

Is the 2nd May 2014 Odessa tragedy a massacre?

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HRWF (09.05.2016) - On 4th May, a two-hour hearing entitled "**HUMAN RIGHTS IN UKRAINE: TWO YEARS SINCE THE ODESSA MASSACRE**" was held at the European Parliament in Brussels. The title of the event and the death of the brother of one of the speakers qualified as "murder" raise a major question:

Is the tragic and violent death of 42 people at Kulikovo Square in Odessa a massacre?

The notion of massacre implies an intention to kill. The question is: "Was the death of 42 people in the Trade Union House at Kulikovo Square the result of an intention to kill?"

The Report on the human rights situation in Ukraine by the Office of the United Nations High Commissioner for Human Rights (15 June 2014)[i] does not use this word to qualify the tragic events in Odessa. Nor does the Report of the Council of Europe International Advisory Panel [ii].

Another argument pleads in favor of the rejection of the word "massacre". The tragic toll publicized by the CoE Report in Annex IV on the basis of the written submissions of the Odesa Healthcare Department of 23 April 2015 to the International Advisory Panel :

Fall from height:	8
Firearms:	0
Carbone monoxide intoxication:	9
Body burns:	2
Burns of the respiratory tract and body:	3
Burns of the respiratory tract and body combined with intoxication with an unidentified gas (combustion products):	5
Burns of the respiratory tract combined with intoxication with an unidentified gas (combustion products)	1
Intoxication with unidentified gases, fumes and vapours	14

Nobody was killed by firearms or any other weapon.

In par. 31, the CoE report says: "42 died as a result of the fire in the Trade Union Building. Of those 42, 34 died as a direct result of the fire and eight died as a result of jumping or falling from a height; no other violent cause of death was established."

There is therefore no legal ground to use the word "massacre" which is moreover connotated negatively as it has been used and abused by the Russian media and top Russian political leaders in the last two years in their campaign against Ukraine. Another conclusion is that the death of any of the victims of the tragedy cannot therefore be qualified as a "murder".

Attacks against pro-Maidan football supporters started in the centre of the city

It must not be forgotten that the 2nd May 2014 tragedy started in the afternoon in the center of the city when anti-Maidan activists where six people were killed by gunshots: four Maidan activists and two anti-Maidan activists.

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

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

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

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

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

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

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

Anti-Maidan activists came armed to the city centre

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

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

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

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

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

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

Gunshots fired by pro-Russian aggressors; first person killed

That's when the first gunshots were fired.

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

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

Street fighting left six dead, more than 100 wounded

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

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

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

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

See our full report at <http://bit.ly/1MREusB>

Conclusions

The Odessa tragedy made victims on both sides (Maidan and anti-Maidan activists).

Human Rights Without Frontiers sympathizes with the families of all the victims.

Human Rights Without Frontiers urges the Ukrainian authorities to urgently investigate the role of the police as well as the fire brigade and to prosecute anybody who has some responsibility in the Odessa 2nd May 2014 Tragedy, which Ukraine has failed to do up to now.

(*) Willy Fautré, Director of *Human Rights Without Frontiers* (Brussels), was in Odessa at the end of May 2014, investigated the issue during one week and published a 16-page report in June 2014.

Footnotes:

[i] [OHCHR HRMMUReport15June2014](#)

[ii] [CoE Advisory Panel Report on Ukraine](#)