

By Alec Luhn

## Ukrainian investigations into Kiev clashes 'lacked independence'

Probes into protests that led to ousting of president Viktor Yanukovich in 2014 failed to satisfy human rights convention, international report says

*Українські розслідування подій у Києві зіткнулися з проблемою «нестачі незалежності».*

*В міжнародному звіті говориться, що в процесі розслідування акцій протесту, в результаті яких був зміщений з посади президент Віктор Янукович у 2014 році, виявлено недотримання умов конвенції з прав людини.*

*В міжнародному звіті щодо розслідувань подій на Майдані в минулому році йдеться про те, що жодний винуватець досі не притягнутий до відповідальності. Доповідь Ради Європи піз егідою Міжнародної консультативної ради доводить, що розслідування минулорічних демонстрацій не задовольняє Європейську конвенцію з прав людини. Однією з причин в звіті називають нестачу «практичної незалежності», яка проявляється в розслідуванні правоохоронними органами справ, які ж вони і вчиняли, тобто відбувається розслідування самих себе.*

<http://www.theguardian.com/world/2015/mar/31/ukrainian-investigations-into-kiev-clashes-lacked-independence>



An international report has found that Ukrainian investigations into the deadly clashes that took place during the 2013-14 Euromaidan protests in Kiev have failed to hold law enforcement officials to account.

The report by a Council of Europe-sponsored international advisory panel, said that the investigations into the demonstrations, which led to the ousting of president Viktor Yanukovich in February 2014, had not satisfied the European convention on human rights. They “lacked practical independence” because in many cases, the police were essentially tasked with investigating themselves, it said.

British lawyer and former president of the European court Nicolas Bratza, who led the international advisory panel, told journalists in Kiev on Tuesday: “In particular, the ministry of the interior had been given an investigative role in crimes which had undeniably been committed by law enforcement officers,”

The violence against protesters during the demonstrations, which were sparked by Yanukovich's decision to abandon an association agreement with the EU in favour of a bailout from Russian president Vladimir Putin, was a key moment in the ascension of the new pro-western government.

Between 78 and 92 protesters were killed – they are now commemorated as the “Heavenly Hundred” – and more than 1,000 were injured, while 13 law enforcement officers were killed and about 900 injured, according to the report.

Police forces attempted to brutally break up the occupation of Kiev's Maidan Nezalezhnosti square numerous times between November 2013 and February 2014.

At the same time, violent nationalists spearheaded some clashes, and photos and interviews indicate that at least two protesters fired rifles at police on 20 February, when 50 protestors and three policemen were shot dead. Meanwhile, Russian media have claimed that snipers were employed by the opposition or western intelligence agencies to provoke Yanukovich's overthrow.

The investigations to find the culprits have been a test for the new government, which has been struggling to complete political and economic reforms demanded by western creditors amid a conflict with Russia-backed rebels in the east.

But the new report's findings suggest it has not yet been able to root out what Bratza called the “very real problem of impunity and lack of accountability of law enforcement officers in Ukraine.”

Huge obstacles faced Euromaidan investigators, the international panel said. Barricades struck by bullets were removed, and guns and documents that implicated Berkut riot police officers in the shootings disappeared. Police wore masks and no identification markings, and many law enforcement officers and officials fled to Russia, which has reportedly not responded to extradition requests.

But the report also uncovered many discrepancies that did not stem from these circumstances. In one instance, the task of finding documents about the distribution of weapons to police for use against protesters was entrusted to interior ministry officials who had helped prepare those very documents in the first place. The interior ministry was also charged with investigating crimes by pro-Yanukovich street fighters known as *titushki*, even though interior ministry officials are suspected of arming these men.

The interior ministry played a major role because an independent body capable of investigating police abuses has not yet been formed. Although many interior ministry officials fled after Yanukovich's ousting, some senior officials have been appointed to new positions in the agency, which “served to undermine public confidence” in the investigations, the report said.

The international panel also found that the prosecutor general's part of the investigation was understaffed and not working up to international standards, with only three full-time staffers on Euromaidan cases.

Seemingly stung by the findings, the prosecutor general's office announced two new suspects in the investigation shortly after the report was published on Tuesday: former acting Kiev police chief Valeriy Mazan and his deputy Petro Fedchuk.

Despite the latest findings of continued police impunity, a Reuters investigation last year raised the possibility that the new authorities have occasionally been too zealous in prosecuting former officers, finding “serious flaws” in the case against a riot police commander accused of ordering the shooting protestors.

Bratza said panel has now begun to review the state investigation into violence in Odessa in May 2014, another set of controversial events that resulted in at least 40 people, mostly pro-Russian protesters, being burned to death in a trade union building.