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Odessa 2nd May 2014 Tragedy

Report based on a fact-finding mission in May in Odessa

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Brussels

Narrative

Using local testimonies and various sources from both conflicting sides, *Human Rights Without Frontiers* tried to briefly reconstruct the sequence of events of the 2nd May tragedy to facilitate the work of an international independent commission of investigation. A number of testimonies and press articles contradicted each other, were biased or just unfounded rumors.

Human Rights Without Frontiers disregarded a number of data that was not credible or could not be confirmed. However, the version of the facts below does not claim to be THE truth, just a tentative approach of what happened. Only an international independent commission with sufficient human and financial resources can come closer to the reality.



Location of the main events on the map

1. Gathering of anti-Maidan supporters in Alexandrovskiy Ave. at 14:30
2. Gunshot by an unknown man according to an anti-Maidan source
3. Anti-Maidan supporters attack the premises of pro-Maidan self-defence forces in Zhukov Street
4. Various locations of police forces
5. Column of anti-Maidan supporters going to Greek Square
6. Clashes between anti-Maidan supporters and pro-Maidan demonstrators in Greek Street
7. Barricades
8. Pro-Maidan supporters going to Greek Street, Deribasovskaya St. and Bunina St.
9. Pro-Maidan supporters heading to Greek Square from various streets
10. Clashes between anti-Maidan supporters and pro-Maidan supporters (Greek Square parking)
11. Anti-Maidan people run away

(The map was published by an anti-Maidan newspaper: the red lines show the movements of the anti-Maidan supporters and the black lines the movements of the pro-Maidan supporters. The comments are based on the investigation of *Human Rights Without Frontiers*. See detailed chronological narrative below)

Act I

6 people killed by firearms in the centre of the city (allegedly 4 pro-Maidan and 2 anti-Maidan)

On 2nd May, a football match was to take place between the local club of Chernomorets Odessa and Metalist of Karkhiv (from Eastern Ukraine) in the afternoon.

On that day, around 14:00-15:00, Odessa and Kharkiv fans, pro-Maidan supporters and several dozens of members of self-defence units gathered in the centre of the city at Soborna Square near the Orthodox Cathedral to march for the "Unity of Ukraine". Soborna Square is one block and a half from the Greek Square area. They are interconnected by Greek street. The pro-Maidan self-defence units, a paramilitary patriotic organization formed during Euro-Maidan events in Kiyv, were equipped to protect the demonstrators in case of attack.

A number of participants in the march for the "Unity of Ukraine" supported the national idea, others were against dictatorship, and then there were ordinary football fans, the majority. According to some sources, they numbered about 2000 altogether.

At about the same time, some 200-300 armed anti-Maidan activists left their camp in Kulikovo Square, situated near the railway station, walked for about 2-3 km and gathered in Alexandrovskiy Avenue near the city centre. They had guns, bats, knives and wore helmets and bulletproof vests.

According to an anti-Maidan source the first gunshot happened close to Alexandrovskiy Avenue, about 300 m from the rally of the pro-Maidan supporters. It was however not confirmed by other sources but if it is true, it cannot be directly related to the pro-Maidan demonstration. Nobody was wounded or killed. The same anti-Maidan source claims that the shooter was beaten and handed over to the police.

According to the same source, after this first shot, the group of anti-Maidan fighters moved towards the nearby premises of a pro-Maidan self-defence militia and tried to attack it. However, police forces protected the building.

In most media sources and also according to testimonies collected by *Human Rights Without Frontiers*, the first person was killed on the corner of Deribasavskaya Street and Preobrazhenskaya St.: a 25 year-old man was shot by an anti-Maidan supporter (His picture surrounded by flowers is hanging on a fence at the place he died). According to Zoya Kazanzhy (one of the leaders of Euromaidan in Odessa, journalist, recently appointed as a vice-governor of Odessa oblast) the victim was just passing by and was not a demonstrator.

Anti-Maidan activists came armed to the city centre

Around 3pm, fans of the two teams from Odessa and Kharkiv started walking, chanting patriotic slogans such as "Odessa, Kharkiv, Ukraine", singing the Ukrainian national anthem and songs against Russian President Vladimir Putin.

Violence started when both groups met in Greek Street and Greek Square. The anti-Maidan activists started to behave aggressively: they began to destroy the pavement and to throw the tiles at the pro-Maidan demonstrators.

The members of the self-defence units formed a chain and put up their shields at the crossing with Greek Street to protect the football fans. This didn't stop the attackers: they threw rocks and grenades into the column. People were injured with rocks, hit in the face and the head. In response, football fans and self-defence units threw fireworks and smoke grenades at the aggressors.

The street filled with smoke and the attackers retreated to Greek Street and the Athina mall in Greek Square.

While the self-defence members stood in a line in front of the demonstrators for the "Unity of Ukraine", covering themselves with shields, police officers formed a similar line next to the anti-Maidan activists. Despite the cordon, they continued throwing rocks and other objects.

The anti-Maidan crowd was outnumbered and soon went on the defensive. Angry football fans went on the attack, pelted the aggressors with rocks and chased them from nearby side streets.

Gunshots fired by pro-Russian aggressors; first person killed

That's when the first gunshots were fired.

One of the anti-Maidan supporters, armed with a Kalashnikov machine gun, opened fire in a lane leading to Odessa's main Deribasovskaya Street. A bullet hit a young football fan in the chest, killing him. Several dozen others, injured by rocks, were taken away by ambulance.

After the first blood spilled, the violence escalated on both sides.

Street fighting left six dead, more than 100 wounded

Police officers attempted to protect the anti-Maidan fighters, who were the attackers but who were in minority. However, they were thrown back by Molotov cocktails and rocks. The pro-Maidan side began using firearms too, according to some sources.

The street fighting went on for a few hours, initially claiming the lives of four men and injuring about 100 people. The deputy chief of Odessa police, Dmitriy Fuchedzhy, and the chief editor of the popular local online newspaper Dumskaya.net, Oleh Konstantinov, were among the injured.

Around 5pm, pro-Maidan activists captured a fire truck and drove it into the crowd of anti-Maidan people, using its water cannon to disperse the fighting crowd. The football fans chased the opponents, and beat those who they caught, while pro-Maidan self-defence members tried to restrain them from lynching their victims. By this time, many ambulances were at the scene.

By the end of the afternoon, six people had been killed in the city centre. While their names are known, there are still contradictory reports about their political affiliation one month after the events. Four or five pro-Maidan demonstrators were killed with firearms. Yevgeniy Losinskiy, an anti-Maidan activist, died eleven days later. Another anti-Maidan activist was also said to have been killed in the city center. Andrey Biryukov, 36, was said to be just a passer-by.

The role of the medical services

At Odessa city hospitals No 1, No 10, and No 11 volunteer collection centers were put in place to help victims of the recent violence, reported Ukrainska Pravda on 4th May.

As stated on the Odessa City Council website, Odessa residents, volunteer groups from Kyiv, Odessa pro-Maidan activists and the leadership of self-defense units actively helped city hospitals and victims of the events of 2nd May.

After the violent clashes, some 214 people sought medical attention or were brought in by ambulances. Of those 88 were hospitalized. The rest received outpatient care or refused hospitalization. As of Saturday 3rd May, of the 88 hospitalized patients, three had died - one from gunshot wounds, the second from trauma during a fall, the third one from burns.

According to the available data on 4th March, 46 people had died as a result of clashes between the supporters and opponents of Maidan in Odessa.

The role of the police

There are 3,000 policemen in the city and 11,000 in the entire oblast. They knew there would be clashes and nothing was done to prevent the first phase of the cycle of violence. High-ranking officers said they had been in a meeting from 12.00 until 16.00 and that they were without their cell phones! This is really hard to believe.

The number of police officers on the street was insufficient, and they were overwhelmed by the magnitude of the violence. Their loyalty was also questionable. Anti-Maidan activists were hiding behind the policemen to shoot at the pro-Maidan demonstrators as videos have shown. Many people were injured during the clashes, including police, and had to be transported to several hospitals.

The head of the city police, Andrei Netrebskiy, is under house arrest. The oblast police head, Piotr Lutsyuk, and his deputy, Dmitriy Fucedzhi, have disappeared and are being tracked down. Fucedzhi has taken refuge in the pro-Russian region of Transnistria, a part of Moldova that is outside the control of the authorities. He has given a long interview to a Russian television channel.

Act II

About 40 people died in Kulikovo Square

Around 6.30 pm, after the Anti-Maidan supporters were chased away, a group of pro-Maidan activists headed to Kulikovo Square with the intention to clear the place from the tents of the anti-Maidan activists. Clashes and exchanges of Molotov cocktails led to the fire that cost the lives to about 40 anti-Maidan activists.

Anti-Maidan crowd flees to Trade Union building

At Kulikovo Square, anti-Maidan activists started building barricades around their camp and at the entrance of the Trade Union building to stop the pro-Maidan activists.

When the pro-Maidan activists set the tents and stage on fire, Odessa Oblast council member Oleksiy Alba, the leader of the anti-Maidan activists, told his people to take refuge in the Trade Union building and to barricade themselves in it. This was a wrong decision as they trapped themselves in the building.

The anti-Maidan supporters were said to throw Molotov cocktails from the rooftop and several floors of the building and the pro-Maidan activists were said to attack it with rocks and Molotov cocktails,

Several bottles of petrol bombs broke into the front entrance and the windows of the second and fourth floor, where the fire spread quickly. Some sources say the anti-Maidan activists set on fire their own barricades at the entrance to keep the attackers outside.

In the end, the burning building trapped all the people who were inside. A number of them were reported to have died after jumping from the upper floors as they tried to escape from the fire and some 20-30 people died of suffocation alone. See the details of the list of victims in the Annex.

At the same time, a number of pro-Maidan activists saved several dozen people from the rooms on the second and third floor.

Firefighters slow to respond

Firefighters arrived an hour after the fire began although their premises were very close to the place of the tragedy. This point will have to be investigated.

More than 100 people inside the building fled to the roof to safety. Police officers were said to arrive after the fire was extinguished. Some sources say that 400 people were saved from the building. It seems no policeman was killed or even injured at Kulikovo Square.

Bloodiest day in Odessa since 1918

The 2nd May events were the bloodiest civil conflict in Odessa since the pre-Bolshevik revolutionary raids on the city's Jews and street fights in 1918.

The total death toll currently stands at 46 victims. One of the dead was Odessa city council member Vyacheslav Markin. Oleksiy Alba, who led the people inside the Trade Union building, survived.

Act III

Anti-Maidan activists attack a police station and release prisoners

On 4th May, the police station where more than 100 people had been in custody was under siege by a group of anti-Maidan activists. Under threat of the crowd the police officers released 67 people they had been holding since the night of 2nd May.

The rally organized to release the detainees started with a small group of believers of the Orthodox Church (Moscow Patriarchate) who moved away from a larger crowd that had gathered at the burnt-out Trade Union building.

Bearing church banners and icons, they called for others to follow them to the city police station to demand the release of more than 100 people taken into detention as part of the investigation into the 2nd May riots. More people soon joined the rally.

About 100 riot police blocked one end of the street outside the police station, but did not hinder anyone from walking along the pavement, or approaching from the other direction. They just stood by and watched as the surging crowd who began to break the windows with stones, and eventually stormed the gate into the yard.

Soon after, the detainees streamed out, greeted by shouts of "heroes!"

Dmitry Futedzhi, the acting Odessa Oblast police chief, harassed by the crowd said the decision had been taken to release the detainees in order to keep conflict under control. He also said the people detained in the station had been brought there for their own safety, after they had asked for help to escape the clashes in the centre of Odessa.

While it remains unclear where the order to release the detainees originated from, the Ukrainian government reacted furiously to the Odessa police's actions.

The police in Odessa acted in a totally disorderly, possibly criminal way," Interior Minister Arsen Avakov wrote on his Facebook page, adding that all police chiefs would be fired immediately.

Two of the detainees confirmed that they had asked the police to rescue them.

"We were just walking along Deribasovskaya Street and saw the radicals, and took shelter in the nearest place and it was the Athina building," said 28-year-old Yevgeny Dyatkov. He and another detainee both said the police had promised to bring them to the station to register their testimonies and then let them go, but instead they were kept in a detention cell where they had to sleep on the floor, and they were charged with mass disorder.

Dyatkov said he had nothing to do with the clashes on either side, but had just been walking in the city at the time with nothing more in his pocket but a mobile phone and some money. (Source: Kiyv Post, 5th May)

ANNEX

Full list of people who died on 2nd May in Odessa

There were 48 bodies found, 43 of them were identified, 7 victims were women. Most of them were from Odessa and Odessa region, one man was from Vinnitsa, one from Nikolaev region, two were citizens of Moldova and Transdnistria.

According to *Human Rights Without Frontiers* investigation:

**6 people died from gunshots incurred in the city centre
42 died at Kulikovo Square/ Trade Union building: 32 died from gas poisoning, 7 fell from the building and 3 died from various injuries and burns.**

1. Balaban Aleksey, 1982, gas poisoning
2. Biriukov Andrey, 1978, gunshot wound in the city centre and died on the spot
3. Berezovskiy Aleksandr, 1973, gas poisoning, burns
4. Bezanitskaya Kristina, 1992, gas poisoning
5. Brazevskiy Andrey Genadievich, 1987, died in hospital from injuries incurred at Kulikovo Sq
6. Brigar Vladimir, 1984, gas poisoning
7. Bulakh Viktor, 1956, fell out of a window and died

8. Varenikina Anna,1955, gas poisoning
9. Gnatenko Andrey,1989,gas poisoning
10. Gnatenko Evgeniy,1952, gas poisoning
11. Kair Peter, 1969, gas poisoning and burns
12. Zulkov Aleksandr,1968,gunshot wound in the city centre and died on the

spot

13. Zayaz Igor,1968, fell out of a window and died
14. Ivanov Igor,1987, gunshot wound in the city centre and died in hospital
15. Kalin Anatoliy,1976, gas poisoning
16. Kovriga Nikolai,1984, gas poisoning
17. Kononov Aleksandr,1959, gas poisoning
18. Kostiyhin Sergei Nikolaevich,1967, gas poisoning
19. Kush Ruslan,1984, fell out a window and died
20. Kushnarev Genadiy,1975, gas poisoning
21. Lomakina Nina,1953, gas poisoning
22. Losinskiy Evgeniy,1979, gunshot wound in the centre city and died in

hospital

23. Markin Viacheslav Vladimirovich,1969, Odessa regional council deputy, fell out of a window in Kulikovo and died in hospital
24. Mishyn Sergei,1985, gas poisoning
25. Mitchik Evgeniy,1983, gas poisoning
26. Negaturov Vadim Vitalievich,1959, a poet from Odessa, died in hospital from burns incurred at Kulikovo
27. Nikitenko Maksim,1982, fell out of a window and died
28. Nikitiuk Dmitriy,1974, gas poisoning
29. Novitskiy Vladimir,1944, gas poisoning
30. Ostrozniuk Igor,1964, fell out of a window and died
31. Papura Vadim,1996, fell out of a window and died
32. Petrov Genadiy,1985, gunshot wound
33. Pikalova Svetlana,1981, gas poisoning
34. Polevoi Viktor,1966, gas poisoning
35. Poluliah Anna,1962, gas poisoning
36. Priymak Alexandr, 1945, gas poisoning
37. Sadovnichiy Aleksandr,1954, gas poisoning
38. Sharf Taras,1973, died in hospital from burns incurred at Kulikovo
39. Shcherbinin Mikhail Ivanovich,1956, gas poisoning
40. Stepanov Viktor,1948, gas poisoning
41. Yavorskiy Nikolai, gunshot wound
42. Yakovenko Irina,1959, gas poisoning
43. Lukas Igor,1994, gas poisoning
44. Female corpse, unidentified, approximate age 50-60 years, gas poisoning
45. Male corpse, unidentified, approximate age 25-35 years, gas poisoning
46. Male corpse, unidentified, gas poisoning
47. Male corpse, unidentified, gas poisoning
48. Male corpse, unidentified, gas poisoning

Explanation of the colors

People who died in the city centre (Greek Square, Greek Street and nearby streets)

People who died falling out of a window of the Trade Union building at Kulikovo Square

People who died from gas poisoning inside the Trade Union building at Kulikovo Square

People who died in a hospital after the clashes

Source: <http://www.rg.ru/2014/05/15/spisok-site-anons.html>

Recommendations for a Possible Independent International Commission of Investigation

One month after the events, Human Rights Without Frontiers urges the EU, the OSCE or the UN to set up such a commission of investigation about the tragic death of almost 50 people

After spending a week in Odessa at the end of May and meeting with various actors involved in the 2nd May tragedy, it is clear to me that an international and independent commission for the investigation of the tragic death of almost 50 people is critical for the truth to be known, justice to be done and reconciliation to begin.

However, a number of conditions must be fulfilled if such a commission is to work professionally and to be efficient:

- a diversified and neutral composition of the Commission of Investigation
- an analysis of the escalation of the acts of violence as they occurred in the chronological order
- an analysis of the type of casualties
- an analysis of the role of the police and their officers

Composition of the Commission of Investigation

Members should be representative of several European countries, as well as of Russia. Highly qualified experts should also be enlisted from the following fields:

- general medicine
- surgery
- forensic medicine
- toxicology
- weapons, including military weapons
- ballistics
- police officers specialized in street battles
- police officers from anti-riot units
- video expertise
- fire and arson expertise
- construction material
- knowledge of Odessa and local contacts

A team of – local and foreign - interpreters and translators (Russian-English) and a secretariat are also indispensable.

The Commission of investigation should first read the reports of the various Ukrainian investigation commissions (Parliament, Ministry of the Interior, SBU and Odessa Oblast).

Human Rights Without Frontiers recommends to investigate the events in

1. *Greek Square, Greek Street and nearby streets*

To go first to Greek Square and Greek Street with some victims of the acts of violence, to listen to their testimonies and to take pictures

To interview

- the organizers of the march of the football fans, the leaders of various self-defence groups, pro-Maidan and anti-Maidan activists

- observers of the events

- the then oblast governor and the then mayor of Odessa

- the high-ranking police officers who have not disappeared from Odessa after the events

- the families of those who were killed by gunshots

- the injured demonstrators and policemen

- the forensic doctors, physicians, surgeons, nurses, ambulance drivers in their respective hospitals

To watch videos

To identify the weapons/ guns used by the aggressors on the basis of the wounds inflicted to the victims

To check if direct perpetrators of killings and injuries have been identified and are being prosecuted

To get the list of identified perpetrators of violence

To check the behavior of the police who were accused to collaborate with the anti-Maidan activists recognizable by a red ribbon on their arm

To investigate the dysfunctioning of the chain of command inside the police pyramidal structure

To establish a list of the people indicted and detained with the charges raised against them and the location of their imprisonment, and a list of people indicted but free in relation to the 2 May events

To establish a timeline of the escalation of the events and a timeline of the casualties with the exact location

To register acts of mutual assistance between pro-Maidan and anti-Maidan activists despite their conflicting agendas.

2. Kulikove Square

To go to Kulikove Square with some anti-Maidan survivors, to listen to their testimonies and to take pictures

To visit the Trade Unions building and investigate the type and the extent of the damages, the nature of the inflammable material

To determine the date of the last fire prevention inspection and to get a copy of the report

To interview

- the leaders of the occupation of Kulikove Square, pro-Maidan and anti-Maidan activists involved in the confrontation

- observers of the tragedy

- the staff working in the Trade Unions building in the days before the tragedy

- the then oblast executive power and the then mayor of Odessa

- the high-ranking police officers who have not disappeared from Odessa after the events

- the families of those who were killed at Kulikove

- the injured

- the policemen

- the forensic doctors, physicians, surgeons, nurses, ambulance drivers in their respective hospitals

To watch videos and try to identify the authors of the fire

To identify the causes of the wounds inflicted to the injured and the dead

To check if direct perpetrators of killings and injuries have been identified and are being prosecuted

To get the list of identified perpetrators of violence

To check the behavior of the police who were allegedly collaborating with the anti-Maidan activists

To check if the police searched the tents or collected data about the identity and the activities of the occupiers of the Kulikove Square since the beginning of the occupation, and to have access to their report

To investigate the dysfunctioning of the chain of command inside the police pyramidal structure

To establish a list of the people indicted and detained with the charges raised against them and the location of their imprisonment and a list of people indicted but free in relation to the 2 May events

To establish a timeline of the escalation of the events and a timeline of the casualties with the exact location

To register acts of mutual assistance between pro-Maidan and anti-Maidan activists despite their conflicting agendas.

3. *The places of detention of the suspects kept in custody*

To visit the detention places

To interview the police officers and the policemen involved in the release of prisoners under threat by the crowd

To determine the sequence of events

To investigate the dysfunctioning of the chain of command inside the police pyramidal structure

To check if any police officer or policeman has been indicted or arrested in relation with the illegal release of prisoners.