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Disturbing circus over detention of UKROP party leader Hennady Korban

KHPG (30.12.2015) - <http://goo.gl/O4BVzn> - Human rights groups and lawyers have condemned the latest moves in the prosecution of Hennady Korban, politician and close associate of oligarch Igor Kolomoisky. Concerns over the totally unacceptable methods used to force Korban from hospital into court and remand him in custody have not been assuaged by the news that even the house arrest restrictions against Olena Lukash, Justice Minister under the regime of Viktor Yanukovych have been removed. Despite having been on the wanted list over her believed role in crimes against Euromaidan activists, Lukash is charged only with economic crimes.

Korban was arrested on Oct 31, with the Prosecutor General's Office and SBU [Security Service] holding a special press briefing at which they called the move a 'special operation' against a criminal group and emphatically denied any political motivation. Korban served as a Deputy Governor of Dnipropetrovsk under Kolomoisky until the latter was removed, having fallen out with President Petro Poroshenko. He is also the head of the new opposition UKROP Party, which is heavily financed by Kolomoisky, and members of the party reported being subjected to searches that day as well.

Korban is also a millionaire with a fairly chequered history and specific reputation, so although some asserted that the President was attacking a powerful enemy, others were cautious about jumping to any conclusions.

The charges mentioned related to 2014/15, the period when Korban was deputy to Kolomoisky. He is accused of kidnapping (Article 349 of the Criminal Code); creating a criminal organization {Article 255 § 1) and appropriation, embezzlement or seizure by abuse of official position (Article 191 § 5) (details can be found at: Ukrainian political party leader detained).

After considerable controversy, Korban ended up under house arrest, with this due to end on Dec 31. The prosecution was demanding that he be placed in detention, claiming that he was "trying to influence the investigation" (one of the grounds in the Criminal Procedure Code for detaining a person).

The court hearing on whether Korban was to be remanded in custody began on Dec 26 in the Dnipro District Court, however Korban was taken ill and an emergency doctor who, according to UNIAN, was there with Korban, insisted that he needed emergency treatment. The ambulance was, however, initially prevented from leaving the court territory. He did finally end up in the Amosov Institute Hospital, with the hearing adjourned until Sunday morning.

Korban was earlier diagnosed with coronary artery disease. Kharkiv Human Rights Group lawyer Hanna Ovdiyenko reports that in hospital he had just had a coronary stent placed in the coronary arteries to keep them open and reduce the threat of a heart attack. This was clearly not the moment to be pulled out of his hospital bed.

Ovdiyenko writes that at around 2 a.m. on Sunday morning, a person from the prosecutor's office turned up at the hospital and read out a court order for a forensic medical examination. At midday, this was carried out and confirmed high blood pressure, the need for the treatment given and the fact that Korban could not be discharged in such a state.

She points out that none of the grounds for remanding a person in custody can apply to somebody who is ill and in need of hospital care. Despite this and the fact that there

were still 5 days remaining until the end of Korban's house arrest, seven hours later he was taken by force to the court.

There are grave concerns about numerous aspects of that highly specific hearing. Later in the evening, a bunch of 'titushki' or hired thugs burst into the courtroom, and according to UNIAN beat people, including journalists. They were finally fended off by Korban supporters using a fire extinguisher. UNIAN reports that the police did nothing and simply watched. The events can be watched here: <https://www.youtube.com/watch?v=hAroiY0ScBM>

While doing nothing to stop the titushki from getting in, the police are reported to have kept out two teams of doctors who had arrived to take Korban to hospital.

Most incredibly, the hearing lasted 30 hours, ending finally with his being remanded in custody. During this time, Korban was not allowed access to doctors from a private clinic and obstruction was put in the way of his being moved to the resuscitation vehicle. All of this is in breach of Ukraine's healthcare legislation, as was the failure to hospitalize Korban after he lost consciousness for over 20 minutes.

There are clear violations here not only of fundamental norms of Ukrainian legislation, but of the European Convention on Human Rights. In a statement on the events, KHPG has pointed out that a 30-hour hearing under such circumstances can be considered cruel and inhuman treatment, and potentially places a person's life in danger. It calls for Korban's immediate transfer to hospital.

The statement from the Centre for Civil Liberties was extremely succinct, and left the last words to be added by the reader. After referring to the court hearing as "the final destruction of the remnants of the justice system", the authors wrote "if the court and law enforcement systems are not totally revamped in the near future, then everything ..." Colleagues have, however, noted that in fact the earlier court hearing in November on a restraint measure was entirely fair and in full accordance with the law.

The arrest of an opposition politician is likely to arouse attention in any country, and how much more so in Ukraine, which is all too slowly removing the legacy of politically motivated prosecutions, puppet courts, etc. under Yanukovich.

At a briefing given by the Prosecutor General's Office on Dec 29, supposed evidence of Korban's guilt and of his corrupt dealings with particular opposition MPs, was presented. Whether or not the material is genuine, and one of Korban's lawyers Oksana Tomchuk, says that it is not, the place for presenting it was the court, not a public briefing. The officials would have done better to have addressed the serious concerns raised by human rights groups and note KHPG's warning that total disregard for the law demonstrated by the authorities will arouse warranted suspicion that political motives are at play.

Ukraine has been there, and its leaders would do well to remember that this is a road that was emphatically rejected two years ago.

Corruption in Ukraine is so bad, a Nigerian prince would be embarrassed

Reuters (30.12.2015) - <http://goo.gl/CgMFVX> - United States Vice President Joe Biden has never been one to hold his tongue. He certainly didn't in his recent trip to Kiev. In a speech before Ukraine's Parliament, Biden told legislators that corruption was eating Ukraine "like a cancer," and warned Ukrainian President Petro Poroshenko that Ukraine had "one more chance" to confront corruption before the United States cuts off aid.

Biden's language was undiplomatic, but he's right: Ukraine needs radical reforms to root out graft. After 18 months in power, Poroshenko still refuses to decisively confront corruption. It's time for Poroshenko to either step up his fight against corruption - or step down if he won't.

When it comes to Ukrainian corruption, the numbers speak for themselves. Over \$12 billion per year disappears from the Ukrainian budget, according to an adviser to Ukraine's National Anti-Corruption Bureau. And in its most recent review of global graft, anti-corruption watchdog Transparency International ranked Ukraine 142 out of 174 countries on its Corruption Perceptions Index - below countries such as Uganda, Nicaragua and Nigeria. Ordinary Ukrainians also endure paying petty bribes in all areas of life. From vehicle registration, to getting their children into kindergarten, to obtaining needed medicine, everything connected to government has a price.

The worst corruption occurs at the nexus between business oligarchs and government officials. A small number of oligarchs control 70 percent of Ukraine's economy, and over the years have captured and corrupted Ukraine's political and judicial institutions. As a result, a "culture of impunity" was created, where politicians, judges, prosecutors and oligarchs collude in a corrupt system where everyone but the average citizen benefits.

While there are numerous examples of high-level corruption in Ukraine, a few stand out for their sheer brazenness. In one case, \$1.8 billion of an IMF loan to Ukraine meant to support the banking system instead disappeared into various offshore accounts affiliated with PrivatBank in Ukraine, which is owned by Ihor Kolomoisky - one of Ukraine's leading oligarchs.

Thanks to the anticorruption group Nashi Groshi ("Our Money") the details have come to light. Forty-two Ukrainian import firms owned by 54 offshore entities borrowed \$1.8 billion from PrivatBank. The offshore firms then used the IMF money to order goods from fictional "suppliers," with the \$1.8 billion in loans from PrivatBank secured by the goods on order.

However, when the fictional suppliers inevitably did not fulfill their end of the bargain, PrivatBank was left holding the bag with its \$1.8 billion gone offshore. As a Nashi Groshi investigator noted, "this transaction of \$1.8 billion abroad with the help of fake contracts was simply an asset siphoning operation." Unfortunately for Ukrainians - as well as Western taxpayers who fund the IMF - neither Kolomoisky nor anyone else in Ukraine has been held accountable and the case faded from public view in Kiev.

Powerful politicians and businessmen in Ukraine can also count on Ukrainian officials to protect them from European prosecutors. After a two-year investigation, Swiss prosecutors recently opened a criminal case against Mykola Martynenko - a close Parliamentary ally of Ukrainian Prime Minister Arseniy Yatsenyuk - for allegedly accepting a \$30 million bribe through a Czech company and attempting to launder the money through Switzerland. However, despite repeated requests from the Swiss for assistance, Ukrainian officials are protecting Martynenko, according to a report in the Kyiv Post, and Ukraine's prosecutor general publicly refuses to pursue the case.

Switzerland is not the only country with whom Ukraine declines to cooperate. As part of an investigation into suspicions that Ukraine's former Minister of Ecology Mykola Zlochevsky laundered \$23 million, Britain's Serious Fraud Office requested assistance from Ukrainian authorities. However, Ukraine not only refuses to provide assistance to the British, but prosecutors actually wrote letters exonerating Zlochevsky, forcing the British to unfreeze Zlochevsky's accounts and dismiss the case.

To contain rising populist sentiment and preserve Western support, Poroshenko should take the following steps:

First, Poroshenko needs to immediately fire current Prosecutor General Viktor Shokin. The United States' Ambassador to Ukraine recently called out Shokin's office for "openly and aggressively undermining reform," and leading reformers in Ukraine's parliament and civil society continue to demand Shokin's ouster.

Despite this pressure, though, Shokin remains in place. Since he is a close ally of Poroshenko, it's not hard to see why. Poroshenko is himself a wealthy oligarch, and in a system where prosecutors are used as weapons against opponents in business or politics, Poroshenko remains determined to maintain control over this critical lever of power. However, while Poroshenko's seeming motivations for protecting Shokin are understandable, it's time for the Ukrainian president to place his country's interests above his own.

Second, Poroshenko needs to sell all of the assets in his multi-billion dollar business empire. When campaigning for president last year Poroshenko promised to do just that, saying "As president of Ukraine, I only want to concern myself with the good of the country and that is what I will do."

Poroshenko is the only one of Ukraine's 10 richest people to see his net worth actually increase in the past year, and his bank continues to expand while others lose their licenses. One of his industrial companies also won a large shipbuilding contract - a clear conflict of interest with Poroshenko's role as president.

Moreover, while no evidence exists that Poroshenko uses his position to promote his broader business interests, Ukrainian television recently reported that Poroshenko shut down an investigation into damage to a protected historical site stemming from illegal construction on land Poroshenko owns.

Third, Poroshenko must take a hands-on role in the war against corruption. While a new National Anti-Corruption Bureau and anti-corruption prosecutor are in place, they have not started work yet. Anti-corruption activists in Kiev fear both of these organizations will be "eaten by the system," according to Daria Kaleniuk, executive director of the Anti-Corruption Action Center, a Ukrainian civil society organization. Poroshenko must provide these organizations with high-level political support to ensure this does not occur. With Ukraine's citizens becoming angry and restless, one of Ukraine's leading anti-graft watchdogs believes a third Maidan revolution may occur if the Ukrainian people don't begin to see powerful people prosecuted and jailed.

Finally, Poroshenko should replace Yatsenyuk as Prime Minister. Although Yatsenyuk deserves great credit for pushing through painful economic and energy sector reforms - a task he proudly called "political suicide" - he sloughs off responsibility for fighting graft, noting that "I am not responsible for the prosecutor's office... nor for judiciary." Yatsenyuk faces corruption investigations as well, which is not something Poroshenko needs from the second-most powerful official in the country.

To be clear, Ukraine has not completely ignored the fight against corruption. Besides the new National Anti-Corruption Bureau and anti-corruption prosecutor, government procurement tenders moved online and major civil service reform just passed. The key drivers of these measures, though, are not government officials or politicians - many of who fight these changes tooth and nail - but leading civil society organizations such as Transparency International and Ukraine's Anti-Corruption Action Center. These reformers demand radical change, and given the billions of dollars stolen each year by powerful people, they are doing so at great personal risk.

Poroshenko must join Ukraine's reformers in pushing for this change - and if he refuses to do so, he should resign.

Open lawlessness as terror against Crimean Tatars

Khpg.org (14.12.2015) - <http://bit.ly/1TNv8wA> - All of Russia's Crimean victims have had to confront varying forms of lawlessness, but none demonstrates contempt for the law quite so flagrantly as the criminal proceedings against Crimean Tatar leader Akhtem Chygoz and other Crimean Tatars.

The entire case is illegal under Russia's own legislation, since the charges are under Russia's anti-protest laws, yet pertain to a pre-annexation demonstration over which Russia has no jurisdiction;

Only Crimean Tatars are targeted although there were also pro-Russian demonstrators present on Feb 26, 2014.

There is no evidence against any of the three men who remain in custody yet court after court has extended their detention.

Natalya Poklonskaya, installed as prosecutor after Russia seized control in Crimea, announced on Dec 7 that the case against six Crimean Tatars had been sent to the court. Typically, although 6 defendants are mentioned, the charges listed are against Akhtem Chygoz, Deputy Head of the Mejlis of the Crimean Tatar People. He is accused of having organized "mass disturbances" outside the Crimean Parliament on Feb 26, during which two people died.

No legal jurisdiction

According to Russia's Criminal Code (Article 12 § 3), a criminal prosecution can only be initiated against foreign nationals who committed an offence on the territory of another country if "the crime was directed against the interests of the Russian Federation or a citizen of the Russian Federation."

Chygoz has been held in detention since Jan 29, two other men for over 6 months, in connection with 'a case' that Russia's own law prohibits.

Against Crimean Tatars and specifically the Mejlis

Chygoz is the highest ranking leader of the Mejlis remaining in Crimea, after Russia banned Mustafa Dzhemiliev and the Head of the Mejlis Refat Chubarov from their homeland. His arrest is impossible to not view as part of a major offensive against the Mejlis which has been unwavering in its opposition to Russia's occupation and which holds enormous authority with the vast majority of Crimean Tatars.

There are strong grounds for concluding that the two men also in detention - Ali Asanov and Mustafa Degermendzhy - have been put under enormous pressure to testify against Chygoz, and may be still held in custody as punishment for refusing.

The protests

There were around 10 thousand Crimean Tatars and Maidan supporters who gathered outside the parliament building in Simferopol on Feb 26, 2014, fearing that plans were underway to push through a bill changing Crimea's status. They were opposed by a smaller, but still considerable, number of pro-Russian demonstrators led by Sergei

Aksyonov, then the leader of a marginal pro-Russian party in the Crimean parliament. Aksyonov was installed as self-proclaimed leader on Feb 27 after Russian soldiers seized control of government buildings, etc.

Radio Svoboda reported at the time of Chiygoz's arrest that their video footage clearly showed all representatives of the Mejlis seeking only to calm the crowd and prevent bloodshed. This was also confirmed by a Russian journalist Pavel Kanygin, writing for Novaya Gazeta, and present during the demonstration on Feb 26, 2014. He reports that Refat Chubarov used a megaphone to call for calm after the first scuffles broke out. Later, after the parliamentary session believed to be planning to take control was cancelled, Chubarov and Aksyonov came out together and called for calm and for the demonstrators to disperse. Kanygin adds that the Crimean Tatars heeded this call, not the pro-Russian demonstrators who remained and kept chanting "Russia!" One of the two people who died was reported to have had a heart attack.

Terror and intimidation

There is no justification for holding any of the three men in custody. Ali Asanov, in particular, has four small children, one born after he was taken into custody, and an elderly father, all of whom he is prevented from providing for. Chiygoz has made it quite clear that he sees this case as aimed at terrorising Crimean Tatars into leaving Crimea and that he is remaining in his homeland.

Six men are on trial: Chiygoz, Asanov, Degermendzhy, Eskender Kantemirov; Eskender Emervaliyev and Arsen Yunusov.

They are not, however, the only Crimean Tatars who have been targeted over the last year, with many others also called in for questioning, visited by the FSB and subjected to searches of their homes.

Poklonskaya herself is planning to present the prosecution's case. The woman's grip of the law has always seemed more than tenuous, but it is inconceivable that Russia's Investigative Committee is not aware that the case is against Russian law, begging the conclusion that lawlessness is being used as a weapon, aimed at instilling fear and intimidating Crimean Tatars into submission or exile.

Do Crimeans see themselves as Russian or Ukrainian? It's complicated.

The Washington Post (03.12.2015) - <https://goo.gl/Xs94nD> - Crimea, annexed by Russia last year — although to date the annexation is recognized by only handful of countries — is back in the news. On Nov. 22, 2015, Crimea's electricity towers were blown up, leaving the region dark. Mainland Ukraine had been supplying most of Crimea's electricity since Russia's annexation of the peninsula in March 2014, but has not stepped up since the towers blew up. Ukraine has no legal responsibility to provide the occupied territory with electricity, but refusing to help provide power of course has the possibility of alienating Crimean residents from the Ukrainian regime. Alternatively, if Russia is seen as unable to ensure something as basic as power in its newly acquired territory, perhaps this will turn more residents against the annexation and in favor of a return to Ukraine. All of which once again points to the importance of understanding how Crimeans see themselves in terms of their own national identity.

Many observers have suggested that since most Crimeans were ethnically Russian, they were therefore loyal to Russia, and therefore welcomed annexation. But is it true? Would Crimeans have voted to join Russia if the referendum had been legal, free and fair?

As is often the case, the actual evidence suggests a much more complicated picture. Back in the 1990s, Crimean separatists had tried to secede from Ukraine, in part to be closer to Russia. They were able to organize a referendum in 1994, which Kiev declared illegal. This referendum showed mass support for a “treaty based” relationship between Kiev and Crimea, and for allowing dual Russian and Ukrainian citizenship, which was banned under Ukrainian law. However, following this peak, the movement failed to achieve secession, weakened by the egoism of its leader, Yurii Meshkov, who failed to foster ideological cohesion within the movement, nor secure enough mass support to crystallize a viable opposition to the Ukrainian state. After this, separatist politicians became the “losers” of mainstream politics in Crimea, according to those I interviewed, and popular support for separatism waned.

What’s more, Crimea is not in fact populated by an ethnically Russian, pro-Russian majority. That’s far too homogenized an image of the peninsula. In fact, before annexation, Crimea’s Russian ethnic majority was highly fractured and contested, as I will explain in the remainder of this post. Therefore, it is important to go beyond simple explanations of ethnicity as a cause of annexation, or an indicator of support for Russia.

Five categories of Crimean ethnic identity

In 2012 and 2013, as part of my PhD research, I conducted 53 interviews in Simferopol, Crimea, to examine the meanings of being Russian in Crimea. I interviewed individuals from across the political and social spectrum, including many from the post-Soviet generation, to unpack the experiences of being Russian in relation to Ukraine, Russia and Crimea.

Based on this data, I constructed categories to help explain the complexity of Russian identity that I observed. Except for the final category, all respondents said that Russian was their native language and language of common communication.

1. Discriminated Russians
2. Ethnic Russians
3. Crimeans
4. Political Ukrainians
5. Ethnic Ukrainians

These categories offer a more nuanced look at Crimean and Ukrainian identity, going beyond the mutually exclusive ethnic and census categories of “ethnic Russian” and “ethnic Ukrainian” that most observers have used before now. Using these can help illuminate how Crimeans are actually negotiating complex questions of identity, loyalty and territorial aspirations. Let me describe these categories in more detail.

Discriminated Russians most ardently identified as Russian, ethnically, culturally and linguistically, and were supporters of Russia. They felt marginalized and threatened by Ukraine’s policies of Ukrainization, and were members of pro-Russian organizations. By 2014, these organizations came to endorse annexation. That catapulted their leaders, like Sergei Aksenov of Crimea’s pro-Russian party (Russkoe Edinstvo), to positions of power — and helped Russia claim some legitimacy in its occupation. It’s important to note, however, that before 2014, only these few highly politicized individuals, including pensioners, were claiming that they were the victims of discrimination.

Discrimination was therefore a sentiment of those who felt they lost out from post-Soviet politics, rather than those willing and able to adapt, in particular the younger post-Soviet generation.

By contrast, Ethnic Russians identified as ethnically Russian. But they expressed no sense of being discriminated against by Ukraine. Instead, they felt a sense of legitimacy in being Russian, and at the same time, they were not only happy to reside in, but felt a sense of belonging to, Ukraine.

Crimeans and Political Ukrainians blurred ethnic categories in ways that could not be captured by censuses.

Crimeans described Crimean ("Krymchan") as their primary identity, saying that they identified as both ethnically Ukrainian and Russian, having come from ethnically mixed families. They expressed a sense of belonging — both as individuals and as a territory — to both Ukraine and Russia.

Political Ukrainians subverted ethnic categories. They defined themselves in terms of their political connections to Ukraine, as post-Soviet citizens of Ukraine. While they identified their parents as ethnically Russian, Russia was a foreign place to them. They felt that ethnicity did not determine their life chances in Crimea or Ukraine because everyone — no matter what ethnicity — "lives badly."

Unlike Ethnic Ukrainians, Political Ukrainians saw themselves as a post-Soviet category who could conceive of themselves as Ukrainian and from Crimea.

Ethnic Ukrainians explained themselves as Ukrainian, culturally and ethnically, because they were born in parts of Ukraine that were outside Crimea.

These categories revealed a lack of association among identity, citizenship status and territorial aspirations. None of those I interviewed held, or admitted to holding, Russian citizenship, citing it as inaccessible and/or undesirable. Only Discriminated Russians wanted, but could not access, Russian citizenship; they wanted leverage against Ukraine, which they felt marginalized them. All other categories saw Russian citizenship as undesirable, offering rights they neither needed nor wanted.

None of the people I interviewed wanted to secede from Ukraine or to join Russia. They were, rather, happy with the status quo. Even Discriminated Russians, the most pro-Russian and pro-Russia category, supported the territorial status quo, preferring peace to separatism or unification, which they associated with "bloodshed" and a "cataclysm." Regardless of how they identified, my respondents said that separatist sentiments had existed only on the political margins after the failure of the separatist movement to achieve secession in 1994.

Russia's annexation of Crimea was anything but inevitable

In other words, I did not find a Crimea that was overwhelmingly identified as Russian, with residents yearning to return to the country where they truly belonged. Rather, Russian identity was complex, fractured and contested. Just because someone identified as Russian did not mean they would be politically pro-Russian and anti-Ukrainian.

Further, just because someone identified as Russian, it did not mean they wanted to join Russia. All my respondents saw Ukraine as legitimate and wanted to remain within it. Even Discriminated Russians preferred a "bad peace" to a "good war," as David Laitin argued for ethnic Russians in post-Soviet Estonia.

In other words, Russia's annexation of Crimea was anything but inevitable. It was instead a critical break that came after Ukraine's Euromaidan protests. Ethnic Russian identity or mixed loyalty does not explain Crimea's annexation or the ongoing Donbas conflict. How and why did Crimea's pro-Russian organizations and Ukraine's Party of Regions become

willing participants of Russia's annexation? That is a large and more complex question, and deserves an answer that's better than a simplistic recitation of ethnicity.

Ukraine's MPs reject LGBT anti-discrimination bill and European integration

KHPG (11.11.15) - <http://bit.ly/1MLSBjr> - The Verkhovna Rada tried and failed twice on Tuesday to pass an amendment banning discrimination in the workplace on any grounds, including sexual orientation. If the absence of a number of MPs [during the previous attempt on Nov 5 seemed suspicious](#), on Tuesday it could be confidently called sabotage – of Ukraine's prospects for European integration.

Ukraine risks losing the chance of having visa requirements for the EU waived because of this extraordinary failure. It should be stressed, and was by MPs supporting the amendment, that the amendment is entirely innocuous, banning only discrimination in the workplace on, among others, the grounds of sexual orientation.

There was supposed to be a closed meeting of Ukrainian and EU diplomats in Brussels which would have taken the crucial decision as to whether the EU would announce the suspension of visa requirements for Ukrainians by the end of 2015. The European Commission announced that the meeting was being postponed on Nov 9, giving Ukraine's parliament another chance to pass the relevant amendments. Others were adopted on Tuesday, but not the anti-discrimination amendment. At the first vote it was supported by 206 MPs, at the second by 207.

This amendment should have been uncontroversial. It bans only discrimination which is, in any case, against Ukraine's Constitution which Ukraine's MPs are required to respect*. It is also a direct requirement for European integration which was what so many Ukrainians upheld their right to in the autumn of 2013/14 during Euromaidan. It was on the wave of Euromaidan that a lot of politicians entered parliament for the first time or were re-elected, and it is profoundly frustrating that they should have forgotten this. They may not be affected by the visa restrictions, but other Ukrainians are.

The list of MPs who voted for or against, those who abstained, as well as those who were absent can be found at <http://bit.ly/1MCTtV4>.

The lowest support was given by the Samopomich Party, one of the apparent pro-reform parties that emerged after Euromaidan. 8 MPs voted for, none against, however 8 abstained, and a whopping 10 were 'absent'.

This was a critical vote, and the absence of so many MPs is difficult to justify.

The results for the populist 'Radical Party' headed by Oleh Lyashko were even more dismal. One MP voted for this pro-Europe, anti-discrimination amendment; 2 voted against; 5 abstained, 8 did not vote, including Lyashko, while 5 were absent.

Worth noting that these two supposedly pro-Ukrainian parties were united with the Opposition Bloc, representing the old ruling Party of the Regions. There not one MP voted for the amendment; 11 voted against. 8 abstained, 20 did not vote and 4 were absent.

Of non-party affiliated candidates, 13 voted for, 8 against; 4 abstained, 11 did not vote and 15 were absent.

Of the 23 members of the Vidrodzhenya Party, 2 voted for, 11 did not vote and 10 were absent.

There was considerably more support from four factions.

Out of 139 MPs in the Petro Poroshenko bloc 101 voted for; 3 against; 3 abstained; 16 did not vote and 16 were absent.

Of the 81 MPs in the People's Front, 58 voted for, 1 against, 1 abstained, while 6 did not vote and 15 were absent.

Of the 19 MPs in Yulya Tymoshenko's Batkivshchyna Party, 13 voted for, none against, but one abstained and 5 were absent.

Of the 19 MPs in the Will of the People Party, 11 voted for, 1 abstained, 5 did not vote and 2 were absent.

The list of those who either voted against, or chose to defeat the bill through their abstention, failure to vote or failure to appear in parliament contains many MPs who were elected because of their support for reform and European integration.

They failed a fundamental test of parliamentary democracy on Tuesday.

**Discrimination is specifically prohibited on racial, political and religious grounds, as well as on the basis of gender, sexual orientation, family or financial position, participation in strikes, or because of suspected or confirmed AIDS.*

Ukraine's inquiry into Odessa fire 'not independent'

See the Council of Europe report released on 4 November 2015 in English, French and Ukrainian at <http://bit.ly/1MjGt3g> (*)

BBC (04.11.2015) - <http://www.bbc.com/news/world-europe-34726123> - The Council of Europe has criticised Ukrainian authorities for their investigation into a May 2014 fire in Odessa that killed more than 40 people.

It said that the investigation had lacked "institutional and practical independence".

The fire occurred amid violent clashes between pro-Russian protesters and Ukrainian government supporters.

Anti-government protesters had barricaded themselves in a trade union building.

Both sides were reported to have been throwing petrol bombs.

Given Odessa's police were accused of complicity in mass disorder at the time, the investigation should have been carried out by a body independent of the interior ministry, a panel appointed by the council said in its report. Protesters were pictured throwing petrol bombs at the building.

How did the Odessa fire happen?

Outrage over the fire fuelled the conflict in eastern Ukraine, which was beginning at that

time, correspondents say.

The panel said investigations into the events of the day had been of poor quality and lacked resources, with "the authorities failing to show sufficient thoroughness and diligence in initiating and pursuing the investigations".

It said that overall, the investigations had failed to meet the requirements of the European Convention of Human Rights.

The exact cause of fire remains unknown, but the Council of Europe report said protesters inside the building may have accidentally started some fires.

In the aftermath of the incident, Ukrainian Prime Minister Arseniy Yatsenyuk had sharply criticised the security forces, promising a full investigation right down to "every single police officer".

(*) See the report of HRWF International released on 31 May 2014 after one week of investigation in Odessa at <http://bit.ly/1MREusB>

Map from the report of the Council of Europe



1. Assembly point for the pro-unity rally
2. Assembly point for the “AntiMaidan” activists
3. Stadium
4. Place where the clashes started
5. Hretska Square
6. Afina Shopping Centre
7. Kulykove Pole
8. Tent camp
9. Trade Union Building
10. The nearest fire brigade station



Railway station



Manoeuvres by the “AntiMaidan” activists



Area of clashes in the city centre

Local polls, marred by irregularities in big cities, show East-West split remains

By: Oleg Varfolomeyev

Eurasia Daily Monitor Volume: 12 Issue: 195 (28.10.2015) - http://www.jamestown.org/programs/edm/single/?tx_ttnews%5Btt_news%5D=44531&tx_ttnews%5BbackPid%5D=27&cHash=36229adbbf8a03364c0ff46b58477746#.VjK9_oefP4g - The ruling coalition won most local elections across Ukraine on October 25, according to preliminary figures. Results from the Central Electoral Commission (CEC) are expected next week, but it is already clear that compared to the 2010 local elections, the kleptocratic elites who used to support former President Viktor Yanukovich lost dominant positions in most local councils. However, the popularity of the pro-Western coalition, which has been ruling Ukraine since last year, declined compared to last year’s presidential and parliamentary elections. Millions of Ukrainians were disenfranchised because of war, and the elections were marred by irregularities in the key cities of Mariupol and Odesa.

The ruling coalition, which comprises President Petro Poroshenko’s Solidarity party, Lviv Mayor Andry Sadovy’s Self-Help and former prime minister Yulia Tymoshenko’s Fatherland, performed strongly, especially in the western and central areas. The far-right

party Freedom won several constituencies in its western Ukrainian strongholds. Government opponents—many of whom are linked to the former ruling Party of Regions (PoR), such as Opposition Bloc (OB)—performed strongly in the mainly Russian-speaking east and south (Obozrevatel.com, October 28). The Ukrainian Association of Patriots (UKROP), the party of the rebel oligarch Ihor Kolomoysky, ran neck and neck with OP in Kolomoysky's home city of Dnipropetrovsk (Rbc.ua, October 27).

The defeat of the ruling coalition in the east and south, especially in the areas freed from Moscow-backed rebels, came as no surprise. The coalition government has largely failed to come up with a national re-unification project or to sufficiently counteract Russian propaganda in those regions. Courts and law enforcement agencies remain notoriously corrupt, and many officials continue to live beyond their means. The economy has deteriorated considerably in 2014–2015, especially in the industrial eastern and southern areas, which lost their traditional Russian markets due to war and the sanctions introduced by Russia in 2013–2015. Many locals blame their hardships on the Maidan revolution and the government's pro-Western course, rather than on Moscow-supported thugs and corrupt local elites. The opposition parties such as OB have capitalized on this. Slovyansk and Mariupol (Mariupil), the cities in the Donbas region that were among the first to be freed from Moscow-backed rebels in the summer of 2014, are good cases in point. OB candidates easily won both mayoral and local council polls in Slovyansk, although a turnout of just 28 percent, compared to the national average of 47 percent, showed indifference among locals, if not despair (Vesti-ukr.com, October 26). Authorities did not organize elections in Mariupol, the biggest city in Donbas not controlled by forces imposed by Russia. Polls did not open in Mariupol, because the local electoral commission refused to use ballot papers printed by a firm linked to oligarch Rinat Akhmetov, who is behind OB. The authorities and OB accused each other of deliberately disrupting elections in Mariupol (Lb.ua, October 25).

CEC chairman Mykhaylo Okhondovsky told Western ambassadors that there were no irregularities with ballot papers in Mariupol, and he blamed the local election authorities for the election fiasco. It is now up to the national parliament to decide when repeat elections will be held in Mariupol and Krasnoarmiysk, the other Kyiv-controlled Donbas town where elections did not take place (Zn.ua, October 26).

Run-off mayoral elections will be held on November 15, in the towns and cities where no candidate won more than 50 percent of the votes on October 25. According to preliminary figures, run-offs will be needed in several big cities, including Kyiv, Dnipropetrovsk and Lviv. The situation is complicated in Odesa, the site of deadly fights

between Ukrainian nationalists and pro-Moscow activists last year. The governor of Odesa province, Mikheil Saakashvili, the reformist former president of Georgia, claimed that mayoral election ballot papers had been tampered with. He called on Poroshenko to interfere. The local electoral commission said that incumbent mayor Hennady Trukhanov won the election with 53 percent of the popular vote, while the Saakashvili-backed, liberal, pro-Western candidate—Sasha Borovik—came in second with 26 percent ([Lb.ua](#), October 27). Borovik has demanded a run-off election and threatened to lead mass protests ([Liga.net](#), October 27). Borovik and Saakashvili represent Solidarity, while Trukhanov used to be in the PoR. Saakashvili, on his Facebook page, compared Trukhanov's supporters to the Russian "little green men" who annexed Crimea last year, and called for setting up a "committee of action" to rid Odesa of "oligarchs and clans."

The elections were not held in Russian-annexed Crimea or the areas held by Russia-backed militants in Donbas. Ukrainian local elections in Crimea are out of the question for obvious reasons. As for the Donbas region, Kyiv, Moscow and the rebels are yet to agree on when local elections will take place there and according to what rules. Moreover, about 1.2 million internally displaced persons were disenfranchised across Ukraine by the imperfect electoral legislation ([Oporaua.org](#), October 26).

Despite all the inadequacies, the West pronounced the elections generally free and fair. Moscow has not voiced open disapproval either. The US Department of State said in a statement, citing international observers, that the elections largely reflected the will of the people and generally respected the democratic process (State.gov, October 26). Poroshenko promised sweeping reforms after the elections (Interfax, October 21). Now is the time to deliver, but election irregularities will also have to be addressed urgently if the government does not want to lose more ground to the likes of OB.

Local elections: Numerous violations according to OPORA

OPORA (26.10.2015) - <http://www.oporaua.org/en> - According to the preliminary findings of the OPORA, local elections were held with numerous violations of the electoral process organization procedure and international standards including: instable electoral legislation and vague procedures, violation of equal opportunities principle and the principle of balanced proportion of mandates, low level of ballot papers security and violations which may be specified and voter bribery. Violations on 25 October were usually unsystematic and didn't have significant influence on election results or vote count process, and the campaign itself was quite competitive.

OPORA calls on the Verkhovna Rada of Ukraine to secure voting rights of Mariupol and Krasnoarmiisk citizens, where elections were disrupted on 25 October, and to amend the legislation to secure proper conditions for citizen participation in local self-government of

these cities. OPORA calls on state authorities at all levels to restrain from using this disruption as grounds for restriction of local self-government.

The voter turnout in Ukraine was 46.5% as of 8 p.m., what is only 2.2% less than turnout in 2010 local elections. Olha AIVAZOVSKA, Electoral and Parliamentary Programs Coordinator at the Civil Network OPORA told about the most typical violations that occurred on the election day: "OPORA's observers detected:

- minor violations at 24.1% polling stations in Ukraine (margin of error 2.3%)
- significant violations at 2.3% polling stations (margin of error 1,4%).

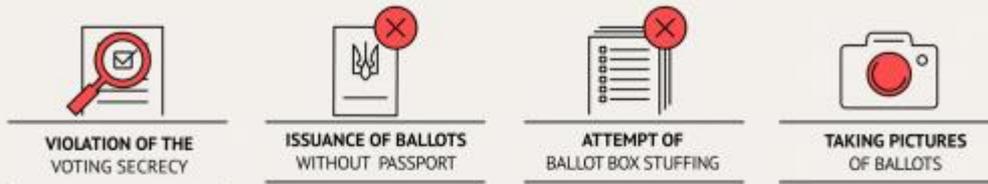
The most typical violations were:

- attempts to issue (receive) ballots without previous passport verification
- violation of the voting secrecy – incidents were detected at 17.7% of polling stations in Ukraine
- violation of the voting secrecy – at 7.5% polling stations in Ukraine
- incidents when voters took pictures of their ballots were detected only at 1.9% polling stations in Ukraine.

However, the percentage of such violation at polling stations of Odesa and Dnipropetrovsk is much higher – 13.5% and 11.9% polling stations respectively."

However, ballot box stuffing was detected at 1.5% polling stations in Ukraine.

Violations detected during voting day



UKRAINE



ODESA



DNIPROPETROVSK



KHARKIV



See detailed results of the election at <http://www.oporaua.org/en>

OPORA, a non-governmental, non-political and financially independent nationwide network of public activists

The Civil Network “OPORA” is a non-governmental, non-political and financially independent nationwide network of public activists. We have teamed up to enhance public participation in the political process by developing and implementing models of citizens’ influence on the activities of state and local government in Ukraine.

We work to develop civil society in Ukraine as the foundation of a sovereign, independent, democratic, social and legal state.

Strategic objectives of the Civil network "OPORA":

- Ensure the openness and transparency of state and local government in Ukraine
- Support and develop the social groups and environments at local communities, their association in the nationwide network of cooperation and communication.
- Develop and implement the innovative training system of community activists.

Priority areas of CN OPORA:

- **Educational policy** - development and testing of integrated public observation mechanisms for independent external testing (EIT) and admission to higher education during all phases of the process.
- **Municipal policy** - development and implementation of the effective institutionalized model for condominiums' organization in Ukraine.
- **Election process** - providing a comprehensive long-term monitoring and analysis of the electoral process and program activities of political parties in Ukraine, observations during the elections.

Forms and methods of our work:

- Monitoring and public control (watch-dog activity)
- Research and policy analysis
- Civic education
- Law education and human rights of citizens
- Social media lobbying
- Civic journalism
- Direct actions
- Legislation development
- Protection of rights and public interests (advocacy)

Principles:

1. Decentralized management

This principle means that, along with the implementation of obligatory national issues of the Network, attention will be paid to implementation of local strategies and local campaigns, taking into account the characteristics and needs of the region or sector as such that promote objectives of Civic Network and won't contradict its national strategy.

2. Free communication

Messages, contacts, joint action between the structural units of the network are encouraged hence they promote greater institutionalization and motivation of structural units and enhance its viability and resistance to external intervention.

3. Multi-leadership

This principle means building the structure "from the bottom", relying primarily on civil activists for it increases the stability, renewal and development of the Network. Responsibility for specific tasks and areas are localized to specific managers, but they are also responsible for preparing an adequate substitute and periodic rotation of senior staff. This significantly increases the motivational element and reduces the negative effects of the use of levers of power by individuals. Strategy vectors of the structural units' development determine the local coordinative councils, thus reducing the impact of the problematic "chief factor" in decision-making and the proportion of inadequate decisions.

4. Self-government

All strategic decisions about network activities of civic activists and centers of activity are taken into account with consideration of views of local authority representatives on the basis of a consolidated democracy, open vote or consensus.

5. Political impartiality

Network activity may not be used in the election campaign for candidates, parties or blocs.

6. Political openness

Goals, objectives and principles, methods and means of the Network are open and public.

7. Financial openness

Network funding is open and all units are required to publish financial information and report on activities at the end of period (end of project year, campaigns, etc.).

8. Financial independence

Any financial donors have no other levers of influence on strategy or tactics of the Network, in addition to the advisory, with mandatory consultation with the coordinating body for the appropriate level of Network.

9. Legality

All the activities of the Network are managed by the applicable laws, Constitution and international norms.

10. Solidarity

All Network participants agree to act within the overall strategy and network strategies of individual projects / campaigns that adhere to the principles of the requirements for management and structural unification, corporate identity, etc.

Doctors Without Borders says it's been banned from Donetsk by rebels

Newsweek (23.10.15) - <http://bit.ly/1i8Pl2L> - Humanitarian medical organization Doctors Without Borders/Médecins Sans Frontières (MSF) said it has been banned from working in the rebel-held area of Donetsk in embattled eastern Ukraine in a press release published Friday.

According to MSF, the organization received a written notice from the Humanitarian Committee of the self-proclaimed Donetsk People's Republic on October 19 asking it to stop its activities and saying its accreditation had been withdrawn. MSF says it was not given a reason for the request to stop working in the region. MSF is urging the Humanitarian Committee to reconsider its decision.

"We are extremely concerned by this move, which will deprive thousands of people of lifesaving medical assistance," said Bart Janssens, director of operations at MSF. "This decision will have life-threatening consequences for the patients MSF is now leaving

behind. We are urging the DPR Humanitarian Committee to reconsider the decision without delay in order for us to resume providing much-needed health care.”

The AFP spoke with a representative for the Donetsk People’s Republic, who told the news agency: “I can confirm the decision to strip [MSF’s] accreditation.” MSF was kicked out of Luhansk, eastern Ukraine, in late September, a decision the organization said was “unacceptable given the significant medical and humanitarian needs of people affected by the ongoing conflict.”

The humanitarian crisis in Donetsk and Luhansk has deteriorated since both regions fell under the control of Russian-backed rebels last year. MSF says it was one of only a few medical organizations working in the region and among its services provided treatment for chronic illnesses including tuberculosis, diabetes and kidney disease. The International Committee of the Red Cross and the Czech Republic’s People in Need remain working in the region, according to the rebels.

According to the United Nations, nearly 8,000 people have been killed and more than 17,600 have been injured in Ukraine since fighting broke out between government troops and Russia-backed rebels last year.

Odessa 2 May suspect: We were financed by Moscow

See as well HRWF investigation and report <http://hrwf.eu/wp-content/uploads/2014/11/Odessa-2nd-May-2014-Tragedy.pdf>

KHPG (07.10.2015) - <http://www.khpg.org/en/index.php?id=1444010513> - Serhiy Rudyk, one of the men facing charges over the May 2, 2014 disturbances in Odesa, is in no doubt that the anti-Maidan protests on Kulikovo Pole in the Spring of 2014 [were paid for “by Moscow”](#)*. Rudyk, whose organization cannot be suspected of an anti-Russian bias, names the specific amounts paid for living at the anti-Maidan camp, and mentions rumours that Moscow paid 2 million dollars for the entire ‘Kulikovo Pole project’.

Rudyk was speaking very openly with a representative of the May 2 Group, a non-partisan civic initiative, investigating the tragic disturbances and fire at the Trade Union building on Kulikovo Pole. While remaining the assertions of one individual, Rudyk’s account does seem to correspond with other reported findings and hypotheses presented by the Group over the last year or more.

Rudyk’s group – Odesskaya Druzhyna [OD] – was one of various anti-Maidan groups, pro-Russian and pro-federalist, involved in the Kulikovo Pole protests and demonstrations in Odesa in March and April against the post-Maidan government in Kyiv and in support of ‘federalisation’. The core of OD, according to Serhiy Dibrov from the May 2 Group, was made up of activists from ‘Slavonic Unity’, a movement with pronounced neo-Nazi views.

Rudyk is now convinced that they were set up, and used, and states at the outset that what the organization was supposed to be, and what it actually was, were two different things.

Odesskaya Druzhyna emerged, he asserts, on March 8, 2014 as a “military-patriotic camp” on Kulikovo Pole aimed at “educating youth” and “defending Kulikovo Pole” from the ultranationalist Right Sector. They also “accompanied” all demonstrations and marches, including, for example, a march in favour of a referendum on March 16, the day of the pseudo referendum on Crimea’s status used by Russia as pretext for annexing the peninsula. Rudyk asserts that OD were promised all kinds of training, uniforms and special vests. When the interviewer notes that such vests are regarded as special

equipment, Rudyk confirms that yes, initially, OD was supposed to be about establishing 'law and order in Odesa'. At whose initiative is not specified.

Rudyk claims a distinction between those who were in OD for ideological reasons and those who became part of the tent camp once it became clear that they would get paid for spending the night there. From around 4 people, the number rose dramatically because of the 50 (initially 150) UAH paid per person per night. Rudyk was not in Odesa when, during the night of April 30, the OD camp moved from Kulkovo Pole to another location altogether. He mentions the rumours that the leader of OD received 150 thousand dollars for moving the camp.

Some of those who took part in the disturbances and who were on Hretska St, where four of the six who died of bullet wounds were killed were former OD members disgruntled over the OD move. While Rudyk states that they were annoyed over the excessive financial aspect to OD activities, it is also clear from his words that many of them were unwilling to relinquish the chance to beat up pro-Ukrainian activists during the coming pro-unity march.

He and other OD members were in the Athena shopping centre on May 2 where, he says, they were handed petrol free of charge for making Molotov cocktails. They were basically surrounded and eventually arrested and, briefly, placed in a remand prison. Around 20 people are facing charges of involvement in the disturbances. As reported, the May 2 Group has expressed concern over the charges and believe they could with just as much justification be laid against most participants in the riot that afternoon.

The May 2 Group reported quite early on that there were grounds for believing money had been paid for moving from Kulikovo Pole which the authorities and police wanted cleared before Victory Day on May 9.

The assertion that Russia was financing the anti-Maidan protests in Odesa is harder to prove, but difficult to reject. By mid-March Russia had carried off its invasion and annexation of Crimea and within weeks a not dissimilar scenario appeared to be unfolding in Donbas, as well as in Kharkiv. One of the people who fled Sloviansk after it was seized by Kremlin-backed militants spoke of how everybody knew that the people seizing power were Russian. One of the key figures in the seizure of control and subsequent fighting was Igor Girkin, a Russian military intelligence officer, who had recently played a major role in Russia's occupation of Crimea. In Kharkiv the situation was almost comical with the militants trying to seize control of the opera house, believing it to be the city administration.

Russian President Vladimir Putin's ominous pronouncements in April about a so-called 'Novorossiya' including the Kharkiv and Odesa oblasts only intensified anxiety that these two oblasts were likely to be the next to fall.

Both Kharkiv and Odesa have suffered the most from terrorist acts over the last 18 months, and [ongoing attempts](#) are underway to push the Besarabian People's Council, a Russian-registered separatist organization. This 'Council's' claims that it is defending 'minorities' in the Odesa oblast [have been condemned as provocation](#) by the most prominent minority groups of the region.

It is very widely believed, including by the members of the May 2 Group, that the bloodshed on May 2, 2014, was the jolt needed to stop Odesa slipping into the same abyss as Donbas. Whether this was the case will thankfully never now be known, but it is significant that even one of those who played an aggressively active role in pushing the 'Russian Spring' is quite clear who was pulling the strings.

* There are three videos:

https://www.youtube.com/watch?v=Kj7EL0zohxY&index=4&list=PL1VsJWkUn2D7j2O4xcyd8l_MZwKUN2Hrm

https://www.youtube.com/watch?v=9q3fRWY8XwY&list=PL1VsJWkUn2D7j2O4xcyd8l_MZwKUN2Hrm&index=5

https://www.youtube.com/watch?v=Kj7EL0zohxY&index=4&list=PL1VsJWkUn2D7j2O4xcyd8l_MZwKUN2Hrm

The May 2 Group has produced a film about the events of May 2, 2014 which can be viewed with English subtitles [here](#)

More details about the events [here](#) and in the links below the text

See also:

- [Vital Probe of Odesa May 2 Tragedy stymied because of questions answered?](#)
- [Movement at last on Odesa 2 May investigation](#)
- [Russia Today, or why Odesa May 2 is different from Baltimore](#)
- [Odesa May 2 Investigation: A Failed Test for Ukrainian Justice](#)
- [More Evidence against Incendiary Lies about Odesa 2 May](#)
- [Continuing Obstruction of Odessa May 2 Investigation](#)
- [Propaganda that Kills](#)
- [Odessa May 2 trial turns into farce as Russia continues 'massacre' propaganda](#)
- [Bad Start to Crucial Odessa May 2 Trials](#)
- [Russia's New Odessa File](#)

Yatsenyuk and allies of Poroshenko, Avakov targeted by corruption investigations

KyivPost (26.09.2015) - <http://bit.ly/1MAqGz5> - Prime Minister Arseniy Yatsenyuk, President Petro Poroshenko's chief of staff Borys Lozhkin and an ally of Interior Minister Arsen Avakov have been targeted by investigators and whistleblowers in Ukraine and abroad this week.

The reports come as Poroshenko, Yatsenyuk and Prosecutor General Viktor Shokin are accused of failing to investigate corruption among incumbent and former top officials and applying selective justice.

Geoffrey Pyatt, the U.S. ambassador to Ukraine, went so far on Sept. 24 as to say that "corrupt actors within the Prosecutor General's Office are making things worse by openly and aggressively undermining reform."

Kyiv's Pechersky District Court has ordered the Prosecutor General's Office to start an investigation against Yatsenyuk on suspicion of getting a \$3 million bribe for appointing Volodymyr Ishchuk as chief executive of state-owned Radio Broadcasting, Radio Communications and Television Company, Serhiy Kaplin, a member of the Verkhovna Rada, wrote on Sept. 26. He posted a scanned copy of the court order.

The Pechersky District Court was not available for comment.

Olga Lappo, a spokeswoman for Yatsenyuk, said by phone she could not immediately comment on the issue.

Kaplin had earlier filed a complaint against the Prosecutor General's Office for refusing to start the investigation.

Yatsenyuk's allies have also come under fire.

Earlier this year Ihor Kotvytsky, a lawmaker from Yatsenyuk's People's Front party, transferred \$40 million to an offshore company based in Panama through Ukraine's state-owned Oshchadbank, Serhiy Leshchenko, a lawmaker from the Petro Poroshenko Bloc, wrote on his blog on Sept. 25.

Kotvytsky was not available by phone or e-mail, while the People's Front's press office could not be reached by phone.

Kotvytsky did not initially include this amount in his 2014 declaration but changed his mind and included it half a year after the deadline for declarations expired, Leshchenko said, posting scanned copies of what he said were the original and corrected declarations.

Leshchenko said, citing unnamed "high-ranking" sources, that the money could belong to Avakov. He claimed that Kotvytsky was Avakov's "wallet" and business partner.

Avakov dismissed the accusations on Sept. 26.

"Leshchenko is a sophisticated manipulator who serves (Russian businessman Konstantin Grigorishin)," Avakov claimed.

This is not the first time Yatsenyuk and his associates are accused of graft.

In April Mykola Hordienko, head of the State Financial Inspection Service, was fired after accusing Yatsenyuk of corruption, while Ihor Shevchenko was dismissed as ecology and natural resources minister in July after claiming that the prime minister was derailing his anti-corruption efforts.

Yatsenyuk allies Mykola Martynenko, Serhiy Chebotar and Serhiy Pashynsky have also become targets of corruption accusations.

Another scandal has erupted over Lozhkin, Poroshenko's chief of staff.

Austria's anti-corruption prosecutors are investigating a suspected money laundering scheme linked to Lozhkin, the Austrian News Agency reported on Sept. 24, citing a spokesman for the country's anti-corruption prosecution office.

"Neither Ukraine nor Austrian law enforcement agencies have asked me for information on investigations regarding myself," Lozhkin told the news agency. He also told the Liga.net news site that he was prepared to testify in the case.

The Austrian investigation targets three Ukrainian nationals, the spokesman said without naming them.

The spokesman did not say whether Lozhkin would be called as a witness or a suspect and did not specify the period of suspected money laundering.

Serhiy Leshchenko wrote on his blog on Sept. 24, citing sources at the presidential administration, that the case was linked to Lozhkin's sale of his UMH media group to Serhiy Kurchenko, an ally of disgraced former President Viktor Yanukovich, in 2013. Kurzhenko, a major suspect in corruption investigations, fled Ukraine after the 2013-2014 EuroMaidan Revolution.

The sale was carried out using offshore firms and accounts at Austrian banks, the sources said.

Austrian prosecutors sent a request for assistance in the investigation to Ukraine Prosecutor General's Office several weeks ago but Shokin "has kept it secret," Leshchenko wrote.

Andriy Demartino, a spokesman for the Prosecutor General's Office, was not available for comment.

Poroshenko's allies have also been targeted by anti-corruption activists and investigative journalists before.

Grigorishin, a business partner of Poroshenko, has come under fire for allegedly winning a procurement tender in an allegedly illegal way and supplying transformers at below-market prices, according to a Radio Svoboda investigation.

In another case, Konstyantyn Likarchuk, deputy head of the State Fiscal Service, accused Roman Nasirov, who had been a lawmaker from the Petro Poroshenko Bloc before becoming head of the agency, of restoring Yanukovich-era corruption schemes. Likarchuk was fired earlier this month.

Commander of Right Sector in Zakarpattia put on wanted list – Interior Ministry

Interfax-Ukraine (18.08.2015) - <http://en.interfax.com.ua/news/general/284529.html> - The commander of the Zakarpattia battalion of "Right Sector" volunteer Ukrainian corps Roman Stoika has been put on the wanted list, according to the website of the Interior Ministry of Ukraine.

According to the website, Stoika, who is suspected of creating a terrorist group or organization, was born in 1983 and is currently hiding from the prosecutor agencies.

According to the report, Stoika disappeared on August 17.

As reported, the Zakarpattia branch of Right Sector was led by the 32-year-old former police officer Stoika who was disciplined twice, in 2007 and 2009, while working for the force.

"In July 2009 he was dismissed from the force in accordance with Clause 64 ['professional inaptitude'] of the regulations for senior and rank-and-file police officers," the ministry's spokesperson said on Monday.

Stoika is a native of the village of Vyshkove, Khustsky District, Zakarpattia region, the ministry said. In 2007, he graduated from Uzhgorod National University. He began working as a policeman in February 2005 as a detective of the criminal investigation unit of the Uzhgorod City Police Department of the Ukrainian Interior Ministry Directorate for Zakarpattia region.

Stoika is "a key figure in the armed conflict in Mukacheve," the ministry said.

It was reported that a skirmish occurred on July 11 involving people close to parliamentarian Mykhailo Lanio, local police, and several Right Sector members. According to various reports, two or three people were killed and up to 14 were injured in the incident.

HRWF Footnote:

At mid-July, clashes in south-western Ukraine between members of a far-right volunteer militia and local authorities raised fears that violence might spread beyond the conflict in Ukraine's east and could further destabilise the country's fragile political balance.

They also underline the delicate and highly risky relationship between the Ukrainian government and the volunteer militias, who are helping fight Moscow-supported militants in eastern Ukraine.

On 12 July in the city of Mukachevo, around 20 members of the ultra-nationalist Right Sector volunteer battalion exchanged gunfire with police and the security detail of a local politician.

At least three people were killed, reports said, two of whom were from Right Sector, and 13 were wounded.

Andrii Portnov, former adviser of President Yanukovich, removed from the list of EU sanctions

HRWF (15.07.2015) - On 6 March 2015, Andrii Volodymyrovych Portnov, former adviser to the President of Ukraine, was removed from the list of EU sanctions after Ukrainian courts had ruled in all the cases referred to by the EU to justify its sanctions that there was no evidence that

- he had allegedly been involved in the mass murder of Maidan activists in Kyiv
- he was allegedly involved somehow in legalization of assets and misappropriation of land and buildings belonging to V.Yanukovich, in Mizhgirye district
- he had allegedly abused his official position as the Head of the Department of Constitutional Law at the Taras Shevchenko National University in Kyiv and appropriated its assets in the form of salary, not actually doing any work.

A.V. Portnov challenged all these accusations in courts to defend his honor, his dignity and his business reputation.

TIMELINE OF THE BLACKLISTING

On 3 March 2014, the government of Ukraine announced that it had initiated criminal proceedings against a number of former Ukrainian officials and close associates.

On 5 March 2014, the Council of the European Union, referring to information from General Prosecutor's Office in Ukraine, issued a "Decision (Ref. 2014/119/CFSP) concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine."

The Decision was targeting 18 persons "subject to criminal proceedings in Ukraine to investigate crimes in connection with the embezzlement of Ukrainian State funds and their illegal transfer outside Ukraine."

A.V. Portnov was number 5 on the list. He was also put on the lists of Norway and Switzerland.

The Council agreed to focus on restrictive measures on the freezing of assets. But it did not check if he actually had any assets. Eventually it turned out that he had no assets or bank accounts within the EU so the aforementioned restrictive measures were applied in vain.

TIMELINE OF THE JUDICIAL HARASSMENT

First case: Accusation of involvement in a mass murder

28 February 2014: A.V. Portnov accused of involvement in the mass murder of Maidan activists by the General Prosecutor's Office

The General Prosecutor's Office of Ukraine published on its official website:

"The General Prosecutor's Office of Ukraine asks the new leaders of the Ministry of the Interior and the Security Service of Ukraine to immediately detain persons involved in the mass murder of activists in the center of Kyiv since this February 18 till 22. Among the people being wanted: Former Deputy Head of the Presidential Administration Andrii Portnov."

15 August 2014: The Pecherskyi District Court of Kyiv declares A.V. Portnov non-guilty

In its Decision, the said court "recognized as false, being not true, violating the rights of freedom, defaming the honor, dignity and business reputation of A.V. Portnov, the information disseminated by the General Prosecutor's Office of Ukraine on 28 February 2014."

The court also obliged the General Prosecutor's Office to publish its decision on its website within one month if an appeal was not filed within 10 days.

Failure of the General Prosecutor's Office to answer requests from A.V. Portnov's lawyer

Between 12 June and 18 July 2014, attorney Nikitin S.P. addressed several requests to the General Prosecutor's Office about the violation of his client's right to protection of his honor, dignity and business reputation but they remained unanswered.

On 22 July 2014, the Plaintiff, A.V. Portnov, filed a lawsuit against the General Prosecutor's Office regarding the acknowledgment of the information as unreliable and discrediting his honor, dignity and business reputation.

On 25 August 2014, the County Administrative Court of Kyiv ruled that "the activity of the General Prosecutor's Office is to be adjudicated unlawful, which lies in the failure to grant responses to the requests of the attorney Nikitin S.P."

On 7 October 2014, failing to agree with the court Resolution as of 25 August 2014, the defendant's representative issued the appeal petition. However, the Kyiv Administrative Court of Appeal resolved that: "The appeal petition of the defendant - the General Prosecutor's Office of Ukraine - is to be dismissed. The decree of the County Administrative Court of the city of Kyiv dated 25 August 2014 is to be left unchanged. The resolution is final, definitive and is not subject to any appeal."

23 October 2014: Court of appeal confirms A.V. Portnov is non-guilty

In its Resolution, the Kyiv Appeal Court rejected the appeal of the General Prosecutor's Office against the Decision of Pecherskyi District Court of Kyiv dated 15 August 2014, left the Decision without changes.

Second case: Accusation of participation in criminal offences

On 20 May 2014, during a session of the collegiate organ of the General Prosecutor's Office, the first deputy of the General Prosecutor, Mr. M. Ya. Golomsha said in a speech:

"Former first deputy of the Chief of Staff Mr. Portnov is involved in the commission of criminal offences.

He was allegedly involved somehow in legalization of assets and misappropriation of land and buildings, belonging to V.Yanukovych, in Mizhgirye district."

The information stated was made public through video record publication in the social network Facebook on the publicly available profile of the Ukrainian General Prosecutor's Office (information addresses in the global network of internet with a hyper reference to Youtube internet resource). Moreover, a relevant video record was made public on Youtube official page of the Ukrainian General Prosecutor's Office.

9 October 2014: The Pecherskyi District Court of Kyiv ruled the accusation unreliable

At the court hearing of the Pecherskyi District Court of Kyiv, where the representative of the Defendant (Mr. M. Ya. Golomsha) did not appear, the Plaintiff considered that information negative, untrue and subject to denial. Consequently, the court delivered its Decision considering the case by default in accordance with article 224 of the Ukrainian Civil Procedure Code. The court recognized the aforementioned information as "unreliable and violating the individual non-proprietary rights of A.V. Portnov." It obliged the General Prosecutor's Office to deny the unreliable information with 10 days and to post the message regarding the court decision delivered in the case on Facebook and Youtube. Though, the decision by default could be reviewed upon written demand by the Defendant within 10 days.

6 November 2014: The Pecherskyi District Court of Kyiv dismissed the application of the General Prosecutor's Office for a review of its decision in absentia

In its Decree, the Pecherskyi District Court of Kyiv approved the dismissal of the application of the General Prosecutor's Office for a review of its decision in absentia under the claim of A.V. Portnov to the General Prosecutor's Office, the third person who does not claim independent demands on the subject on the party of the defendant, Mykola Yaroslavovych Golomsha, on the recognition of information to be false and degrading the honour, dignity, business reputation and its denial.

25 December: Appeal of the General Prosecutor's Office dismissed. A.V. Portnov confirmed non-guilty

In its Decree, the Court of Appeal of Kyiv denied the appeal by Oleksandr Mykolaiovych Gudz in the interests of the General Prosecutor's Office and left the default decision of the Pecherskyi District Court of Kyiv dated 9 October 2014 unchanged.

Third case: Accusation of abuse of his position at the University

December 2014: Legal action by A.V. Portnov against the General Prosecutor's Office

In December 2014, A.V. Portnov took legal action against the General Prosecutor's Office, the third party Zalisko O.I., asking the court:

"To recognize the information set out in the letter of the General Prosecutor's Office of Ukraine dated 10 October 2014, addressed to the EU High Representative for Foreign

Affairs and Security Policy, inadequate information which tarnishes honor, dignity and business reputation of A.V. Portnov, in particular the following phrases:

- 'Chief Investigation Department of the General Prosecutor's Office of Ukraine holds prejudicial investigation on cases of A.V. Portnov,'
- '...on the fact of abuse of official position by A.V. Portnov as the Head of the Department of Constitutional Law in Taras Shevchenko National University of Kyiv and appropriation of the assets in the form of salary at this position, not actually doing any work, and also holding the rank of member of the High Council of Justice of Ukraine under the quota of the Congress of Representatives of Higher Legal Educational Establishments and Scientific Institutions,'
- 'organization by A.V. Portnov, together with other persons and People's Deputies of Ukraine from the fraction Party of the Regions, of the adoption on 16 January 2014 by the Verkhovna Rada of Ukraine, with violation of the established procedure of voting, laws which significantly narrow constitution rights and freedoms of citizens contributing to the suppression of protests on Maidan Nazalezhnosti in Kyiv that caused grave consequences'

To oblige the General Prosecutor's Office to inform the European External Action Service on the decision taken in this case within 10 working days since the decision enters into force."

A.V. Portnov justified his action by the fact that in a first letter dated 8 July 2014, signed by Baganets A.V. (former first Deputy Prosecutor General of Ukraine), General Prosecutor's Office had notified the EU High Representative Catherine Ashton that he was under prejudicial inquiry on the aforementioned issue.

Besides, in November 2014, A.V. Portnov turned to court with the claim for recognizing as false the information violating the honor, dignity and business reputation contained in the letter of the General Prosecution Office Ukraine dated 08.07.2014 submitted to the European Union High Representative for Foreign Affairs and Security Policy.

On 7 November 2014 the Pecherskyi District Court of Kyiv ruled "To adjudge as unreliable information, which violates A.V. Portnov's personal non-property rights, contained in the letter as of 08.07.2014 sent from Public Prosecutor's Office to Ms. Catherine Ashton, High Representative of the European Union for Foreign Affairs and Security Policy."

On 20 January 2015, the Kyiv Court of Appeal left the Decision as of 07 November 2014 unaltered.

29 December 2014: Official notification of suspicion

The General Prosecutor's Office notified Mr A.V. Portnov that he was suspected of committing the following misdeed: "holding the office at the Presidential Administration of Ukraine, he seized the property of Taras Shevchenko National University of Kyiv and Kyiv Economic University named after Vadym Hetman by abusing the office repeatedly, i.e. in committing a crime, stipulated by Part 3 of Art. 191 of the Criminal Code of Ukraine."

In short, he was accused of "the seizure of another's property through abusing his office repeatedly."

13 January 2015: Decision of the Pecherskyi District Court of Kyiv in favor of A.V. Portnov

The court decided

"to satisfy the notice of the claim on the protection of honor, dignity and business reputation of Mr A.V. Portnov to the General Prosecutor's Office of Ukraine, the third party Zalisko Oleh Ihorovych;

to oblige the General prosecutor's Office of Ukraine to inform the European External Action Service about the decision taken in this case within 10 working days from the day of its entering into force."

CONCLUSIONS AND COMMENTS

A.V. Portnov has been relentlessly prosecuted but all the courts have dismissed the official accusations that were made public by the General Prosecutor's Office through its official website and the social media, disregarding the presumption of innocence.

It is obvious that Ukrainian authorities were guided by personal revenge and political settlement of scores.

This case and increasing malpractices in many areas denounced by Ukrainian NGOs show that there is still a long way to go for the heirs of Maidan to live up to their commitments to democracy and the rule of law in Ukraine.

What is worse is the international impact of the miscarriage of justice of the EU in A.V. Portnov's case. He was blacklisted by the EU and some other non-EU countries and subject to their public sanctions. In a sense, the EU participated in and was also partly responsible for the international disgrace of A.V. Portnov, although he was removed from the list of sanctions one year later. In the future the EU might have to reconsider its sanctions procedures in the light of the presumption of innocence.

ANNEX: Professional activities of A.V. Portnov

Born on 27 October 1973 in Lugansk in a family of workers. He graduated from intermediate school Nr 50 in Lugansk.

From 1991 to 1992, he served in Armed Forces of the USSR and Ukraine.

In 1993 he began to work as a lawyer in industrial enterprises and law firms in Luganshina. At the same time he studied at the Extension Department of Law Faculty of East Ukrainian National University.

From 1997 to 2001, he worked in the Securities and Exchange Commission as a main specialist, head of the department, head of assistant and advisers staff of the President of Commission, director.

From 2003 to 2005, he was a member of the Commission and headed the administrative office of the Commission.

From 2005 to 2006, he practiced law.

From 2006 to 2010, he was a member of 5th and 6th Legislatures of the Parliament of Ukraine, Deputy Head of the Verkhovna Rada Committee on Justice.

In 2009, he was elected for 6 years as a member of the High Council of Justice of Ukraine by the decision of the Third Ukrainian Congress of Representatives of Legal Institutions of Learning and Scientific Institutions.

From 2010, he was Deputy Head of the Presidential Administration of Ukraine - Head of the Main Department on Judicial Matters, Advisor of the President of Ukraine.

From 2014, he was the first Deputy Head of the Presidential Administration of Ukraine (dismissed as of 26.02.2014). He coordinated the work of the judiciary department, the department of reforming police authorities. He represented the Presidential Administration of Ukraine in courts, handled opinions on draft laws, etc.

From March 2014, he practiced law.

From November 2014, he became the Head of the Law Reforms Institute.

Academic and other titles

Ph.D. in Economics (2001).

Honored lawyer of Ukraine (2004).

S.J.D. (2009).

Head of Constitutional Law Department of Taras Shevchenko National University of Kiev (2010-2014).

Member of the Presidential Commission on Mercy (2010).

Head of the Working Group on Criminal Justice Reforms (2010).

Member of the Specialized Academic Board of National Academy of Prosecution of Ukraine (2011).

Head of the Working Group on Prosecution and Advocacy Reforms (2011).

He is the author of two scientific monographs and more than 30 scientific works on problems of legal regulation of constitutional justice, and on theory of constitutional process.

Head of composite authors of the Criminal Procedural Code of Ukraine, law on judiciary and status of judges, laws on prosecution and advocacy activity, laws on humanization of criminal liability for economic crimes, law on anti-raider crimes, etc.

OSCE High Commissioner on National Minorities assesses inter-ethnic relations in Zakarpattia and Lviv, western Ukraine

OSCE (07.07.2015) – OSCE High Commissioner on National Minorities Astrid Thors assessed the situation of national minorities and internally displaced people (IDPs) in western Ukraine during a visit to Uzhhorod, Mukacheve, Berehove and Lviv from 29 June to 3 July.

This was the first time that a High Commissioner visited the multi-ethnic region of Zakarpattia. Among others, she met regional and local authorities as well as representatives of the Hungarian, Russian, Romanian, Polish and Rusyn communities. Thors was pleased to encounter generally good inter-ethnic relations in the region, with minority communities voicing strong support for Ukraine's territorial integrity.

While she noted that it is not easy to carry out comprehensive reforms during a profound security and economic crisis, she reminded the authorities that the reforms should respect European standards regarding the protection and promotion of minority cultures and languages, and the participation of minorities in public life. Minority communities informed the High Commissioner about the expected impact of decentralization, as well as changes to administrative-territorial boundaries, elections and education policy, on their communities.

"I urge the Ukrainian government to significantly strengthen the institutional framework for minority policy and to ensure adequate consultation with minority communities in the course of the reforms," Thors said.

She noted with regret the recent abrupt decision to abolish the position of the Government Plenipotentiary on Inter-ethnic Relations without any alternative mechanism being created.

Thors also had an opportunity to meet some of the IDPs who have been accommodated in western Ukraine from the Autonomous Republic of Crimea and from Donbas. She was informed about how the region is coping with the influx of IDPs and the strain that puts on resources, as well as on relations between the host communities and the IDPs. In her meetings with the local authorities, she emphasized, among other issues, the importance of guaranteeing the freedom of religious worship for the Crimean Tatar IDPs.

In addition, the High Commissioner voiced her concern about the divisive impact of the recently adopted legislation on de-communization and associated policies, both on relations between and within communities, as well as between Ukraine and its neighbours. "Especially at a time when the country is experiencing armed conflict, it is of the utmost importance that it pursues inclusive and balanced policies regarding sensitive identity issues, such as historical memory," Thors said.

Fake Rabbi's letter in Moscow's "Ukrainian anti-Semitism" propaganda

KHPG (03.06.2015) <http://www.khpg.org/en/index.php?id=1433296362> - The Kremlin had two options when Russian President Vladimir Putin's claims of a "rampage of reactionary forces, nationalist and anti-Semitic forces" in Ukraine were so roundly debunked by Ukraine's Jewish leaders, authoritative experts on anti-Semitism and by subsequent developments in Ukraine. Instead of laying its "Ukrainian anti-Semitism card" to rest, it opted to spin out more brazen lies and distortion. Its fakes keep being exposed and yet it comes back for more.

In his annihilating exposé of the latest propaganda offensive, leading expert on xenophobia and anti-Semitism in Ukraine Vyacheslav Likhachev suggests that the Kremlin's propaganda campaigns come in waves. The last was back in October 2014 when Izvestia published an article with a truly alarming title: "Right Sector" has declared war on Jews in Odesa" It claimed, among other things, that the ultra-nationalist Right Sector had savagely beaten at least 20 Jewish people and robbed and attacked many others. The story was immediately taken up by Russia's LifeNews and other pro-Kremlin channels. And just as promptly, and most embarrassingly, debunked in an official

response from Berl Kapulkin, Press Secretary of the Odessa Jewish Community (see Russian 'Right Sector' War against Odesa Jews Debunked).

With spring in the air, the Kremlin could have sought a new beginning, but didn't. Aside from one ominous new development in Russian-occupied Crimea, both the methods and the lies are dreadfully familiar.

On May 18, a number of media in different languages produced material on anti-Semitism in Ukraine, with the pretext being a letter purportedly written by Rabbi Menachem Margolin, Head of the European Jewish Association [EJA] to Jean-Claude Juncker, President of the European Commission.

Likhachev has been told by Margolin with this confirmed in a written statement from the EJA, that **no such letter was ever written**. This fake, written in very clumsy English, can be seen here under an article in German claiming that the new Ukrainian authorities *"have never made any secret of their plans to cleanse the country of non-Ukrainians. Right Sector fighters are systematically cleansing Ukraine of foreigners, with Jews of course the first on their blacklist"*.

If the sites abroad which have so far published this crude fake are fairly marginal, the same cannot be said of its coverage for Russian-speakers. Likhachev points especially to a feature on the 23.00 Vesti or news programme on the widely viewed Rossiya 24 TV channel (most easily viewed here).

The story was announced at the beginning of the news programme as follows: "New exodus of Jews from Ukraine: Jewish organizations accuse Brussels of hushing up the problem of neo-Nazism in Ukraine".

The presenter speaks of a "second exodus" which "for some reason" is not given attention, and cites numbers of Jews who have left Ukraine.

"The statistics are frightening, but a people who have on more than one occasion been placed on the edge of survival and who for that reason are more acutely aware of the approaching danger have grounds to fear." The presenter mentions "the glorification of UPA" [the Ukrainian Insurgent Army], asserting that UPA fighters (during WWII) had the blood of Jews on their hands, anti-Semitic slogans which are claimed to be heard more and more at supposedly peaceful demonstrations, and "systematic closure of Jewish organizations and schools".

The text then goes on to claim that the letter demanding swift response was sent on April 22, but was only published on the site of CNN now. The following excerpt from this supposed Rabbi's letter is then read out in Russian translation:

"Particularly, cases of compulsory closures of Jewish organizations and schools, revocation of licenses from newspapers published in Hebrew and Yiddish have been reported in Kyiv, Odessa, Kharkiv, Oniproptetrovsk, Vinnytsia, Zhytomyr and Chernivtsi provinces with the largest Jewish population. There have also been registered multiple cases when uniformed people with the insignia of voluntary nationalistic battalions, participating in combat actions in eastern Ukraine, destroyed Jewish historical and cultural monuments. Unlawful calls for forced banishing of Jews are often made during mass demonstrations in big cities across the country.

The outrageous revival of Nazi Germany traditions in a modern state threatens Europe and European ideals and it is of utmost importance for top European Union officials to immediately respond to the threat!"

Likhachev confirms that there has been an increase in the number of Jews leaving for Israel. He points out, however, that Jews are in a hurry in the first instance "to leave the military zone and territory seized by Russia and its proxies", He adds that effectively everybody who can is leaving, it's just that Jews have somewhere to go, since Israel is willing to take them. The numbers leaving are also influenced by "the difficult economic situation caused by Russian aggression".

What he has not come upon in talking to Ukrainian repatriants in Israel and Israeli officials is any mention of "Ukrainian neo-Nazism" as a reason for emigrating.

He points out also that in percentage terms there has been a similar rise in the number of Jews leaving Russia with those figures not explainable by military conflict.

Likhachev calls the claims about compulsory closure "flagrant lies", and those about revocation of licences simply absurd, since anybody familiar with the situation in Ukraine would know that there are no publications in Hebrew and only one or two Ukrainian newspapers who occasionally publish a page in Yiddish.

He is not aware of even one of these allegedly "multiple cases" of volunteer battalion soldiers destroying Jewish monuments. There were anti-Semitic slogans at anti-government demonstrations in Vinnytsa and Ternopil, but they focused – as do a considerable number of statements from Kremlin –backed militants – on the alleged Jewish origins of the country's leaders. Claims that there were calls to forcibly resettle Jews are also false.

Since the presenter then interviews two 'experts' with a lot to say on the subject, the list of lies could be extended, but it may suffice to mention Likhachev's identification of the two men. One is Avigdor Eskin, a radical publicist who justified apartheid in South Africa and who has served time in Israel for right-wing extremism. The other – Yevgeny Satanovsky – is known at the very least for his threats to hang those Ukrainian Jewish leaders like Josef Zisels who opposed Russia's invasion and annexation of Crimea.

The video footage is manipulative and misleading with horror stories about supposed grounds for Jewish fears accompanied by, for example, images of clashes during Euromaidan and photographs of a synagogue window broken by football hooligans more than 10 years ago, with the culprits having been prosecuted at the time. There are photos of Hassidic Jews presumably intended to back up the words about an exodus, yet in fact representing some of the many thousand Hassidic Jews who come on pilgrimage to Uman in Ukraine each year (to the grave of Rebbe Nachman of Breslau).

There are also images of the Ner Tamid Synagogue in Simferopol which had foul graffiti daubed over it within 24 hours of Russian soldiers seizing control on Feb 27, 2014. At the time many Jewish figures suggested that this was a deliberate provocation and pointed out that there had been no trouble at all before. It is significant that one of those who expressed such views was Rabbi Misha Kapustin who was soon forced to flee with his family to Kyiv. He was in danger because of his opposition to Russian occupation, yet at least one Russian propaganda feature showed pictures of him and his family with suitcases and claimed they were fleeing the 'junta' in Ukraine. There are now ominous signs that the occupation regime in Crimea may be planning to pin the Synagogue attack on a young man held incommunicado for over a month and possibly being used for a show trial targeting the Ukrainian nationalist Azov volunteer battalion.

The Kremlin's propaganda machine has been caught out lying over and over again, with claims of Ukrainian anti-Semitism one of its particular favourites. The lies often seem grotesquely absurd. This, however, is also the case with respect to the downing by Kremlin-backed militants of the Malaysian MH17 passenger plane in July 2014, yet Russia

continues coming up with one or other far-fetched 'version'. The ploy is cynical and clever, and at very least creates the impression that there can be multiple 'versions' that are all somehow valid.

There is no validity in those 'versions', nor in the various attempts to yet again play the Ukrainian 'anti-Semitism card'. Jewish organizations, religious and political figures have been united in calling on the international community to take their information from them, not from Moscow. It would be helpful too if Jewish organizations in other countries recognized the need to stand firm against cynical attempts to use or arouse anti-Semitism for political gain and publicly condemned this latest primitive fake.

Plans to abolish right of release on bail in certain cases condemned

KHPG (24.04.2015) <http://www.khpg.org/en/index.php?id=1429839101> – Human rights groups have issued [an open appeal](#) in connection with legislative initiatives proposing to cancel the option of bail as a restraint measure.

The appeal points out that the 2012 Criminal Procedure Code, which was assessed highly by international bodies, stipulates that remand in custody is an exceptional preventive measure. Where the alleged crimes do not involve violence, other measures are envisaged, including bail.

The authors note that in the context of fighting corruption and separatism, there are currently both government and parliamentary initiatives on amendments to legislation which would prohibit judges from releasing people suspected of offences under certain articles of the Criminal Code on bail. Some of these initiatives have already been withdrawn, but some are still before parliament.

Abolition of bail in cases where people are not suspected of grave violent crimes is in direct breach of Article 5 § 3 of the European Convention on Human Rights, as well as European Court of Human Rights case-law. In the case of *Ilijkov v. Bulgaria* from 24 July 2001, for example, the Court found a system entailing mandatory custody to be in violation of the Convention's Article 5 § 3. There must be convincing proof of the existence of specific circumstances that override the principle of respect for personal liberty.

Mandatory custody also breaches Article 29 of Ukraine's Constitution which states clearly that "no one shall be arrested or held in custody other than pursuant to a substantiated court decision and only on the grounds and in accordance with the procedure established by law."

The rights organizations also point out that the statistics for 2014 show that the system of bail is working, with infringements of its conditions recorded in only 0.26% of cases. The problem that these legislative initiatives are supposed to resolve does not, therefore, exist.

Furthermore, application of bail results in the real chance of paying compensation to victims of crimes. The money paid to the state in the form of bail - 30-40 million UAH per year - is, where the person is convicted, used to pay compensation.

"Such legislative initiatives are incompatible with Ukraine's European choice. They will inevitably damage the country's image in the world, and will lead to Ukraine losing many

cases in the European Court of Human Rights. The taxpayers will once again have to pay for the government's irresponsible actions."

They call on the President, the Cabinet of Ministers and all MPs to reject any attempts to abolish bail to be withdrawn, and stress that integration with the EU envisages respect for human rights and adherence to the principle of rule of law.

The appeal is endorsed by Arkady Bushchenko, Executive Secretary of the Ukrainian Helsinki Human Rights Union [UHHRU]; Yevhen Zakharov, Director of the Kharkiv Human Rights Group; Oleksandr Banchuk, Chief Reanimation Package of Reforms expert on reform of the law enforcement bodies; and Boris Zakharov, head of the UHHRU Advocacy Centre.

Leaders highlight plight of IDPS at high level conference in Kyiv

President Poroshenko, Prime Minister Yatsenyuk and European Commission President Juncker commit to help at the International Support for Ukraine Conference. HRWF Director Willy Fautre was at the conference which took place earlier today.

By Willy Fautre, Human Rights Without Frontiers

HRWF (28.04.2015) – 'The illegal annexation of Crimea and the conflict in Eastern Ukraine have led to tremendous human casualties, a dire humanitarian crisis and severe economic and infrastructure losses', Ukrainian President Poroshenko said in his keynote speech at today's International Support for Ukraine Conference in Kyiv.

Magnitude of the human toll and infrastructure destruction

According to Prime Minister Yatsenyuk, 'over 6000 people have been killed and more than 15,000 people wounded as a result of the Moscow-backed aggression against Ukraine' with a further 1.2 million people having fled their homes and become internally displaced persons.

Currently, Ukraine is spending 4 million EUR a day in order to defend itself against its aggressors.

The estimated value of financial losses due to illegal confiscation of property of more than 4000 enterprises by Russia on the Crimean peninsula is approximately 47 billion EUR. The annexation of Crimea was the key factor for the economic downfall in Ukraine: in 2014 Ukrainian GDP rate fell by 6.8%.

Dozens of factories and industries were also deliberately destroyed.

According to preliminary calculations, the war will cost Ukraine more than 3% gross agricultural output annually.

Over 9579 apartment buildings and 1280 energy facilities were destroyed and damaged in the Donetsk region, more than 1570 houses were destroyed in the Luhansk region.

According to tentative data, more than 1582 railway infrastructure facilities, 1571 km of public roads, 33 bridges and 28 air traffic control facilities were damaged.

According to the joint mission of the EU, the UN and the World Bank, the total sum necessary for the recovery of the affected areas in Eastern Ukraine that are now controlled by Ukraine, is about 1,5 billion EUR.

The war waged on the territory of Ukraine destroyed over 20% of Ukraine's economic potential, including its forecasted revenues and foreign exchange earnings.

IDPs: Kyiv's humanitarian assistance program in figures

Out of 1,195,016 IDPs, 103,000 required medical assistance and 25,000 needed to be hospitalized. The government covered housing costs of 18 EUR per person and per month for 323,000 families who applied for assistance.

In terms of employment, 102,000 IDPs require employment and 33,000 applied to the state employment service. 6000 were offered jobs and 25,000 IDPs are receiving state financial assistance as they are temporarily unemployed.

1.2 million pensioners fled the occupied territories (Crimea, parts of the regions of Donetsk and Luhansk) AND 981,000 of them applied to receive their pensions in their places of temporary residence. The amount of pensions paid to them is about 530 million EUR and additional funds of 200 million EUR were reserved in the state budget.

Pensioners who reside in Crimea can get their pension in Kherson. IDPs from Donetsk and Luhansk can get theirs in any region of their temporary residence in Ukraine.

Concerning energy supply, the Ukrainian government respectively paid 500 million / 355 million EUR for the delivery of natural gas and electricity into territories controlled by the separatists. The separatists control the local financial institutions, collect the money for communal utilities (including heating, gas and electricity) but fail to pay the suppliers.

Conclusion

In conclusion, Ukraine desperately needs the assistance of the international community to help IDPs, regain the full sovereignty over its whole territory and restore peace so that it can start the necessary reforms to meet EU standards, attract investments and redress its economic problems.

As Jean-Claude Juncker, European Commission President, said "Ukraine is not alone. Europe stands united behind Ukraine. We want to help the Ukrainian government to put its reform agenda into practice and trigger real change for the country and its people but our actions must speak louder than our words."

More evidence against incendiary lies about Odessa 2 May

Important findings about the fire in the Trade Union Building on May 2, 2014 demonstrate yet again the full cynicism of the Russian propaganda machine in its deliberate attempts to stir up hatred and desire through lies about a massacre that day.

Kharkiv Human Rights Protection Group (14.04.2015)
<http://www.khpg.org/en/index.php?id=1428196611> - Most of the misinformation, and often deliberate lies, about the tragic confrontation between pro-Ukrainian and pro-

federalism activists in Odessa on May 2, 2014 concern the fire in the Trade Union Building on Kulikovo Pole in which 42 people lost their lives. Claims that this was a 'massacre' by Ukrainian 'radicals' with survivors beaten to death appeared in the Russian media at the outset and have been relentlessly pushed ever since. This narrative is demonstrably false making the Ukrainian authorities' failure to carry out an efficient and transparent investigation particularly frustrating.

If the authorities seem oblivious to the negative impact of such inaction, the May 2 Group is not. This civic initiative was formed soon after the tragedy with representatives from both sides of the conflict. It has worked tirelessly on studying the evidence, speaking with witnesses and the families of those killed, in order to establish what actually happened.

Group member and biochemist, Vladislav Balinsky has recently published important information regarding the fire itself. This supplements his earlier findings which seriously undermined the claim that pro-federalism activists had fled from enraged 'fascist radicals' into the Trade Union building. According to that version, the 'radicals' then set the building alight, and killed those who managed to escape. Some variants, including a detailed account [given to RT](#) [Russia Today] by a supposed witness, claimed that the 'radicals' followed the pro-federalism activists into the building, up the stairs, and strangled some of the victims.

Balinsky was one of the first people to enter the building after the fire and his photos are a vital source of information about what actually happened.

Prior planning

Balinsky [presents](#) evidence indicating that at least some of the pro-federalism activists had set up barricades inside the Trade Union building just before the attack, with stockpiles of Molotov cocktails and inflammatory liquid for them. He suggests that they deliberately gathered people in advance to occupy and defend the building, with calls not only from the square outside the building, but also earlier on, for example, social networks.

Some of the pro-federalism leaders, including Artem Davydchenko, used deception to get around 380 people into the building. People were phoned and asked to come with medical aid and other items after the very first clashes in the city centre. Witnesses have also reported that some of the passengers from the last stop of Tram No 18 were told that there was a bomb in the tram, and that they should hide in the Trade Union building.

While not an official conclusion of the Group as a whole, some of its members [believe](#) that there were conflicting views among the groups involved in the pro-federalism tent camp on Kulikovo Pole. Judging by messages on social media, etc., there appears to have been one group who initiated the attack on a pro-unity march in the centre of Odessa earlier in the afternoon. It seems likely that seizure and defence of the Trade Union building (providing a mirror image of the seizure by some Maidan supporters in Kyiv of the Trade Union building there) may have been part of that breakaway's group's plans.

Armed defence

A crowd of pro-Maidan activists did not just suddenly appear on Kulikovo Pole, nor on their way had they made any secret of their intention to forcibly remove the tent camp which the pro-federalism activists had set up some time back. Despite this, the police made no effort to cordon the tent camp off or in other ways avoid confrontation.

It is certainly true that the crowd outside the Trade Union building was predominantly made up of pro-unity, pro-Maidan activists, and that those inside were mainly pro-federalism activists. Anybody hurling a Molotov cocktail at a building, as some of the pro-unity activists were doubtless doing, is behaving with criminal disregard for the risk to life this creates.

The propaganda version, however, ignores certain key facts.

Molotov cocktails were also being hurled both from the roof and from the foyer of the building. Firearms were also used by pro-federalism activists positioned on the roof and from five places within the building..

Despite the danger this presented to anybody near the building, there is ample video footage and photographs showing desperate attempts by pro-unity activists to rescue those trapped in the building. It is clear from the reporting [being streamed](#) from outside that nobody had any idea of the real number of people inside.

The fire

Balinsky divides the fire into two phases, with the first beginning at 19.44 and lasting 9 minutes.

This phase ended with the emergence of a stack (chimney) effect causing the walls of the stairwell to combust within the space of a minute, and for the fire to spread very rapidly.

“The specific and tragic nature of the fire in the Odessa Trade Union building on May 2, 2014 is linked with the rapid development of its second phase.”

The fire almost momentarily engulfed the stairwell up to the third floor, then the fourth, as well as going through wooden and metal-plastic doors and corridor partitions on the first floor.

The people gathered at the windows on the inter-storey staircase landing and near the central stairwell were suddenly trapped by the fire with temperature rising to around 700 ° C. They died either from the fire itself, or when they jumped from the window trying to escape it. On the fourth and fifth floors where most of the bodies were found, it is likely that people had died of smoke inhalation and from poisonous fumes before the fire reached them.

No other causes of death

The massacre narrative normally suggests that hundreds may have been killed. 42 bodies were found, of which one has never been identified. There is no evidence of any other victims, and the number of people who disappeared around that time in Odessa fully corresponds to the normal statistics for people going missing.

While the authorities have even refused to allow the May 2 Group to see the results of forensic examinations, neither Balitsky nor Volodymyr Carkisyan, a forensic toxicologist, found any evidence of deaths not explainable by the fire, smoke and toxic fumes. The latter were in the first instance emitted by many of the items used for the barricade at the foyer doors. These included various pieces of upholstered furniture which are not only highly flammable, but also contain foam, polyurethane and other materials which emit toxic substances into the air when burned. There were also Molotov cocktails and the incendiary liquid for them, a gas power generator and a fridge containing Freon which

would have added to the toxic material emitted when the temperature shot above 600 ° C.

A tragedy not averted

The first call to the fire brigade was at 7.31 reporting the fire outside which soon set the entrance doors and then the barricades inside alight. It is not clear who caused that original fire since both sides were hurling Molotov cocktails. There were two hits from pro-federalism activists on the roof: one flare hits a tent at 2.16 on the video here: <https://www.youtube.com/watch?v=4ZFPE1jV5k>, while in the first minute of the tape here, one of the Molotov cocktails thrown from the roof seems to hit a tent <https://www.youtube.com/watch?v=fLxSZ1ZG-JA#t=59>

Prompt reaction from the fire brigade could have prevented the fire from spreading and enabled people to escape the dangerous areas. The emergency services were called numerous times, but only arrived at 20.16.

For 40 minutes, it was pro-unity activists who succeeded in rescuing several dozen people from the smoke-filled offices on the second and third floor of the building (see: <https://www.youtube.com/watch?v=Z1sBMnpgxE&feature=youtu.be> (from around 2.0 onwards)).

Incendiary lies

The use of carefully edited material and disregard for clear documentary and video evidence that disproves the massacre claims leave no scope for illusion regarding the motives of those who so loudly voice them.

Most of the pogroms began in similar fashion with totally unjustified claims of heinous crimes committed by one or more Jews.

Those pushing a massacre narrative about the May 2 tragedy are well aware of the incendiary effect their words can and do have. There are frequent reports of young men citing Odessa as the reason they felt compelled to come to Donbas and fight on the side of the Kremlin-backed militants.

They were cynically conned.

Additional information about Odessa 2 May tragedy

Human Rights Without Frontiers Int'l fact-finding mission report: <http://hrwf.eu/wp-content/uploads/2014/11/Odessa-2nd-May-2014-Tragedy.pdf>

Continuing obstruction to Odessa 2 May investigation : <http://www.khpg.org/en/index.php?id=1426094295>

Propaganda that kills: <http://www.khpg.org/en/index.php?id=1425258266>

Odessa May 2 trial turns into farce as Russia continues 'massacre' propaganda: <http://www.khpg.org/en/index.php?id=1424029464>

Opposition Bloc visits the EU institutions

HRWF (19.03.2015) - In mid-March, a delegation of the Opposition Bloc (*) of the Ukrainian Parliament met high-ranking officials at the European Parliament, the Commission and the Council in Brussels to raise a number of concerns about the human rights, social and political situation in Ukraine from their perspective:

The Peace Plan

The exchange of prisoners

The restoration of the public services, including the banking system, in parts of the Donetsk and Luhansk regions torn apart by the warring factions

The humanitarian assistance to IDPs inside Ukraine

The merging of the three agencies dealing with the IDPs issue into one single body

The respect of the rights of the opposition parties

The freedom of the media and journalists

The revision of the lustration law in line with the recommendations of the Venice Commission

On the occasion of their meetings, they distributed a document detailing their proposal for the cessation of the hostilities, the establishment of a barrier to the expansion of the war zone, the protection of the people, the rebuilding of industries and the creation of jobs.

Footnote

Composition of the Opposition Bloc:

Party of Development of Ukraine - ПРУ

"Center" - "Центр"

"Ukraine - Forward!" - "Украина - Вперед!"

"Labour Ukraine" - "Трудовая Украина"

"New Politic"- "Новая политика"

"State Neutrality" - "Государственный нейтралитет"

Moscow replays Rusin 'Separatist' card in Ukraine's transcarpathia

KHPG (16.03.2015) <http://www.khpg.org/en/index.php?id=1426415683> - While the Internet buzzes with rumours about the Russian President's whereabouts, for pro-Kremlin media it's been largely business as usual. Business on the eve of the first anniversary of Russia's annexation of Crimea has included reporting a totally fictitious congress demanding autonomy for the Rusin ethnic minority of Transcarpathia in Western Ukraine. Where not backed with endless supplies of arms and fighters, all Moscow's attempts to stir up separatism in Ukraine have failed abysmally, and its Transcarpathian card, first played in April 2014, is no exception.

On March 14, TASS news agency reported that "[The Rusin of Transcarpathia are demanding recognition of their national identity and autonomy through dialogue](#)". The report, supposedly from Kyiv, quotes "leader of the Transcarpathian Rusins Petro Getsko as saying that "a congress of Rusin organizations of Transcarpathia adopted a decision to seek recognition from the Ukrainian authorities of Carpathian Rus via dialogue with Kyiv". Getsko states that the 'Coordination Council' will be seeking to negotiate with the authorities in Kyiv about recognizing the results of referendums in Transcarpathia in

1991 in which, according to Getsko and Russian media, around 80% of the inhabitants effectively voted for giving the region autonomous status.

It should be stressed that even if there was ever such a result, it would not have been for Rusin autonomy, but for the geographical area which is ethnically very mixed. Only 10% of the Transcarpathia population identified themselves as Rusin at the time of the 2001 census. There are people who see themselves as Rusin in Slovakia, Croatia, Serbia and the most southern part of Poland.

The TASS report lists six organizations that purportedly took part in this "congress of leading Rusin organizations of Transcarpathia". In a somewhat bizarre use of terminology, its "council" is reported to contain around 40 *thousand* people. According to TASS's background note, Rusins have been trying to achieve autonomy and recognition as a separate ethnic group for the last 20 years. The news agency claims that "*despite its west Ukrainian geographical position, Transcarpathia has voted in all elections held in independent Ukraine like people in eastern regions of the country*", and that the region has led moves to sabotage mobilization. It cites anonymous 'experts' as attributing this to "*innate immunity against militarism and Russophobia*."

The report was picked up by many other Russian media. Probably assuming that news from Ukraine about a supposed event in Ukraine would have more credibility, the Russian government-controlled RIA Novosti [quoted](#) "the Ukrainian publication Podrobnosti" as source. Most readers don't check out the allegedly original report, which is a great shame in this case since just the title of the Podrobnosti report would have sufficed: "[The Kremlin is claiming that Transcarpathia Rusins are demanding autonomy](#)".

If the original Russian TASS report really was written in Kyiv, then the author must have phoned Russia to speak with Getsko who has been on Ukraine's nationwide wanted list since April 2014, and is believed to be living in Russia. The problem, however, is not simply that Getsko could not have been present at the congress, but that there quite simply was no such event.

Yevhen Zhupan, head of the People's Council of Rusins of Transcarpathia which represents 90% of the oblast's Rusin population, told a Transcarpathian publication [Mukachevo.net](#) that the statement about a congress and autonomy was an act of provocation. He added that of the 6 organizations which TASS listed, most had learned of the supposed congress and their participation from TASS. Getsko, he said, has not been in Transcarpathia for the last 3-5 years, but has since early 2014 been actively involved in pushing a narrative about alleged rebellions in Ukraine and separatism in Transcarpathia for the Russian media.

Zhupan pointed out that the People's Council met a month ago and adopted a statement expressing its support for European integration; democratization and decentralization.

Getsko, who had by then declared himself "prime minister of the republic of Carpathian Rus" [was placed on the wanted list](#) at the end of April 2014 after he called on Russian President Vladimir Putin to "*carry out a peace-keeping operation, establish and recognize the statehood of the republic of Carpathian Rus*".

In December, 2014, Getsko, in his self-proclaimed capacity as 'prime minister' of an unrecognized 'republic' [spoke](#) at a press conference in Rostov on the Don in Russia. He claimed that there had long been "ethno-cultural genocide of Rusins, as well as forced Ukrainization.

"*We do not want resolution through force, but if we have to do it, then we will do it in one day. It is no problem for us to seize power*", Getsko said.

He asserted that an ombudsperson from the European Parliament would be arriving "on the territory of Carpathian Rus" from Brussels who would "consider all cases of genocide of Rusins by the Ukrainian government. Petro Getsko also called on Russia to take part in this process".

Russia's '*part in this process*' has become all too familiar over the last year, and EU countries would do well to consider how such overt attempts to invent and play a separatist card gel with the Minsk accords. On the anniversary of Russia's blitzkrieg annexation of Crimea, words about seizing power in a day can no longer be viewed as mere hyperbole.

Bomb blast in offices of Odessa Automaidan leader

KHPG (18.02.15) - <http://www.khpg.org/en/index.php?id=1424228129> - A powerful explosion ripped through a basement housing a business belonging to Yevhen Rezvushkin, head of the Odessa Automaidan, as well as the Automaidan office. Thankfully nobody was injured, but there is damage to the building.

A Dumskaya newspaper correspondent who was at the scene reports that witnesses heard two powerful explosions.

Rezvushkin commented that "in the light of recent events, it's easy to guess who's behind this." He was likely referring to his recent arrest and detention before being released on bail over charges of hooliganism relating to an alleged attack on the head of the Kruh TV channel. A fairly large number of his supporters from Automaidan held a demonstration in protest at his arrest. Judging by the reports, the Automaidan people see themselves as administering the law against people whom the prosecutor should be pursuing, but is not.

There have been a number of terrorist acts over recent months, with Odessa one of the targets.

"A few more days and she'll die": Russians join calls for Savchenko's release

KHPG (10.02.2015) <http://www.khpg.org/en/index.php?id=1423518059> - On the 59th day of Nadiya Savchenko's indefinite hunger strike, prominent Russian writers, actors and others have initiated an appeal on Novaya Gazeta for her release from custody, warning that otherwise she will soon die.

The signatories draw President Vladimir Putin's attention to the fact that Nadiya Savchenko, a Ukrainian national, has been on indefinite hunger strike since Dec 15 [in fact, since Dec 13] "in protest at her abduction from Ukraine and detention in Russia. Her health and very life are in danger. A few days more and she will die".

This is despite the fact, they stress, that the grounds for the charges against Savchenko have not been proven. "Her defence lawyers have proof that she is not implicated in the death of Russian journalists from mortar shelling near Luhansk. Savchenko has a cast-iron alibi: she had been taken prisoner by separatists far earlier than when the shelling

began. This proof has not been refuted by the investigators who have not yet examined the documents presented by the defence.

On Jan 25, 2015, a second, manifestly absurd, charge was added: Savchenko is now also accused of "illegally crossing the border" although she was taken to Russian territory by force and under convoy".

They call on Putin to intervene in order to reinstate the constitutional guarantees of human rights in this specific case, and point out that Russian legislation does envisage alternative restraint measures even where the charges involve serious crimes. There is no reason why Savchenko could not be held under house arrest, they say.

There is, they add, a "great tradition of mercy" in Russia and in memory of German doctor Friedrich Haass - the 'holy doctor of Moscow' who unstintingly devoted all his energy to improving the conditions of prisoners in Russian prisons, ask Putin to demonstrate personal mercy to Nadiya Savchenko. Her life depends on it.

By late Tuesday morning the appeal had been signed by 5, 550 Russians. It is a belated move given that Savchenko has been in Russian custody since the beginning of July last year, but cheering, especially since it spells out the lack of any substance to the charges against Savchenko.

Moscow has thus far ignored the commitment it made under the Minsk Agreements to release all POWs and other people held illegally, as well as calls from the US State Department, PACE and the EU to free the former military pilot, now Ukrainian MP and member of the Parliamentary Assembly of the Council of Europe. In fact, the charge of 'illegally crossing the border' was announced shortly after PACE adopted a resolution calling for Savchenko's release within 24 hours.

There have been demonstrations throughout the world calling to free Savchenko, and on Monday, 14 EU foreign ministers and a French diplomat [staged a public appeal](#) for her release.

On the 60th day since Nadiya Savchenko took any food, she is due in court for a hearing regarding detention. It is known already that the prosecution is planning to ask for a further extension. This is despite the fact that Savchenko said last week that she had not seen the investigator since New Year, and the latter has yet to provide any evidence to the court substantiating the charges against Savchenko.

Despite the fact that this is a death sentence for a person who has not been convicted of any crime.

However empty the appeals to 'mercy' may seem, the Russian letter is rightly addressed to Vladimir Putin. It is he who answers for Nadiya Savchenko's life.

Russian court extends detention of Ukrainian pilot Savchenko

Reuters(10.02.2015) - A Moscow court extended on Tuesday the detention of Nadezhda Savchenko, a Ukrainian army pilot being held on charges of aiding the killing of two Russian journalists in east Ukraine last year.

The Basmany district ruled that Savchenko, 33, should be kept in detention until May 13.

Savchenko has been on hunger strike since Dec. 13 to protest what her lawyers call absurd and politically-motivated charges.

Russia's Investigative Committee, which answers to President Vladimir Putin, says Savchenko provided the coordinates for a mortar attack that killed the two journalists. (Reporting by Gabriela Baczynska, editing by Elizabeth Piper)

Russian activists jailed for demanding Nadiya Savchenko's release

KHPG (28.01.2015) <http://www.khpg.org/en/index.php?id=1422401528> -On the eve of a Parliamentary Assembly of the Council of Europe [PACE] debate on whether to reinstate the Russian delegation's credentials, Ukrainian MP and PACE delegate Nadiya Savchenko is on the 46th day of her hunger strike in Russian detention and a number of people in Moscow have been jailed for up to 45 days in connection with a peaceful protest demanding Savchenko's release.

Demonstrations in support of Nadiya Savchenko took place around the world on Monday, the first day of the PACE session. [Only in Moscow were activists arrested and imprisoned.](#)

On Monday evening, over 20 activists came out onto Lubyanka Square in Moscow and unfurled two banners: one, with the Ukrainian trident image called for Nadiya Savchenko's release; the other – for the release of Savchenko and political prisoners in general. The protesters were in the middle of the square where the statue to Felix Dzhherzhynsky once stood, and there was no way that the fireworks and smoke bombs that they lit could have hurt any passer-by. The protesters chanted slogans calling for the release of Savchenko; the [Crimean political prisoners Oleg Sentsov, Oleksandr Kolchenko](#) and many other political prisoners (see the video [here](#)).

They were also expressing their support for Mark Galperin, 75-year-old Vladimir Ionov and Ildar Dadin arrested earlier for peaceful protests. Galperin and Ionov could face 5 year sentences as the first two people prosecuted over the draconian new law passed in the summer of 2014 which impose criminal liability for four or more so-called infringements at public gatherings within 6 months.)

Just how difficult it is for any peaceful protester in Russian to avoid being arrested and charged with 'infringements' was demonstrated on Monday evening. The police were on Lubyanka awaiting the protesters and arrests began within minutes of the protesters unfurling their banners. 11 people were arrested and taken to the police station. All were held overnight in two police stations and not allowed to see lawyers.

The court hearings began on Tuesday afternoon. Alexander Shelkovenkov was sentenced to 45 days imprisonment in total. 15 days were for supposedly disobeying the lawful order of a police officer and 30 days under Article 20.2 of the Code of Administrative Offences for repeated infringements of legislation on meetings. Judge Alesya Orekhova saw fit on both charges to impose the maximum possible sentence.

This same representative of the Russian justice system was the first judge to apply the punitive norms of the above-mentioned new law on meetings against Mark Galperin.

Vera Lavreshina, who declared a hunger strike on Monday evening, was jailed for 10 days, and three others received 15-day sentences. Three woman activists received fines, since they have children and administrative arrest may not be applied. Other hearings are pending.

Meanwhile in Strasbourg

The PACE winter session began well with Nadiya Savchenko being accepted as a [PACE delegate](#). The Assembly thus accepted that the former military pilot who was forcibly taken to Russia and placed in detention after being captured by Kremlin-backed militants was entitled to international immunity from prosecution. PACE President Anne Brasseur said in her opening speech that she hoped the situation could be resolved swiftly.

Throughout Monday, there were reports that the Russian delegation was working hard to convince members that Russia's rights at PACE, suspended in April 2014, following Russia's annexation of Crimea, should be reinstated. There was also speculation that [a reported change](#) in Russian position and willingness to support the resolution might indicate that a behind-the-scenes agreement was being brokered.

Nadiya Savchenko's lawyer Mark Feygin met with the PACE President on Tuesday and another source suggests that a formal letter to Russia may be sent on Wednesday.

It is very much to be hoped that some resolution is imminent.

Of concern, however, remains the difficulty in believing Russian sincerity since the [resolution on Ukraine](#) adopted on Tuesday was opposed by all but one Russian MP.

It is also not clear who the words of the resolution refer to: Russia is called on to: *"immediately release all prisoners of war, including member of the Ukrainian Parliament and of the Ukrainian delegation to the Parliamentary Assembly, Nadiya Savchenko and other Ukrainian citizens who remain illegally detained in Russian prisons"*.

Nadiya Savchenko has been on hunger strike since Dec 13 and has consistently refused to give up until she is released and able to return to Ukraine. The situation is thus critical and cannot brook any further delay.

She is not the only Ukrainian whom Russia has detained on falsified charges. As well as obvious prisoners of war who have been effectively abducted to Russia, there is a very real danger that Crimean opponents of Russian annexation Oleg Sentsov and civic activist Oleksandr Kolchenko, held in Russian detention since May 2014, could receive 20-year sentences over a non-existent 'Right Sector terrorist plot'. See: [Russian secret trial to convict opponents of Crimean annexation](#)

Yury Yatsenko, a young Lviv law student is also being held on fabricated charges. See: [Russia's Geopolitical Prisoners](#).

Their imprisonment, the [ongoing offensive against the Crimean Tatars](#) and [undeclared war](#) in eastern Ukraine are in flagrant breach of Russia's commitments made in joining the Council of Europe. Empty assurances are not enough and we can only hope that behind-the-scenes negotiations have demanded much more.

Nadiya Savchenko will not end her hunger strike nor let them break her spirit

KHPG (13.01.2015) <http://www.khpg.org/en/index.php?id=1421072303> - Nadiya Savchenko has passed a letter via her lawyers to all those concerned for her fate in which she thanks everybody but rejects pleas for her to end her hunger strike. It is the only way she has to seek justice and she is adamant that she will not eat until the day of her return to Ukraine – or the last day of her life in Russian prison (the letter in full is below).

The former military pilot, now Ukrainian MP and delegate to the Parliamentary Assembly of the Council of Europe has been on hunger strike since Dec 13, 2014. She was recently moved into solitary confinement and is not being passed letters. She has stated emphatically that she rejects any attempt to force-feed her which she would consider torture.

In further violation of both Russian and international law, Nadiya Savchenko was also prevented from seeing her lawyers from late December until Monday January 12. It is they who have managed to [pass on the following letter](#).

To all those concerned about my fate

A heartfelt thank you for your support. Believe me, I feel it despite the fact that the Russian Investigative Committee has deprived me of the right to correspondence. I have not received a single letter for two months and so I can't answer you. I'm saying thank you now, therefore, to all those who have written to me or simply remembered me with a kind word. That has filled me with strength.

Now about the hunger strike. I know that very many people at all levels in Ukraine and throughout the world are doing a lot to secure my release and I am very grateful to them.

I never anticipated such support because both in Ukraine and in the whole world right now there are plenty of problems besides mine... I am very aware of your concern and feel ashamed that from prison I myself can do almost nothing. I have therefore decided to fight in the only way available to me – through hunger strike.

But I don't want you to worry too much about me. Thank God, as well as thanks to my genetic code and my parents, I have the health of an astronaut and will endure. And the part you are playing in my fate will help me in that. Every person who even once a day just thinks good things about me will give me faith and strength, while each who thinks badly will add to my determination and anger!

Yulya Tymoshenko wrote me a letter in which she asks me to suspend my hunger strike and preserve my strength since "the enemy needs us to be weak". These are very wise words. Thank you, Yulya Volodymyrovna.

But I want to reassure you that I have never been weak and never will be! They cannot break my spirit, and I'm not going to get into battle with the prison guards! The main thing is to hold out in spirit, and my physical strength will recover. .. And if God has need for something else, then so be it ... the loss of one fighter is a very great loss, but it is in no way a lost war! Ukraine will win!"

Well, a person who was born free and not a slave in captivity, cannot live in prison. Especially if he or she is innocent.

Through my protest – my hunger – I wish to achieve common sense from the Russian authorities and an awakening of conscience from the Russian Investigative Committee. There is irrefutable evidence of my lack of involvement and innocence of the crimes they accuse me of. What else do they need?

I have taken the decision to go on hunger strike myself and nobody pushed me into it. I have given my word that "Until the day I return to Ukraine, or until the last day of my life in Russia!" and I will not back down, otherwise what value would my words have?!

I will get through! Thank you for believing in me!

The 34-year-old military pilot and volunteer with the Aidar Battalion was captured by militants from the so-called 'Luhansk people's republic' around June 17 and was then found, at the beginning of July to be in a Russian SIZO [pre-trial detention unit].

Russia's Investigative Committee and the prosecution claim that Savchenko passed on information about the whereabouts of two journalists from Russia's Pyervy Kanal. Igor Kornelyuk and his sound engineer Anton Voloshin died on June 17 after being caught in shellfire while travelling close to militants of the self-proclaimed Luhansk people's republic. [Despite immediate reactions](#) from Russia's Foreign Ministry and government-controlled media, there is nothing at all to indicate that the two men were in any way 'targeted'.

The investigators have produced no evidence to back their claims. They also attempted to have the court hearings [held behind closed doors](#), and to [block vital evidence from the defence](#) which provides an irrefutable alibi. With extraordinary gall given that Savchenko had been taken against her will out of Ukraine and that the journalists had died in the Luhansk oblast, they claimed that the lawyers did not have the right to collect evidence outside Russia. This was rejected as an incorrect interpretation of the law by the Advocates' Chamber of Moscow and so obviously untenable that the court agreed to include the material.

The material includes records of phone conversations which demonstrate that Savchenko was nowhere near where the journalists died.

The Investigative Committee and prosecution have claimed to have evidence which incriminates Savchenko, yet have not once presented it.

This has not prevented court after court agreeing to extend the period of detention, and rejecting appeals against the entirely unwarranted month-long incarceration in the notorious Serbsky Institute in Moscow. Savchenko refused to have anything to do with the supposed psychiatric assessment which [was condemned](#) by a number of well-known psychiatrists, including Semyon Gluzman, a former victim of Soviet punitive psychiatry. A further indication of the total lawlessness of this case was seen in the deliberate deferment of the hearing into Savchenko's appeal against the so-called psychiatric assessment until after it was concluded.

The court has also refused to address Savchenko's allegations that she was taken in handcuffs and with a bag over her head to Russia. This is despite the fact that there is [a video](#) of her interrogation on around June 18 by Luhansk militants making it absurd to suggest that within around 10 days she was not only inexplicably released, but decided to make her way to the border into Russia and ask for asylum.

While we hope, with Nadiya Savchenko, that the Investigative Committee members may find some vestiges of conscience, justice as well as straight common sense demonstrated

by the investigators, the courts and, of course, those in the Kremlin pulling the strings and the cynical disregard for the law, do not inspire confidence.

Moscow must not be allowed to hide Nadiya Savchenko away in solitary confinement and hope that 'the problem' will go away. The Kremlin may have largely silenced its own media – it is for us to make sure that those who can put pressure on Russia now do so.

Please write to PACE President Anne Brasseur who will be visiting Ukraine on Jan 15-16 as well as other PACE members asking that they publicly call for Savchenko's release and have the situation placed on the agenda at the next session beginning on Jan 26 (a draft letter and addresses can be found here khpg.org)
