal of the Euromaidan. - <http://www.unian.ua/news/612514-u-gpu-ne-doviryayut-svidchennyam-popova-schodo-prichetnosti-klyueva-do-rozgonu-evromaydana.html>
7. UNN // V. Koryak: I didn't give the order to beat participants of the Euromaidan. - <http://www.unn.com.ua/uk/news/1280184-v-koryak-ya-ne-davav-nakaz-nanositi-poboyi-uchasnikam-yevromaydanu>
8. Video material from Ukrainskaya Pravda: Yanukovich promises that people will be released. - [http://www.youtube.com/watch?v=xb\\_dlm-5jrg](http://www.youtube.com/watch?v=xb_dlm-5jrg)
9. It should be noted that on 13 December, 2013, not one national TV channel broadcasted the roundtable with the participation of the president and the leaders of the opposition. During the speeches of representatives of the opposition, the sound was distorted during the internet broadcasting, and the President of Ukraine refused to talk to journalists.
10. UNIAN // Mass media: Several 'Berkut' workers who had beaten civil protesters and journalist have been identified (photo and video material). - <http://www.unian.ua/news/609335-zmi-vpiznano-kilkoh-berkutivtiv-yaki-bili-mirnih-demonstrantiv-ta-jurnalistiv-foto-video.html>

**APPENDIX 1.** List of activists of anti-government protests, against whom criminal cases have been instituted

Name	Under which Article of the Criminal Code he or she is accused	Status in the proceedings
<i>Defendants in the case of riots near the Cabinet of Ministers of Ukraine on 24 November, 2013</i>		
<b>Roman Bilenkiy</b> (26 years old, activist of the 'Svoboda' party)	Article 345 ('Threats or violence against law enforcement officer')	Preventive measure applied: house arrest; suspected of committing a criminal offence.
<b>Vitaliy Blagorodnyi</b> (34 years old, activist of the 'Svoboda' party)	Article 296 ('Hooliganism')	Preventive measure applied: house arrest; suspected of committing a criminal offence.
<b>Oleg Matyash</b> (27 years old, activist of the 'Svoboda' party)	Initially charged under Article 296 ('Hooliganism'); charges altered to Article 345, section 2 ('Intentional infliction of injuries to a law enforcement worker')	Given a suspended sentence of 3 years' imprisonment with a probation period of 1 year.
<b>Valeriy Radchenko</b>	Article 296 ('Hooliganism')	Released upon signing a personal commitment not to leave his place of residence; suspected of committing a criminal offence.
<i>Defendants in the case of riots near the building of Presidential Administration of Ukraine on 1 December, 2013</i>		
<b>Yuriy Bolotov</b> (39 years old, private entrepreneur)	Initially charged under Article 294 ('Riots'); charges altered to Article 293 ('Disturbing public order in a group of people')	Convicted of a crime under Article 293; fined 850 UAH (approx. 80 euros); released.
<b>Valeriy Garaguts</b> (45 years old, journalist)	Article 294 ('Riots')	Released upon signing a personal commitment not to leave his place of residence; suspected of committing a criminal offence. The court adjourned the case pending further examination.
<b>Andrey Dzyndzya</b> (37 years old, journalist)	Article 289, section 3 ('Illegal vehicle seizure, with the use of violence')	Preventive measure applied: arrest; suspected of committing a criminal offence.
<b>Vladislav Zagorovko</b> (38 years old, long-distance lorry driver)	Initially charged under Article 294 ('Riots'); charges altered to Article 293 ('Disturbing public	Convicted of a crime under Article 293; fined 850 UAH (approx. 80 euros); released.

	order in a group of people')	
<b>Nikolay Lazarevskiy</b> (23 years old, designer)	Article 294 ('Riots')	Preventive measure applied: house arrest; suspected of committing a criminal offence.
<b>Sergey Nuzhnenko</b> (31 years old, photographer)	Article 294 ('Riots')	Released upon signing a personal commitment not to leave his place of residence; suspected of committing a criminal offence.
<b>Vladimir Kadura</b> (31 years old, private entrepreneur)	Article 289, ('Illegal vehicle seizure, with the use of violence')	Preventive measure applied: incarceration for 2 months; suspected of committing a criminal offence
<b>Egor Perevir</b> (27 years old, IT-specialist)	Article 294 ('Riots')	Preventive measure applied: house arrest; suspected of committing a criminal offence
<b>Aleksandr Ostashchenko</b> (32 years old, engineer)	Article 294 ('Riots')	Released upon signing a personal commitment not to leave his place of residence; suspected of committing a criminal offence.
<b>Yaroslav Pritulenko</b> (21 years old, sales assistant at a sporting equipment shop)	Article 294 ('Riots')	Preventive measure applied: incarceration for 2 months; suspected of committing a criminal offence.
<b>Gennadiy Cherevko</b> (41 years old, sales agent)	Article 294 ('Riots')	Released upon writing a personal commitment not to leave his place of residence; suspected of committing a criminal offence.
<i>People arrested in the case of the storming of the Kiev City Council and attempts to topple the statue of Lenin on 1 December, 2013</i>		
<b>Oleg Panas</b> (27 years old, press photographer)	Initially charged under Article 194 ('Willful damage or destruction to property'), Article 294 ('Riots'), Article 341 ('Seizure of state-owned or public buildings'), Article 342 ('Resistance shown to acting law enforcement or legal authority officer'), Article 345 ('Threats or violence against law enforcement officer'); charges altered to Article 293 ('Disturbing public order in a group of people')	Convicted of a crime under Article 293; fined 850 UAH (approx. 80 euros); released.
<b>Aleksandr Solonenko</b>	Initially charged under	Convicted of a crime under Article 293;

(46 years old, member of the Koretskiy District Council of Rovensk Province, head of a district branch of the 'Svoboda' party.	Article 296, section 4 ('Hooliganism'); charges altered to Article 293 ('Disturbing public order in a group of people')	fined 850 UAH (approx. 80 euros); released.
<b>Roman Teslenko</b> (22 years old, student)	Initially charged under Article 294 ('Riots'), Article 342 ('Resistance shown to acting law enforcement or legal authority officer'), Article 345 ('Threats or violence against law enforcement officer'); charges altered to Article 293 ('Disturbing public order in a group of people')	Convicted of a crime under Article 293; fined 850 UAH (approx. 80 euros); released.
<i>Criminal cases against activists in the regions of Ukraine</i>		
<b>Mariya Babyuk</b> (activist of the 'Svoboda' party, the city of Ternopol)	Article 341 ('Seizure of state-owned or public buildings'),	Released upon signing a personal commitment not to leave her place of residence; suspected of committing a criminal offence.
<b>Sergey Grigorenko</b> (34 years old, member of the City Council of Lutsk; head of the Lutsk cell of the 'Batkivshhina' party)	Article 295 ('Incitement to actions posing a threat to public order'), Article 341 ('Seizure of state-owned or public buildings'),	Preventive measure applied: house arrest; suspected of committing a criminal offence.
<b>Igor Guz</b> (31 years old, member of the Volyn Regional Council, the city of Lutsk)	Article 296, section 2 ('Hooliganism, committed by a group of people'), Article 295 ('Incitement to actions posing a threat to public order'), Article 341 ('Seizure of state-owned or public buildings'),	Suspected of committing a criminal offence. Preventive measure applied: house arrest.
<b>Maya Moskvich</b> 23 years old, head of the civil organization 'Natsionalniy Alyans' (the city of Lutsk).	Article 295 ('Incitement to actions posing a threat to public order'), Article 296, section 2 ('Hooliganism, committed by a group of people'),	Released upon signing a personal commitment not to leave her place of residence; suspected of committing a criminal offence.

<b>Viktor Pandzhakidze</b> – head of “Vasilkyservis” utility company (the town of Vasilkov)	Article 279 (‘Blocking communication routes’)	Suspected of committing a criminal offence.
<b>Vitaliy Podlobnikov</b> (49 years old, leader of the Zaporozhe cell of the ‘Svoboda’ party, the city of Zaporozhe)	Article 293 (‘Disturbing public order in a group of people’)	Released upon signing a personal commitment not to leave his place of residence; suspected of committing a criminal offence.
<b>Yaroslav Prihodko</b> (22 years old, the city of Cherkassy)	Article 345, section 2 (‘Threats or violence against law enforcement officer’)	Preventive measure applied: house arrest; suspected of committing a criminal offence.
<b>Sergey Sabov</b> (member of the Vasilkovsky Municipal Council from the “UDAR” party; the town of Vasilkov)	Article 279 (‘Blocking communication routes’)	Suspected of committing a criminal offence.
<b>Leonid Senchenko</b> (36 years old, the city of Chernigov).	Article 382, section 1 (‘Failure to execute court verdict’)	Suspected of committing a criminal offence.
<b>Vladimir Stayura</b> (activist of the ‘Svoboda’ party, the city of Ternopol)	Article 341 (‘Seizure of state-owned or public buildings’)	Released upon writing a personal commitment not to leave his place of residence; suspected of committing a criminal offence.
<b>Mariya Chashka</b> (activist of the ‘Svoboda’ party, the city of Ternopol)	Article 341 (‘Seizure of state-owned or public buildings’)	Released upon writing a personal commitment not to leave his place of residence; suspected of committing a criminal offence.

## APPENDIX 2. List of journalists and activists aggravated as a result of actions of the 'Berkut' Special Forces during protests in Kiev

### Foreign journalists:

1. Danish journalist **Vamberg ANDERSEN** - on the night of 30 November, 2013, following the dispersal of the Euromaidan, the police prevented him from filming and struck him about the head.
2. **Emin KALANTAROV** (the news website 'LifeNews') - 'Berkut' workers injured his hand and smashed his camera.
3. Polish journalist **Paweł PIENIAŻEK** – was covering the events near the Presidential Administration of Ukraine. He suffered a head injury during one of the attacks on the police protesters, despite the fact that he presented his press card.
4. Polish journalist **Tomasz PIECHAL** - 'Eastbook' – was subjected to battery on Saturday, 30 November, 2013.
5. **Joseph SIVENKY** (the newspaper 'The New York Times') – suffered injuries during the assault near the Presidential Administration of Ukraine. *"I was wounded in the face by shrapnel after the explosion, which occurred in front of me, when I was reporting the clashes near the Presidential Administration on Bankova Street. I cannot say exactly what it was, but I suspect that it was a fragment of a sound grenade or gas canister. In the hospital, the shrapnel was removed and I received stitches"*- the photojournalist said.
6. **Sergey YURCHENKO** (the news website 'Novoross.info', the newspaper 'Tavricheskiye vesti.Novorossia') was seriously injured during the riots on Bankova Street in Kiev: he sustained head injuries along with several fractures and other injuries, and was hospitalised in the Kiev Hospital No. 17; his tablet was stolen or lost.

### Ukrainian journalists:

1. **Valeriy BURLAKOV** (the newspaper 'Ukrainskiy tyzhden') suffered from the explosion of a sound grenade.
2. **Yuriy BUTUSOV** (the news website 'Cenzor.net') sustained trauma to his head.
3. **Dmitriy VOLKOV** (the TV channel '1+1') – a 'Berkut' worker smashed his cell phone and suffered a blow to his clavicle.
4. **Igor VOLOSAYKIN** (the news website 'uezd.com.ua') – he was struck in the head by a stone.
5. **Valeriy GARAGUTS** (the newspaper 'Litsa') – Valery announced through his lawyer that while he was lying on the ground with other victims, 'Berkut' workers were taking turns posing in front of them and taking photographs, having placed one foot on the heads of their mutilated victims, they portrayed themselves as hunters and referred to the detainees as 'meat'. [\[1\]](#), [\[2\]](#)
6. **Gleb GARANICH** (the news agency 'Reuters') – sustained trauma to the head.
7. **Dmitriy GNAP** ('Gromadske Telebachennya') – 'Berkut' workers battered him, smashed his video camera and seized his USB flash drive.
8. **Yevgeniy GOLOVATYUK** (the news agency 'Ukrainski novyny') lost consciousness after a sound grenade exploded near him.
9. **Denis DANKO** (the TV channel '1+1') suffered a head injury.
10. **Mikhail ZAGORSKIY** (the 'Zhytomir.info' website) sustained a blow to his face administered with a truncheon.
11. **Alexandr ZAKLETSKIY** – was subjected to a battery by the police.

12. **Dmitriy LARIN** (the news website 'Ukrainska pravda') a 'Berkut' worker tore off his press pass and began to beat him.
13. **Yakov LYUBICH** ('Gromadske Telebachennya') 'Berkut' workers beat him, smashed his video camera and took his USB flash drive.
14. **Dmitriy KACHURA** (the newspaper 'Kommentarii') – a 'Berkut' worker threw a stone which struck him on the spine.
15. **Lesya KOVAL** (the TV channel 'Ukraina') 'Berkut' workers pushed Lesya Koval, along with her mother, to the ground and struck them about the kidney area. When she protested that she was a journalist, they scolded her with swearwords.
16. **Stanislav KOZLYUK** (the newspaper 'Ukrainskiy tyzhden') was beaten by a representative of the 'Berkut' special unit near the building of the Cabinet of Ministries of Ukraine on 24 November, 2013.
17. **Valeriy KOLOSUYK** (the news website 'Aratta. Okno v Ukrainu') – 'Berkut' workers pushed him to the ground and Begin to strike him with truncheons (6-8 officers). He sustained a large hematoma to his temple and injuries to his arms and legs. 'Berkut' workers smashed his camera.
18. **Maksim KUDINETS** (the news website 'Insider') 'Berkut' workers beat him and intentionally smashed his camera.
19. **Roman KUPRIYANOV** (the news agency 'Euronews') Roman was capturing footage of a man who was lying on pavement after he had been beaten. Officers of the Special Forces 'Berkut' ordered him not to film; still, Roman continued to film. Special Forces officers beat him. He is now in hospital having been diagnosed with a brain injury.
20. **Maks LEVIN** (the news agency 'LB.UA') sustained several bruises and injuries.
21. **Yevgeniy MALOLETKA** (the news agency 'UNIAN') sustained a broken arm; also, his camera lens and flash was smashed. According to him, assailants battered him intentionally, fully aware of the fact that he was a journalist.
22. **Mustafa NAYEM** (the news website 'Ukrainska pravda', 'Gromadske Telebachennya') was struck in the head.
23. **Ivan NAKONECHNIY** (the TV channel 'Channel 5') – 'Berkut' workers dragged him along the ground and tried to throw him over a fence.
24. **Aleksey OSYKA** (the TV channel '1+1') – a 'Berkut' worker threw a stone at him.
25. **Alexandr PEREVOZNIK** (the news agency 'LIGABiznesInform') – was beaten by police officers despite the fact that he was identifying himself as a journalist.
26. A freelance journalist, **Sergey POLEZHAKA**– 'Berkut' workers struck him on his arms and damaged the lens of his video camera in the process.
27. **Dmitriy PRIKHNO** (the news agency 'Poryad z vamy' – sustained trauma to his head.
28. **Vlad PUCHICH** (the newspaper '20 minut') was battered by the police.
29. **Sergey SUPINSKIY** (the news agency 'Agence France-Presse') sustained injuries to his legs.
30. Photographer **Alexandr TERLYUK** – numerous hematomas and head injuries.
31. **Yevgeniy FELDMAN** (the newspaper 'Novaya Gazeta') –was struck by a stone.
32. **Natalia FIGEL** (the media portal 'Vidia') – during a peaceful protest action in support of European integration, she was attacked by an unidentified man who tried to smash her video camera.
33. **Oleg KHAVRUK** (the newspaper 'Kommentarii') – 'Berkut' workers caused trauma to his head and injuries to his arms and spine.
34. **Ivan CHERNICHKIN** (the newspaper 'Kapital') – sustained injury to his leg as a result of the explosion of a sound grenade.

35. **Mstislav CHERNOV** (the news agency 'MediaPort') – injured arm, smashed camera lens. He was intentionally battered by 'Berkut' workers, who had previously tore off his press identity badge.
36. **Anton CHERNYSHOV** (independent journalist labour union) – the police beat him, took his video camera and smashed it to pieces.
37. **Sergey CHUZAKOV** (the news agency 'Associated Press') – was hospitalised with trauma to his head following the clashes of rally participants with the police in Kiev; he was struck by a stone in the face.

### Activists

**Following the attack of 'Berkut' and dispersal of the protesters from Independence Square on the night of 29 November, 2013, a number of activists were beaten and detained. Several people are still missing. The civil initiative 'Euromaidan SOS' produced a list of the individuals.**

#### Missing persons:

1. **Vladimir PRIYDUN**
2. **Oleg BROVKO**
3. **Anatoliy SHINKARUK**

#### Persons detained on 30 November, 2013:

1. **Dmitriy BACHINSKIY** (released)
2. **Bogdan BOROVIYI** (released)
3. **Pavel VISHNEVSKIY** (released)
4. **ANDREY VOZNYI** (released)
5. **Maxim GANCHERUK** (released)
6. **Sergey GRINIK** (released)
7. **Denis DATSYUK** (released)
8. **Boris DONSKIY** – hospitalised with the diagnosis of 'fracture of the left tibia'
9. **Yaroslav DRUZENKO** (released)
10. **Vladimir DUDOK** (released)
11. **Alexandr YESYPCHUK** (released)
12. **Bogdan ZAMBITSKIY** (released)
13. **Irina ZAKHARCHENKO** – hospitalised with the diagnosis 'closed head injury'
14. **Vladimir IVANOV** (released) – hospitalised with the diagnosis 'injury of the elbow joint'
15. **Viktor KVASOVETS** (released)
16. **Yuriy KOVETS** (released)
17. **Nikolay KOLINKO** (released)
18. **Ivan KRYACHKO** (released) – hospitalised with the diagnosis 'chest injury, injury of the soft tissues of the right thigh'
19. **Vitaliy KUZMENKO** (released)
20. **Vadim LARIN** (released)
21. **Oleg LYULIK** (released)
22. **Elvin MANSULOV** (released)
23. **Dmitriy MIKHALCHUK** (released)
24. **Vasiliy PANCHENKO** (released)
25. **Vladimir PRYIDUN** (released)

26. **Andrey ROMANIV** (released)
27. **Sergey PUGACH** (released)
28. **Igor SIRENKO** (released)
29. **Sergey SUSHINSKIY** (released)
30. **Vasily UGRIN** (released)
31. **Maksim FEDYAY** (released)
32. **Andrey YAREMOV** (released) [\[3\]](#), [\[4\]](#)

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**APPENDIX 3.** Representatives of the EU, the U.S. and Canada, who visited Ukraine in connection with the mass protests on the Euromaidan [1]

**MEPs**

	<b>Name</b>	<b>Faction in European Parliament</b>	<b>Country</b>
1.	Elmar Brok	European People's Party (Christian Democrats)	Germany
2.	Jerzy Buzek	European People's Party (Christian Democrats)	Poland
3.	Michael Gahler	European People's Party (Christian Democrats)	Germany
4.	Mark Demesmaeker	The Greens - European Free Alliance	Belgium
5.	Paweł Kowal	European Conservatives and Reformists	Poland
6.	Jacek Protasiewicz	European People's Party (Christian Democrats)	Poland
7.	José Ignacio Salafranca	European People's Party (Christian Democrats)	Spain
8.	Jacek Saryusz-Wolski	European People's Party (Christian Democrats)	Poland
9.	Rebecca Harms	The Greens - European Free Alliance	Germany

**REPRESENTATIVES OF THE EU**

	<b>Name</b>	<b>Position</b>
10.	Catherine Ashton	European Union High Representative for Foreign Affairs and Security Policy

**REPRESENTATIVES OF THE EU MEMBER COUNTRIES**

	<b>Name</b>	<b>Country</b>	<b>Position</b>
11.	Petras Auštrevičius	Lithuania	Deputy Chairman of the Seimas
12.	Guido Westerwelle	Germany	Minister of Foreign Affairs
13.	Loreta Graužinienė	Lithuania	Chairman of the Seimas
14.	Jarosław Kaczyński	Poland	Member of the Sejm
15.	Gediminas Kirkilas	Lithuania	Deputy Chairman of the Seimas, Chairman of the Parliamentary Committee on European Affairs
16.	Jan Kohout	the Czech Republic	Minister of Foreign Affairs (retired)
17.	Linas Linkevičius	Lithuania	Minister of Foreign Affairs
18.	Tomasz Makowski	Poland	Member of the Sejm
19.	Marcin Świącicki	Poland	Member of the Sejm
20.	Radosław Sikorski	Poland	Minister of Foreign Affairs
21.	Frans Timmermans	The Netherlands	Minister of Foreign Affairs
22.	Karel Schwarzenberg	the Czech Republic	Member of the Chamber of Deputies, Head of the Foreign Affairs Committee
23.	Jaromír Štětina	the Czech Republic	Member of the Senate

24.	Michał Szczerba	Poland	Member of the Sejm
25.	Michał Jaros	Poland	Member of the Sejm

#### REPRESENTATIVES OF USA

	Name	Position
25.	John McCain	Senator (Republican Party)
26.	Christopher Murphy	Senator (Republican Party)
27.	Victoria Nuland	U.S. Undersecretary of State

#### REPRESENTATIVES OF CANADA

	Name	Position
28.	John Baird	Minister of Foreign Affairs

#### Sources:

1. The list has been drawn up on the basis of media reports.

#### **APPENDIX 4.** Reaction of the Ukrainian and international community to the actions of the Ukrainian authorities taken against peaceful protesters

**The Union of Lawyers of Ukraine**, 30 November, 2013: "The Union of Lawyers of Ukraine as a Ukrainian public organisation strongly condemns the daring night-time attack of law enforcement workers on peaceful protesters of the Euromaidan in Kiev, who were expressing their support for the integration of our country into the European Union". [\[1\]](#)

**Ukrainian Civil Organisation of Security Service Veterans of Ukraine 'Sila i Chest' ['Strength and Honour']**, 30 November, 2013: "A special operation, carried out against a peaceful assembly of citizens at Independence Square with abuse of authority, with the use of means of active defence, and without warning, led to serious consequences – injuring people. Cruel and inappropriate actions of the 'Berkut' Special Forces were aggressive in nature and were directed at civilians, who were not violating public order and didn't pose a risk to the health nor life of other citizens or law enforcement officers. At the same time, the means of active defence were used not to protect, but to attack people and inflict injuries upon them". [\[2\]](#)

**Independent Miners' Union of Donbass**, 4 December, 2013: "Beating our children - students to a pulp just because they took to the streets in order to legitimately express their own opinion, is a flagrant crime. IMUD demands that not only the monsters who appear in the form of Special Forces officers be prosecuted for the massacre committed, but also their immediate superiors who gave the criminal order. We have no doubt that the authorities, intimidated by the huge scale of popular protests in the capital city is now frantically looking for 'scapegoats' who will bear responsibility for the night-time pogrom at Independence Square, but be warned that we will never come to terms with the fact that only men in uniform will be found responsible for the bloody beating of students. Not one general would risk giving such orders without the knowledge and, moreover, without an order from their direct supervisors - Prime Minister Azarov and President Viktor Yanukovich. They are the ones guilty of suspending the promised signing of the Association Agreement with the EU and this action led to massive protests of the people of Ukraine". [\[3\]](#)

**Leonid Kravchuk, Leonid Kuchma and Viktor Yushchenko** (former presidents of Ukraine), 4 December, 2013: "We give expression to our solidarity with the peaceful civil actions of hundreds of thousands of young Ukrainians. Having been prompted by disapproval of the abrupt diversion in the European route, they constitute evidence of civic maturity, courage, democratism of Ukrainians and their faith in their ability to change their lives and the life of the country. The practice of settling strategic issues of Ukraine's development without public debate or rational justification as well as divergent interpretations of the European course by Ukrainian officials is unacceptable and brings about inconsistent interpretation of politics". [\[4\]](#)

**National Union of Journalists, Civil Organisation 'Telekritika', Institute of Media and Ukrainian Association of Press Publishers**, 2 December, 2013: "To us, it became apparent that the government only pretends to support 'European values'. This was clearly demonstrated not only by an abrupt diversion from Ukraine's European route, but also by the dispersal of peaceful demonstrators, and unprecedented aggression against journalists. By all these actions, the authorities have clearly demonstrated that it is the enemy of civil society. From now on, we believe that the dialogue with it not only makes no sense, but is immoral and unacceptable". [\[5\]](#)

**Verkhovna Rada Committee on Freedom of Expression and Information**, 3 December, 2013: "Today, an extraordinary meeting of the Verkhovna Rada Committee on Freedom of Expression and Information was held due to incidents of beating and obstructing the work of journalists

during their coverage of events on the Euromaidan in Kiev. During the session, the Committee decided to demand the resignation of the Minister of the Interior and the management of the Ministry of Internal Affairs, which is responsible for physical attacks against journalists and obstruction of their professional activities. As is well known, according to media outlets, as of today, more than 50 Ukrainian and foreign journalists were injured. In addition to carrying out physical violence against journalists by 'Berkut' officers, their professional equipment (cameras and video cameras) was also destroyed". [\[6\]](#)

**Security Service Veterans of Ukraine**, 6 December, 2013: "Individual events of these days which bear traits of offences, must be assessed only by courts. Otherwise, citizens' rights, the universally recognised democratic standards and principles of law, as well as other fundamentals of the constitutional system and the sovereignty of Ukraine will be at risk. Gradually, they will be replaced by questionable political or other interests, chaos and irresponsibility, which was clearly demonstrated during the excessive use of force, seizing and blocking of the premises of state authorities and administration, provocation and incitement to civil disobedience". [\[7\]](#)

**Štefan Füle** (European Commissioner for Enlargement and European Neighbourhood Policy), 30 November, 2013: "Ukraine: authorities refrained from signing the Association Agreement but they should not refrain from respecting freedom of assembly and expression". [\[8\]](#)

**Štefan Füle**, 1 December, 2013: "Ukraine: differences must be resolved peacefully. Urge immediate dialogue". [\[9\]](#)

**Catherine Ashton** (EU High Representative for Foreign Affairs and Security Policy of the European Union), 11 December, 2013: "I was among you on Maidan in the evening and was impressed by the determination of Ukrainians demonstrating for the European perspective of their country. Some hours later I observe with sadness that police used force to remove peaceful people from the centre of Kiev". [\[10\]](#)

**Catherine Ashton and Štefan Füle**, 30 November, 2013: "The European Union strongly condemns the excessive use of force last night by the police in Kiev to disperse peaceful protesters, who over the last days in a strong and unprecedented manner have expressed their support for Ukraine's political association and economic integration with the EU. This support had been welcomed yesterday by the participants of the Vilnius Eastern Partnership Summit. The unjustified use of force goes against the principles to which all participants of the Vilnius Summit, including the President of Ukraine, yesterday reaffirmed their adherence". [\[11\]](#)

**Jagland Thorbjørn** (Secretary General of the Council of Europe), 5 December, 2013: "What I heard during these meetings is very disturbing. It is about a series of events that took place on Maidan Square, in courts, it also concerns pre-trial detention. If it is true – what I've heard, the government has to interfere. It is essential to investigate this issue and to find the truth. If this is not done – this wound on the body of the society is going to be used by different political parties". [\[12\]](#)

**Martin Schulz** (President of the European Parliament), 2 December, 2013: "The excessive use of force against peaceful demonstrators is unacceptable. Reports of provocations, meant to justify charges of the riot police, are especially disturbing. The Ukrainian authorities should listen to its citizens and not beat them". [\[13\]](#)

**Jose Manuel Barroso** (President of the European Commission), 2 December, 2013: "... just look at Ukraine. Those young people in the streets of Ukraine, with freezing temperatures, are writing the new narrative for Europe. Just yesterday I had a phone call – another one - with President Yanukovich. I asked him to show restraint in the face of these recent developments, to not use

force against the people that are demonstrating peacefully, to respect fully the freedoms that are so important for all of us in Europe. And I hope that the European forces will show their commitment to our common project. Because it is not true that it is just in the Western part of Ukraine. No, most of the Ukrainians care about a future in peace and freedom. And I think we have this duty to recognise them today". [\[14\]](#)

**Herman Van Rompuy** (President of the European Council), 20 December, 2013: "Our offer of political association and closer trade ties, is still on the table. We are willing to sign, as soon as the country is ready". [\[15\]](#)

**Dunja Mijatovic** (OSCE Representative on Freedom of the Media), 30 November, 2013: "I am especially concerned that in most of the cases, the beatings were reportedly conducted by the law enforcement officers who attacked the journalists and disregarded their press identification. Violence against journalists cannot be tolerated". [\[16\]](#)

**Jan Tombinsky** (Head of EU Delegation to Ukraine), 1 December, 2013: "At our request, we - the ambassadors of the European Union and the United States in Ukraine, met with the Minister of Internal Affairs of Ukraine, Vitaliy Zakharchenko and Foreign Minister, Leonid Kozhara. We expressed deep concern over the events that had taken place at Independence Square in Kiev, in particular, over the use of excessive force against peaceful demonstrators who were exercising their right to peaceful assembly". [\[17\]](#)

**Anders Fogh Rasmussen** (Secretary General of NATO), 1 December, 2013: "I appeal to all parties to refrain from violence and the use of force at all cost. I call on Ukraine, as the holder of the Chairmanship in Office of the OSCE, to fully abide by its international commitments to respect the freedom of expression and assembly". [\[18\]](#)

**European Commission**, 2 December, 2013: "During the [phone] call, the President of the Commission made the following points regarding the current tense situation in Ukraine: 1. all sides should show restraint; 2. all civil rights and liberties should be respected; 3. the use of force by the police should be investigated as soon as possible; 4. it is important that the Ukrainian authorities urgently engage with all relevant political forces; 5. a peaceful and political solution is the only way for Ukraine out of the current situation. President Yanukovich agreed with this approach and explicitly confirmed the intention to investigate into the use of force by the Ukrainian police and to inform the public about the results". [\[19\]](#)

**European Parliament**, 12 December, 2013: "Urges the Ukrainian authorities to engage in talks with the protesters in order to avoid an escalation of violence and destabilisation of the country, and urges all political parties to ensure that an orderly, calm and reflective parliamentary debate can be conducted on the economic and political situation and the prospects for future integration with the EU; recalls that in any democracy new elections can be called when renewed popular legitimacy is needed". [\[20\]](#)

**The Committee on Political Affairs and Democracy of the Council of Europe Parliamentary Assembly (PACE)**, 11 December, 2013: "The committee expresses concern at the violent escalation of the crisis in Ukraine by all sides, in particular following yesterday's intervention by special police forces and recent acts of intimidation by the police against one of the main opposition parties, as well as media outlets". [\[21\]](#)

**U.S. Mission in Kiev**, 30 November, 2013: "We urge the government of Ukraine to respect the rights of civil society and the principles of freedom of speech and freedom of assembly, which are fundamental to the democratic values that are the bedrock of our strategic partnership. We

support the rights of citizens to air their views through an open and free media and through non-violent rallies". [\[22\]](#)

**Linas Linkevicius** (Minister of Foreign Affairs of Lithuania), 30 November, 2013: "I condemn beating of peaceful protesters in Kiev's Maidan Square. The use of brutal force is unacceptable". [\[23\]](#)

**Carl Bildt** (Minister of Foreign Affairs of Sweden), 30 November, 2013: "Authorities in Kiev must fully respect the freedom of expression and the right to peaceful manifestations. These are core European values. I fear that Yanukovich has decided on a policy of repression. But still hope that other voices will speak up. Extreme danger for Ukraine". [\[24\]](#)

**Donald Tusk** (Prime Minister of Poland (speaking about the beating of Polish citizens during the dispersal of the Euromaidan), 30 November, 2013: "We can't allow our citizens, if they are not violating the law in any way, to be persecuted or beaten. We will monitor this case and we expect an explanation from the Ukrainian side." [\[25\]](#)

**Radosław Sikorski** (Minister of Foreign Affairs of Poland), 11 December, 2013: "Ukraine still has a return path to reform leading in the European direction. Nobody has been killed yet, and so, everything must be done to prevent further violence and cause Ukraine to return to dialogue, primarily with its own society, but also with Europe." [\[26\]](#)

**Jeffrey Payette** (U.S. Ambassador to Ukraine), 30 November, 2013: "For the United States, freedom of expression, freedom of speech and freedom of the press are fundamental principles. They form part of our high priorities. Respect for these values is one of the foundations of our strategic bilateral relations with Ukraine. Departure from these values will lead to serious consequences. We strongly condemn attacks on journalists, including today's attacks. These are very ugly incidents. Let me emphasise again that we are confident that the manifestations of civic activists which have been carried out for a week now in Kiev and across the country, are a very positive sign for the future of Ukrainian democracy. This is a positive sign of the strength of civil society in Ukraine, and this is a positive sign for the President of Ukraine, Yanukovych, that his administration did not allow significant violence, and it is important to continue to adhere to this principle. We have very clearly explained, both publicly and privately, that the demonstrations which have been taking place this week are positive, which shows the strength of democracy in Ukraine, and must be respected". [\[27\]](#)

**John McCain** (U.S. Senator), 11 December, 2013: "If Ukraine's government thinks that brute force and the politics of fear can see it through the current crisis, it is woefully mistaken. More and more Ukrainians are showing that they are no longer afraid. Those brave men and women should know that they are not alone. Their friends across the world stand in solidarity with them. We will keep the world's attention on Ukraine's struggle for freedom, justice, and opportunity, and we will demand consequences for any crimes perpetrated against Ukrainians who are peacefully exercising their fundamental human rights". [\[28\]](#)

**John Kerry** (U.S. Secretary of State), 3 December, 2013: "The powerful expressions of support for Europe in cities all across Ukraine have really been quite extraordinary. People of all different backgrounds are giving voice to their very real and very deep aspirations. We urge the Ukrainian government to listen to the voices of its people who want to live in freedom and in opportunity and prosperity. And we urge all sides to conduct themselves peacefully. Violence has no place in a modern European state". [\[29\]](#)

**John Kerry**, 11 December, 2013: "The United States express disgust with the decision of Ukrainian authorities to meet the peaceful protest on Maidan Square... with riot police, bulldozers, and batons, rather than with respect for democratic rights and human dignity". [\[30\]](#)

**Jay Carney** (White House Press Secretary), 2 December, 2013: "We certainly don't consider peaceful demonstrations coup attempts. The violence by government authorities against peaceful demonstrators in Kiev on Saturday morning was unacceptable. While we note that the police have generally exercised restraint since then, there have been a number of disturbing reports of journalists and members of the media being targeted and assaulted by security forces. We urge Ukraine's leaders to respect their people's right to freedom of expression and assembly. These are fundamental to a healthy democracy and the respect for universal values on which the United States' partnership with Ukraine depends". [\[31\]](#)

**Victoria Nuland** (United States Deputy Secretary of State), 11 December, 2013: "I completely clearly told the Ukrainian president that what happened tonight in the context of security measures is absolutely unacceptable in a modern, democratic society and state". [\[32\]](#)

**Romain Nadal** (Foreign Ministry spokesman in France), 2 December, 2013: "France condemns the violence, the consequences of which were many wounded protesters, police officers and journalists. Ukraine is preparing for the meeting of the Council of Foreign Ministers (CFM) of the OSCE, and we urge all parties to exercise restraint". [\[33\]](#)

**Angela Merkel** (German Chancellor), 18 December, 2013: "The proposal for Ukraine remains in force. Ukraine must ensure what we expect from each state: a reliable guarantee of the rights of demonstrators and compliance with fundamental democratic principles. The 'either-or' approach should be abandoned. A situation where the country situated between Russia and the European Union must make a fundamental decision – whether to speak in favour of one or the other, should be prevented". [\[34\]](#)

**Steffen Seibert** (Speaker of the Federal Government of Germany), 2 December, 2013: "Certainly, the use of force against peaceful demonstrators evokes concern. The federal government therefore urges the Ukrainian Government to do everything in order to protect freedom of speech and the right to peaceful demonstration. However, all parties must bear their responsibility and by doing so, contribute to the prevention of further violence". [\[35\]](#)

**Guido Westerwelle** (Federal Minister of Foreign Affairs of Germany), 11 December, 2013: "In a democracy, peaceful demonstrations cannot simply be banned and put paid to with violence. The protests are an active expression of the people's desire for a European Ukraine. The protests are an active expression of the people's desire for a European Ukraine. I urgently call on the Government in Ukraine to refrain from violence of any form". [\[36\]](#)

**Guido Westerwelle**, 11 December, 2013: "Instead of a ban on protests and the clearing of Maidan Square, a real political dialogue must now be launched, not just continually promised". [\[37\]](#)

**Stephen Harper** (Prime Minister of Canada), 11 December, 2013: "It is particularly troubling as it follows on the police violence against peaceful protestors, mostly students, only days ago". [\[38\]](#)

**Natalia Golub** (former First Secretary of the Embassy of Ukraine in Canada), 30 November, 2013: "From this day on I do not consider myself a public servant of Ukraine. I thank all my fellow colleagues - diplomats with whom I had the privilege to work with from April 1997 and I wish them courage and high intrinsic motivation to continue to protect adequately the interests of our country. Now, I shall consciously revert back to the status of a simple citizen of Ukraine". [\[39\]](#)

**Ukrainian Congress Committee of America** (representatives of the Ukrainian diaspora), 30 November, 2013: "We urge the U.S. government and its allies in the EU to immediately express

their support for the Ukrainian people in their quest to join the democratic community. In addition, we ask urgently to impose economic sanctions, including the freezing of assets and visa restrictions against Yanukovich and his government". [\[40\]](#)

**Professors, tutors and students of the universities of Oxford, Cambridge, University College London, London School of Economics, Harvard, Columbia, Alberta and Toronto**, 4 December, 2013: "We unite with the demands to find and hold accountable those who initiated and ordered these acts of aggression against peaceful student demonstrators. We will also push our governments to build relations with Ukraine in accordance with how the perpetrators of these acts will be brought to justice". [\[41\]](#)

**Human Rights Watch**, 4 December, 2013: "Ukrainian authorities should conduct a thorough and impartial investigation into the incidents in which the riot police used excessive force in Kiev; make sure the police stop assaulting peaceful protesters; and hold those responsible to account. The authorities should ensure that the right to peaceful assembly is guaranteed, in compliance with Ukraine's international obligations. Protesters should refrain from acts of violence". [\[42\]](#)

**Human Rights Watch**, 23 December, 2013: "We are writing [to the General Prosecutor of Ukraine, Viktor Pshonka] in order to express serious concern over the treatment of several people who have been legally recognised or are seeking recognition as victims in the criminal case of abuse of authority by the police during the events at Independence Square in Kiev on 30 November, as well as those who are currently under investigation for rioting and disobeying police orders during the events of 1 December on Bankova Street". [\[43\]](#)

**Amnesty International**, 30 November, 2013: "The violent dispersal of demonstrators on Independence Square (Maidan) in the centre of Kiev on Saturday morning shows a shameful disregard for the right to peacefully protest. The organisation is calling for a prompt, effective and independent investigation into allegations of abusive use of force by officers from the *Berkut* riot police force". [\[44\]](#)

**Amnesty International**, December, 2013: "The Ukrainian authorities should: immediately and unconditionally release all those detained solely in connection with their peaceful participation in the demonstration, and drop all criminal or administrative charges against them; (...) provide adequate and effective protection from intimidation and harassment to all those who lodged complaints about violations of their rights by police officers during the 'Euromaidan' events". [\[45\]](#)

**Freedom House**, 9 December, 2013: "Further use of force by Ukrainian authorities should lead to the immediate imposition of targeted sanctions by the United States and European Union against Ukrainian officials responsible for such actions, Freedom House said today. Freedom House also calls on President Viktor Yanukovich to offer his resignation as a way to trigger early presidential elections, the only non-violent way to end the standoff with demonstrators. The international community must stand with the democratic aspirations of those brave Ukrainian people who have taken to the streets". [\[46\]](#)

**Freedom House**, 2 December, 2013: "Freedom House condemns the use of force by Ukrainian government forces over the weekend against journalists and protesters in Kiev, in demonstrations that have been the largest the country has seen since the Orange Revolution in 2004. Freedom House calls on the government in particular as well as the opposition and civil society to avoid violence and the use of force". [\[47\]](#)

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7. UNIAN // Veterans of the Security Service of Ukraine: Disagreement with the position of the authorities is an undeniable achievement of the modern history of Ukraine. - <http://www.unian.ua/news/609892-veterani-sbu-nezgodna-z-pozitsieyu-vladi-e-bezzaprechnim-dosyagnennyam-novitnoji-istoriji-ukrajini.html>
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12. Ministry of Justice of Ukraine. Official web-site // The Minister of Justice of Ukraine Olena Lukash has met the Secretary General of the Council of Europe Thorbjørn Jagland. - <http://www.minjust.gov.ua/en/news/44631>
13. European Parliament. Official website // Schulz to Ukrainian authorities: listen to citizens, don't beat them. - [http://www.europarl.europa.eu/the-president/en/press/press\\_release\\_speeches/press\\_release/2013/2013-december/html/schulz-to-ukrainian-authorities-listen-to-citizens-not-beat-them](http://www.europarl.europa.eu/the-president/en/press/press_release_speeches/press_release/2013/2013-december/html/schulz-to-ukrainian-authorities-listen-to-citizens-not-beat-them)
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The Open Dialog Foundation was established in Poland, in 2009, on the initiative of Lyudmyla Kozlovska (who is currently the President of the Management Board). The statutory objectives of the Foundation include protection of human rights, democracy and rule of law in the post-Soviet area, with special focus on the biggest CIS countries: Russia, Kazakhstan and Ukraine.

The Foundation pursues its goals through the organisation of observation missions, including election observation and monitoring of the human rights situation in the CIS countries. Based on these activities, the Foundation creates its reports and distributes them among the institutions of the EU, the OSCE and other international organisations, foreign ministries and parliaments of EU countries, analytical centres and media.

In addition to observational and analytical activities, the Foundation is actively engaged in cooperation with members of parliaments involved in foreign affairs, human rights and relationships with the CIS countries, in order to support the process of democratisation and liberalisation of internal policies in the post-Soviet area. Significant areas of the Foundation's activities also include support programmes for political prisoners and refugees.

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