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Ukraine: Freedom of Assembly crushed

The violent dispersal of demonstrators on Independence Square (Maidan) in the centre of Kyiv on Saturday morning shows a shameful disregard for peoples right to peacefully protest said Amnesty International.

The organization is calling for a prompt, effective and independent investigation into allegations of abusive use of force by officers from the Berkut riot police force.

“In choosing to violently disperse the demonstration early this morning the Ukrainian authorities are violating the very standards and values towards which they claim to be aspiring,” said Heather McGill, Amnesty International Researcher on Ukraine.

Shortly before 4am on 30 November riot police moved in on demonstrators in large numbers. They were preceded by local authority workers in trucks who were bringing equipment to erect the traditional New Year tree in the square. A Ministry of Interior spokesperson speaking on Channel 5 TV station justified the dispersal of demonstrators claiming that preparation had to be made for the New Year festivities.

“International human rights standards allow restrictions to the right to freedom of assembly only in cases of “pressing social need”. The erection of a New Year tree cannot be considered a valid reason to limit the right to freedom of assembly.”

According to eyewitnesses interviewed by Amnesty International, Berkut officers first told the demonstrators to disperse because the demonstration was “illegal”, then started to beat those that remained. Video footage shows Berkut officers beating protestors and in some cases pursuing men and women in order to beat them. About 35 people have so far been charged with hooliganism under the Administrative Code and dozens of people are being treated for their injuries.

Vasyl Panchenko, an architect from Kyiv, told Amnesty International what happened to him: “I saw them beating people - they were beating people as they fell to the ground. They pushed me to the ground – I saw three of them [riot police]. They beat me and a couple who were near me. Then they picked us up and told us to go away.”

Vasyl later helped a woman who had been beaten to seek medical attention and they were beaten again as they looked for an ambulance. Vasyl Panchenko has been charged with the administrative offence of hooliganism for preventing the erection of the New Year tree. He has complained about the police ill-treatment. “Here in Ukraine we don’t expect to get compensation, but I want them to find the men who are guilty.”

Vasyl Katola, a dentist described how previously good relations with Berkut forces suddenly changed for the worse on Saturday morning: “There were Berkut officers at the demonstration every night and they

were nice to us, they even drank tea with us. Yesterday there was a confrontation when Berkut officers surrounded an illegally parked car – a girl dropped her scarf and they even picked it up for her! Those that came this morning were very aggressive, and I was afraid.”

On Saturday afternoon Prime Minister Azarov told the nation that he was deeply upset and concerned about what had happened during the night on the square. The Head of the Kyiv City Police took responsibility for deploying Berkut forces, but said that the violence was the result of provocation.

These explanations by the authorities are unconvincing. Video footage shows no evidence of any provocation by protestors, and in any case it would appear that the order to disperse the demonstration was given before any provocation had taken place.

It is clear that someone decided that enough was enough and the protests had to end. There can be no justification for the dispersal and nothing can excuse the violence that was used.

Amnesty International calls on the Ukrainian authorities to live up to their human rights obligations and protect the right to peaceful assembly. They must conduct an enquiry into the reasons why the order to disperse was given and ensure that each and every allegation of abusive use of force is investigated.