

Violation of Human Rights and Political Repression in Ukraine

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More detailed information on political repressions in Ukraine could be found at «POLIT-TERROR- history of political repressions and violations of human rights in Ukraine» Web-site — polit-terror.info. The mentioned Web-site monitors Ukrainian mass media outlets which publish materials on legal lawlessness demonstrated by Ukrainian authorities. On-line versions of previous issues of bulletin (in Russian, English and German) could be found on the Web-site. The bezsensury.info (No Censorship), novavlada.info (New Power) and patriot-ua.info (Patriot — Antiglobalist library) will provide with critical publications reflecting problems of external and home policy of Ukraine during president Yushenko tenure.

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POLITICAL PERSECUTION

One of the main tasks of the civil forum Let's Unite Ukraine! is to put an end to political repression



Leonid Kravchuk

■ **A constitutional assembly for the civil forum Let's Unite Ukraine was held in Kyiv at the end of September 2005. Leonid Kravchuk, the chairman of the movement and the first president of independent Ukraine, emphasized that the forum will do its best to put an end to politically motivated repression against the opposition. The forum will be**

engaged in overcoming social and economic contradictions, creating partnerships and friendly relations with adjacent states, and establishing legal status for the Russian language in Ukraine.

Kravchuk, the chairman of the SDPU(U) parliamentary faction, mentioned the following in his report:

«Political repression continues in the country. We have a situation in which one part of the nation was transformed into winners, while other turned into losers. The attitude of the government toward its political opponents is incompatible with the democratic principles which were used as the basis of forming the independent Ukrainian state. The current winners manifest a desire to take revenge upon former opponents, violating legal and moral norms in doing so. Harassment of human dignity is already an established practice. Despite the requirement of the principle of presumption of innocence, people are publicly summoned for interrogation to prosecutors' offices and are being criminalized in the eyes of society without corresponding court verdicts.

«Hundreds of highly qualified experts in various regions of Ukraine lost their jobs because of their political views. This has happened when our country (as never before) badly needs professional staff. The national split along the Yushchenko-Yanukovych line continues. Despite

*Social-Democratic Party of Ukraine (United). A centrist party headed by Viktor Medvedchuk, a former chairman of the presidential administration.

the fact that the current president has many times emphasized that he is a president for all Ukrainians, his team's actions make it evident that the government still splits people into «ours» and «others,» into patriots and non-patriots, into the honest or dishonest, and labels them bandits or criminals. Political confrontation is supplemented by regional confrontation. Deep rifts still exist in relations between eastern and western parts of the country. Using slogans of fighting for national unity as a guise, the government actively uses the regional split for the purpose of fighting political opponents. Baseless accusations of separatism became the easy way for the government to apply pressure against the political opposition.»

The «Polit-Terror» Internet publication distributed opinions from participants in the assembly on political repression.

Mykola Knyazhitsky, a member of the political council of the Labor Ukraine party thinks that President Viktor Yushchenko, having declared an end to political repression*, wants to protect those people who rigged elections in favor of the orange camp:

«It must be admitted that the number of violations committed by Yushchenko's supporters in western and central Ukraine were not any

*On Sept. 22, President Viktor Yushchenko held negotiations in parliament with Viktor Yanukovich, leader of the Party of Regions. As a result, they signed a separate memorandum of mutual understanding between the government and the opposition. In particular, the document contains a promise by the president to refrain from political persecution of his political opponents

less than the violations by Yanukovich backers. When everything is clear, these people should be responsible for their actions. That is why I think that this statement is a protective step made by the president. I hope that it is not a declaration only, but real action.»

Oleg Kalashnikov, the chairman of the social movement General Military Union of Ukraine, says the president's admitting of making mistakes is a positive phenomenon from the point of view of creating a civil society in Ukraine:

«The fact that political repression existed for nine months in Ukraine in the third millennium after the victory of the so-called orange revolution is absolutely negative, and confirms that for those nine months positions of executive power were occupied not only by incompetent people, but by people who inflicted damage upon the national interests of Ukraine.»

Mykhaylo Dobkin, Ukrainian parliamentary deputy, is certain that the fact that the president admitted to the existence of political repression in the country should be credited to the SDPU(U):

«Our fight for our comrades who were persecuted by law enforcement agencies exclusively for political motives gains an entirely different meaning now. Currently more than two dozen social democrats remain jailed in various regions of the country. With renewed energy backed by the president's statement on the absence of political repression, we will do our best to



Mykhaylo Dobkin

see them released, to see them start working, to see them spend free time with their families, and too see them able to realize social-democratic ideas in daily life. I am sure that all orders regarding the political repression of particular people were given by the president. He is responsible. The time will come when the situation will be correctly assessed.»

Volodymyr Malinkovich, a political analyst, stated that repression will be initiated against former allies of Viktor Yushchenko who were forced to leave high-ranking positions as a result of the political crisis which erupted early this autumn:

«The president made statements many times that later were discovered to be unfounded. I suppose that there will be no more repression against the team which opposed Yushchenko, i.e. the Yanukovich team. The memorandum refers to Yanukovich's team. I fear that now



Volodymyr Malinkovich

we will see repression against those who left him, i.e. the team of former Prime Minister Yulia Tymoshenko.

«I think that there are two types of political repression. The first type represents direct political repression when people are liable for their political views. The other type of political repression is using the Criminal Code or some other levers of business, taxation and economics on a chosen object only because the owner expressed a certain political position. Now we have both types of repression in Ukraine. In particular, people are being charged with falsifications in the election last November. It seemed that falsifications surely took, but the selective approach in naming offenders shows that this persecution is of a political nature. Why is it done selectively? The issue is that only residents of eastern Ukraine that backed Yanukovich or worked for him, are facing charges.

«But I am also certain that there were falsifications in western regions. It is easy to check. For instance, during the last hours of voting in the November presidential election the turnout increased by leaps and bounds. This happened mainly in Lviv, Ternopil and Sumy, but not in Donetsk. Somebody did something special to raise turnout. People in the east are being charged and jailed, while nobody jails anyone in the west. Such a selective approach to applying repression, in my opinion, determines its political nature.

«In addition, we have pure political repression. The foremost victims are the chairman of the Luhansk regional council Viktor Tikhonov and the former governor of the Kharkiv region Yevhen Kushnarev. Criminal cases regarding separatist activities were instituted against them. Neither the first, nor the second demonstrated any separatist intentions. I have thoroughly studied their public statements and neither said anything about separating eastern regions from Ukraine. They have always emphasized that they stand for a united Ukraine. At the same time they added that they wanted more federal and regional autonomy. Excuse me, but regional autonomy or demands for regional autonomy have nothing common with separatism. We know that unitary federative European states prosper, as well as the fact that the idea of separatism is not a crime. That is why we see pure political repression here. Moreover, this is rigged political repression, because the accusations are groundless.»

Oleh Bilorus, the leader of the Bloc Yulia Tymoshenko* parliamentary faction asserted the existence of the danger of political persecution against leader of the bloc:

«Such danger does exist. Tymoshenko has overtly said that. It is not a secret that there were hush-hush orders given for reopening old criminal cases against her. I consider that such actions do not correspond with the interest of consolidating all political forces for joint operations for the sake of Ukraine's future.»

Lawyer Andriy Portnov has given an example of illegal searches of lawyers who represented opposition politicians:

«I would like to give a real example that happened to my group of lawyers. On Sept. 23, absolutely illegally, in accordance with a resolution of some district court located in the Khmelnytskyi region, police and prosecutors came to our office. Under the guise of the necessity to conduct a search associated with the activities of a closed joint-stock society, they frisked lawyers who defended leaders of the political council of the SDPU(U) and participated in many projects linked protecting leaders of the opposition. We demanded that they should leave the premises because the law forbids conducting searches in offices of lawyers who represent clients' interests associated with particular criminal cases, but our demands were ignored. That is why we had to force the police and

*Former prime minister of the Cabinet of Ministers of Ukraine

prosecutors out of our office with the assistance of parliamentary deputies and representatives of the committee for the legal operation of law enforcement agencies. We managed to force them to leave our office in an absolutely legal manner. This is the real example of lawlessness. Frisking lawyers who protect the interests of leaders of the opposition is absolutely illegal. Yesterday we held a meeting with more than 15 lawyers and decided to do everything possible to prosecute the police officers from the Khmelnytskyi regional police department and local prosecutors.»

Dmitry Tabachnik, a former deputy prime minister for humanitarian matters, stated that Ukraine is infringing upon democratic norms:

«I think no one would be able to argue that persecution of dissidents (which has been transformed into political repression) in Ukraine continued for the last eight months. The most typical example of political repression, in my opinion, was an attempt to charge leaders of local governments in eastern Ukraine with criminal acts.

«The persecution of members of certain political parties opposing the current administration may also be considered political repression. Overtly fictitious economic criminal cases pulled out of thin air initiated against practically all known leaders at the regional level (school directors and «enemies» in southern and eastern regions where Viktor Yanukovich received the majority of votes in the presidential election) may also be dubbed political repression. President Viktor Yushchenko has recog-

nized the existence of political repression in a speech delivered from the highest tribune of the state — the parliamentary tribune — and pledged to do his best to stop it. In my opinion, firstly this is recognition of evident facts, and secondly this is an admission of serious moral failures by the new administration. The leaders of the revolution turned two positions into their main slogans for the election campaign: the first was no corruption in the new administration, and the second was enlargement of human rights and freedoms along with democratization. Both were fiascos. The grand scandal, which erupted in higher structures of executive power, witnessed the fact of corruption among new, high-ranking state officials. Recognition of the fact of political repression by the head of state showed that norms of democracy were violated. Moreover, these were intentional violations in accordance with orders given by the highest-ranking state officials.»

The constitutional assembly of the civil forum Let's Unite Ukraine! approved an appeal to citizens of Ukraine which states the following:

«We state that the atmosphere of hate and political confrontation in Ukraine has not ended with the completion of the presidential election. A flame of social discord still glows throughout the country. Such a situation cannot help but influence the social and economic state of the country, the spiritual life of society, and the lives of all citizens. The development of the economy has stalled. GDP growth has slowed for the first time since 1999. Uncontrollable infla-

tion is gaining momentum. Unpaid salaries are increasing dramatically and corruption is an unbelievably large phenomenon. The state is losing positions obtained through great hardship during its independence, and the process continues with catastrophic speed. The most horrifying thing is that ordinary Ukrainians are losing hope — hope for confidence in the future, for honesty, transparency and efficiency of the new administration, the cancellation of political repression, and the persecution of predecessors by successive winners of elections.

«We are talking about the future of Ukraine. We are talking about the expectations of the Ukrainian nation which are associated with the state, or in a more global context with Ukraine's position in the world. We have no more time for discord. We admit with pain that Ukrainian society is tired of political discord and confrontation, of the inability of new leaders. Society is tired of waiting for the appearance of a national idea, of new political programs of integration to consolidate the Ukrainian nation from east to west into one unitary state.

«The creation and consolidation of positive social values is the only goal on the agenda today. The responsible political elite should refuse to use political strategies based on «searching for enemies.» It should immediately start employing strategies to consolidating and cultivate true patriotism, national pride, unity and common goals for the further development of Ukrainian society.

The civil forum Let's Unite Ukraine decisively condemns the criminal

practice of political repression which will result in Ukraine backsliding to Stalinist times, and invites all citizens and social forces to fight through all means against such practices conducted by the new administration.»

An opposition party leader speaks about continued political repression and appeals for protection from the judicial branch of power



Viktor Medvedchuk

■ **In an interview with Polit-Terror, SDPU(U) leader Viktor Medvedchuk said the following:**

(Commenting on the president's pledge to put an end to political repression):

«The statement referring to cancelling political repression was announced by the president. But, judging by the situation with our party members I can state that repression has not ended. Our people are still in jail under flimsy and illegal pretexts as before. We have an entire list of people who suffer from persecution and who are being politically repressed. The criminal cases, like the one initiated against former Transcarpathian governor Rizak*, are being passed from one region to the other for examination. The accusations are still fictitious as they always were. I have repeatedly emphasized that if we live in a law-abiding state or if we are striving to establish a law-abiding state, then the constitutional principle of the presumption of innocence must be valid for everyone from ordinary citizens to the head of state.»

(Commenting on the president's remarks on the occasion of detaining the accused murderers of Ukrainian reporter Heorhiy Gongadze):

«The head of state has no right to accuse certain people of committing crimes. Moreover, he has no right to dub any person a criminal before a court passes a verdict. All these facts determine the legal culture of the new administration in general, and in particular, the president.»

*Ivan Rizak, a former governor of the Transcarpathian region and a leader of the Social-Democratic Party of Ukraine (United), spent almost four months in detention. He was released on Sept. 13, without being found guilty. Rizak's allies are certain that the main reason a criminal case was initiated against him was political revenge against an opposition politician.

(Commenting on the words of the former secretary of the National Security and Defense Council of Ukraine Petro Poroshenko who has accused the SDPU(U) of partnership in the political crisis):*

«It is surprising that the former secretary of the National Security and Defense Council who (according to his authority) should have known about the abuses being committed by the government, shall break an eight-month silence only now. I would be much obliged if Poroshenko would explain how he organized political repression against SDPU(U) members, how he illegally initiated dozens of criminal probes against representatives of the opposition and against our party members. He should explain how harsh pressure was applied on judges who passed verdicts which contradicted the law.»

(Commenting provision of immunity for deputies at all levels):

«In 2003, representatives of Viktor Yushchenko's faction started their crusade for immunity for deputies at all levels, and passed a corresponding draft law for examination in parliament. I would like to remind people that there was the time when I supported the idea of cancelling immunity status for Ukrainian parliamentary deputies in 2000. There was no political repression yet and I believed that we lived in a law-abiding state. However, under current conditions under the new regime, I think that immunity for deputies at all levels is vital. Direct political repression is going on in the country, not to mention concealed repression. Enormous pressure is

*National Security and Defense Council of Ukraine

being applied to deputies at all levels. If representatives chosen by the nation will be afraid that at any moment they may be linked with a criminal case, they will not be able to freely protect the legal rights and interests of their voters.»

Replying to the question of a reader of the 2000 weekly who asked «how can ordinary citizens protect themselves against political repression,» SDPU(U) leader Viktor Medvedchuk said the following:

«How can a man protect himself when he sees that courts, the police, the tax office and others are overtly working for the same goal? Appealing to international institutions does almost nothing in such cases because the process of protecting rights is so long and complicated that it can easily be compared with the red tape under Russian Emperor Nicholas I. In addition, even a positive resolution from the European Court for Human Rights is considered to be only advice and not something obligatory.

«There is only one way left — to protect oneself and one's family on one's own. Such a situation necessarily means forceful confrontations.

«As a Ukrainian citizen, a lawyer and a father, I feel deep concern at such a prospect.

«I think a majority of my compatriots feel uncomfortable as well as they realize something wrong is going on in a country which was stable and predictable just a day before. Wandering and disorder among high-ranking officials is projected on the population which has started becoming angry due to repeated calamities.

«While the administration looks for

someone to blame for its ineptitude, the nation has nothing to search for. The nation has only to compare what was promised by whom and whether or not such promises were realized. Probably, such a view of events will look a bit simplistic for some, or even distorted, but the development of events draws the logical conclusion that there is extraordinarily high growth of dissatisfaction with the new administration in all parts of Ukraine.

«At the same time we are coming to realize that the government knows the flimsiness of its position and is preparing a counterattack. Many factors confirm this idea. Firstly it is confirmed by more active contact by the president with law enforcement and fiscal agencies. This is borne out by the fact that Viktor Yushchenko has chosen the path of establishing repressive institutions of control. Law enforcement agencies have to strictly adhere to making society afraid of power and to prevent the manifestation of any protests.

«That is why mainly those who were previously in power are being oppressed now. The psychological consideration is simple — average citizens see what sort of people are arrested and compare this with the idea that people who showed no respect to Yushchenko and company now mostly suffer and prefer to keep a low profile. As a result, society, as before, must show total approval. However, the paradox of the situation is that Yushchenko and company risk being thrashed by the very method which they used to take power, i.e. social defiance. Ukrainians who stood at Maidan and sincerely believed that they backed honest

and clean advocates of a strong state have realized now their ability to influence processes on a national level, and this will stay with them for their entire lives.

«The administration realizes these things too, and that is why it tries to block any possible manifestations of dissatisfaction with the help of law enforcement agencies. The latter are practically sitting on a powder keg. The story about the state auto inspection* (no matter what the reasons for the dismissal were) forces other officers to fulfill orders from state officials more ardently without thinking twice about their essence, and without comparing such orders with legal norms. That is understandable, as policemen, tax collectors and customs officers have families they must feed. When they face the choice of manifesting fidelity to principles or losing their jobs, keeping silent for the sake of personal prosperity and doing everything they are ordered to, they will certainly prefer the second option.

«So, a 'law enforcement state management vertical structure' is being formed — the president, the prosecutor general, the Ministry of the Interior (the chiefs of these structures are obedient to the president, if not to say they have shifty principles), and other law enforcement and fiscal agencies. This is a classic model of dictatorship. In addition, there are courts which formally are not dependent on executive power. Now they bear enormous responsi-

*It was decided to abolish state auto inspections in Ukraine several months after Yushchenko's inauguration as president.

bility for peace and harmony in Ukraine. In my opinion, judges and not the current president, who has repeatedly shown his short-sightedness, play the role of guarantors of the Constitution.

«Judicial power must protect civil society, while society has to protect judicial power from pressure applied by Yushchenko and his team. That is why everyone must go to court, trying to restore their own rights through the legal system and protect it. That is why we have the following paradox — despite the fact that courts are part of the state machine, they are one of the most potent tools to fight this machine when it becomes hostile to society, i.e. to us.»

The Ukrainian ombudsman described political repression against city mayors, physicians, school directors, teachers, law enforcement officers, janitors and even threats against teenagers

■ **A meeting of European ombudsmen representing 64 countries gathered in Vilnius to discuss the important issues and draft a schedule for the next five years.**

Nina Karpachova, Ukrainian ombudsman, said the following in an interview with the 2000 weekly newspaper:

«Ombudsmen have many things to take care of in every country. For instance, 200 representatives of the ombudsman work in Italy and all are busy. There are many people to protect. However, I think the spectrum of their cares is narrower... For instance, I do not think they face such a grand scale of political repression. Unfortunately, this is a reality for our country. The number of complaints about violations of civil and personal rights drastically increased this year.

«Recently I had to visit the Kirovohrad region where Svetlana Sherbak was sentenced to three years in prison for violations committed during the election. I can not argue with the charges, she really did something absolutely unseemly by putting several ballots for a candidate into the ballot box. But she frankly admitted her offence when a representative of another candidate approached her. The chief of the temporary detention center sympathizes with the elderly Svetlana and says he has never seen such a thing. She spent all her life working as a nurse in a kindergarten and now lives among ordinary prisoners. She is desperate. Well, what can we say about a government that fights janitors! I told the president about this case. 'How can I help this woman?' he asked.

«We appealed and got a decision to release her from custody, replacing the jail term with probation for two years.

«Persecution of political opponents by winners rumbled all over the country. We have complaints filed by physicians from the Vinnytsya region

and Poltava who were also persecuted due to election violations. We have many complaints from city mayors and law enforcement officers who were swept up by the new broom.

«Flagrant violations were revealed in the Konotopsky district of the Sumy region. Women were detained right at the celebration dedicated to the first day of the school year on Sept. 1. Among them were teachers and school directors, and the alleged reason was incorrect behavior during the first round of the presidential election. The facts are as follows. The women were thrown behind bars for three days. They were not interrogated and their families were not informed. One teacher was locked in a prison cell, but her family had no information on her whereabouts. Her young son was forced to run away from the city to find his divorced father who lived 120 km away. The boy was threatened with being sent to an orphanage. Taking into account all of these facts we prepared motion for the Prosecutor General and Sumy region Governor Nikolai Lavrik.

«Similar events happened in the Zhytomyr region and in Transcarpathia. This is not only a shameful practice, it is inhuman as well. Strong people should always be forgiving. At least, violations were committed by both sides and this is evident judging by the complaints. That is why I consider the memorandum signed by Yushchenko and Yanukovich to be a crucially timely document and I hope that it will be a step on the way out of this state of disorder.»

European legal scholars are deeply disturbed by some remarks by the president and actions undertaken by Ukrainian authorities

■ The PACE Monitoring Committee published a draft report called Honoring Obligations and Commitments by Ukraine, which states the following:

«It is somewhat too early to make a final evaluation of the new leadership's ability to stick to the fundamental principles underpinning the Council of Europe.»

«We share the concern of some observers that the authorities, especially at the local level, have been formed not on a merit basis but according to their political involvement and purported contribution to the Orange revolution.»

«Some steps of the new authorities have raised doubts as to their adherence to or rather awareness of the principles of the rule of law.»

«President Yushchenko, by his decree of Feb. 8, 2005, extended and reshaped the authority of the National Security and Defense Council (NSCD) and its secretary, exceeding, as many legal experts have claimed, his powers defined by the Constitution and the relevant law.»

«We are also deeply concerned by statements of the president and several other high officials about the possibility of calling a referendum to adopt constitutional changes.»

«Unfortunately, some representatives of the new leadership continue to view the media as a resource for the authorities and advocate preservation of state control over media outlets.»

«We are very disturbed by the implementation of the legislative provisions allowing prosecutors to suspend an attorney from practicing as a defense counsel by way of instituting a criminal case against him/her. This was clearly demonstrated with regard to Mr. Fedur, counsel to Mrs. Lesya Gongadze and recently also to Mr. Boris Kolesnikov*.»

«The legal aid system in Ukraine can not be recognized as sufficient and complete both in terms of legislative framework and its practical enforcement.»

«We are also concerned by the fact that from the time of taking up office President Yushchenko has signed more than 40 classified decrees (stamped 'Not Subject to Publication')... However, the number of such decrees is not decreasing.»

*Boris Kolesnikov, a former chairman of the Donetsk regional council, spent almost four months behind bars. He was released on Aug. 2, 2005, without being found guilty. A criminal case was instituted against his lawyer Andriy Fedur (who also represents the interests of the mother of murdered Ukrainian journalist Heorhiy Gongadze) on the grounds of alleged illegal distribution of confidential information in the mass media. The same charges were laid against Parliamentary Deputy Rayisa Bohatryova, one of the leaders of the opposition Party of Regions. The Pechersky District Court of Kyiv cancelled a resolution by the Prosecutor General's Office to lay charges against Bohatryova and Fedur. The court noted in its verdict that such a resolution was illegal and violated the requirements of the code of criminal procedures. It said there were no grounds to lay charges.»

Minister of the Interior declares his political aversion towards prominent politicians who continue to discredit themselves

■ Accordance to information distributed by 2000 weekly, at the end of September Minister of the Interior Lutsenko commented on recent events in the nation live on INTER TV, and noted that he «does not like it that Kuchma, Medvedchuk and Yanukovych have appeared again as active politicians.» He also added that he «has enough bullets.»

Talking about solving problematic issues in the country, he remarked: «We must complete this job together, but that does not mean we have to do it with the assistance of people whom I personally dislike as politicians.»

These words were said not by a politician or a reporter, but by a person enjoying a high-ranking position in the state hierarchy, moreover, in one of the key law enforcement agencies. So how can we talk about canceling political repression when the head of the Ministry of Interior says such things?

Is it alright for the minister to make such political statements? Has he any right to continue upholding the law after such publicly expressed antipathy toward prominent politicians? The issue is that the minister must be an unbiased, objective per-

son not swayed by any political sympathies or antipathies.

The other example is Lutsenko's remark in Moscow when he said that he found no obstacle to summoning former prime minister Viktor Yanukovych for interrogation by law enforcement agencies despite the fact that Yanukovych and President Yushchenko signed the memorandum. The issue is not in the real absence of legal obstacles (if there were such a necessity). The issue is why should such summons for interrogation be made public? Lutsenko should realize that this practice discredits politicians through law enforcement agencies.

Later the Public Relations Center of the Ministry of Interior released information stating that an opposition leader, Viktor Medvedchuk, was again invited to provide explanations associated with such «vital» and «important» cases for the country such as the process of awarding certain citizens with high state awards.

The same day Yanukovych was summoned to the Prosecutor General's Office for another interrogation. He remarked at a meeting with reporters: «I have received another summons to the Prosecutor General's Office. I will surely go as an honest and law-abiding citizen, but what about the authorities? Don't they have anything else to do?» Yanukovych added that in his opinion authorities still fail to fulfill the obligations under the memorandum signed with the opposition.



Viktor Yanukovych

Opposition party leader asserts that politically motivated dismissals have not stopped despite pledges given by the president

Yanukovych does not exclude the possibility of recanting signing the memorandum on mutual understanding between the authorities and the opposition that was signed by Yanukovych, Yushchenko and current Prime Minister Yuriy Yekhanurov.

According to information released by the Party of Regions* press office, Yanukovych said the following:

«Among the goals which we have put forward when signing the memorandum with the authorities was cancellation of actions by the new administration which result in destroying the national economy. We also wanted to protect and preserve highly qualified and unique experts who were illegally fired and

persecuted for their beliefs and views. Unfortunately, I am forced to state today that there are facts which show that the authorities have not revised their policy,» Yanukovych remarked. As an example he recalled the situation at the Kyiv State Avionics factory Aviant.

The issue is the «persecution and illegal firing of general director Oleh Shevchenko; the forceful (despite objections from personnel) and other types of interference in the operations of Aviant. All these events, Yanukovych remarked, resulted in «almost irrecoverable losses.»

Moreover, he emphasized that during the period when Aviant was managed by a new director appointed by the new administration, «sales of products dropped by more than 96%. Production volumes drastically decreased and debts rapidly increased. At the same time number of lost working hours and losses increased.»

«However, even these considerations failed to persuade authorities that they should listen to a court resolution which returned Shevchenko to the position of general director of Aviant. Not to mention elementary respect for the law,» noted Yanukovych.

Yanukovych added that «Petr Bababuev, one of the best aircraft designers in the CIS, left the factory protesting the destruction of the domestic aircraft industry by the new government,» while it «does not see or hear» the protests by factory employees.

«It seems that they are intentionally driving the factory into bankruptcy. I consider such a policy to be irresponsible and harmful. I do not exclude the possibility (if such a policy will continue to be pursued by the government) of recalling my signature from the memorandum.»

*Party of Regions. Centrist party led Viktor Yanukovych, a former prime minister of Ukraine, and the main rival to Viktor Yushchenko in the last presidential election.

Managers of Ukrainian aircraft manufacturing enterprises dismissed due to political motives

■ Participants in the conference the Aircraft Manufacturing Industry: State of Affairs, Conflicts and Prospects discussed the current situation in the industry.

According to information released by Polit-Terror, they said that employees at the Aviant factory and ANTK Antonov are «deeply concerned with the fact that some representatives of the government are undertaking systematic and targeted actions aimed at destroying the aircraft industry in Ukraine and withdrawing our country from the list of world leaders in aircraft manufacturing.» Disturbing events include the illegal dismissal of Petr Balabuev, general designer at ANTK Antonov, and pressure applied upon Oleh Shevchenko, Aviant general director.

Yuriy Karmazin, Ukrainian parliamentary deputy, commented on the situation in the following way:

«They approached me as a lawyer because Oleh Shevchenko was fired in July and then things rapidly went wrong at the factory. Unfortunately, we still have certain people in Ukraine who consider the factory not as a highly advanced enterprise, but as land to build something on.... The fact that production volume in 2004 increased four times in comparison with 2003 has given ground to consider the general director as one of the best experts in the industry. Then everything was ruined. They found political grounds to



Oleh Shevchenko

justify their actions and even said that Shevchenko is a sponsor of former prime minister Yanukovych. I want to state clearly — all these statements contain nothing but lies. Shevchenko was never engaged in any political activities. However, due to the rumors the chief officials of the Ministry of Industrial Politics refused to meet with him...

«The general designer of ANTK Antonov, who is twice a Hero of Ukraine, was also forced to resign. All these things were done in secret...

«However, Shevchenko was restored to his position and a biased audit was conducted. Parts of its conclusions were considered inadequate by the Control and Auditing Department*, while other parts are being appealed now...

«After the adoption of the presidential decree 'On Urgent Measures for the Development of the Aircraft Manufacturing Industry' (dated May 27, 2005) the situation has significantly

*Control and Auditing Department — a law enforcement agency monitoring economic legislation.

worsened there. Right after the decree was signed, the revengeful resolutions to dismiss Shevchenko and Balabuev were approved. The alleged reason was that they backed the wrong person in the election and that they voted incorrectly...»

Repression of educators continues

■ SDPU(U) deputies forwarded several requests to central and local executive agencies in an attempt to find out why the state does not finance teachers' salaries in compliance with Article 57 of the Law of Ukraine «On Education.»

According to information released by Our Newspaper Plus, the law on restructuring debt related to educators' salaries (provided by Article 57 of the Law of Ukraine «On Education») took effect a year ago. The initiator of the law was Tamara Proshkuratova, a SDPU(U) faction member, a Hero of Ukraine and a teacher. The law stipulates that state debts to teachers shall be reimbursed in five years. But this law is valid only on paper. Social Democrats demanded a report from government explaining why the law and President Yushchenko's pre-election promises of comprehensive support for educators were not being fulfilled.

While the state not only fails to support teachers, it even persecutes some of them for political motives. Proshkuratova said the following in a speech to parliament:

«The president promised that there will be no more political repression,



Tamara Proshkuratova

thus admitting the fact of its existence. Who will be responsible for the fact the rectors of higher education establishments Anatoly Kuzminsky in Cherkassy and Volodymyr Kuz in Uman were forced to leave their jobs because of pressure applied by the authorities?»

Proshkuratova also spoke about how employees of education departments, school directors and lecturers were forced to resign «on a voluntarily basis,» because their views did not comply with the «line» of the new «orange party of power.»

Local self-administration agency states that illegal human resources decisions have been taken by authorities for political reasons

■ Deputies of the Rachov district council in the Transcarpathian region released a statement admitting

political repression in the country and in the Transcarpathian region in particular after the 2004 presidential election.

According to information distributed by the SDPU(U) press office, «district council deputy Gennady Bochkor stated that dozens of school directors, teachers and physicians were fired in the Rachov district due to political motives. He said that deputies recognized that political consideration rather than a professional approach to human resources resulted in catastrophic social and economic processes in the district. The deputies demanded that prosecutors analyze the legality of human resources replacements with the purpose of returning legality in the district and avoiding such disreputable processes in the future.»

«This statement on the existence of political repression was a first in Ukraine. The initiative of the Rachov deputies was supported and soon local deputies in other cities and districts of the Transcarpathian region will issue similar statements,» the SDPU(U) press office concluded.

Subordinates have spoken in defense of an official who was to be fired for political motives

■ More than 50 employees of the district department of culture gathered at the

Zbarazhska district state administration in the Ternopil region on Oct. 12.

According to information distributed by Internet publication From-UA, the employees spoke in defense of their boss, Chief Oleg Gaftkovich, who was to be fired for political motives. Gaftkovich is a member of the SDPU(U) party.

The problem that Gaftkovich faces is the following: Gaftkovich signed a resignation on the occasion of the reorganization of the district department of culture into a department of culture and tourism. According to traditional procedures he should have been automatically appointed to a position in the newly formed structure, but the process is being delayed.

That is why the the chairmen of the trade union of librarians, and the employees of the department of culture forwarded a letter to the chairman of the Zbarazhska district state administration Volodymyr Gulevsky demanding the reinstatement of Gaftkovich. Gaftkovich is respected by these employees. Bohdan Yakubishin, the secretary of the Ternopil regional council of the SDPU(U), says that several days prior to this event, Gaftkovich was summoned by the chairman of the Zbarazhska district state administration and was offered a position as an expert in the department of culture or a temporary job as an expert in the district social security department. A perplexed Gaftkovich asked what he was supposed to do in the social security department as he was an expert in another sphere.

Attacks on party offices became more frequent

■ The offices of the SDPU(U) city council in Chernivtsi in western Ukraine and the Shevchenkovsky district council were attacked on the night of Oct. 13.

Our Newspaper Plus stated that criminals broke bars shielding the windows, burst into the offices, smashed doors and opened three vaults containing party documents. In addition they trashed the offices and stole some valuables. After repeated appeals by social democrats to police, representatives of law enforcement agencies asserted that the offices were robbed by «accidental» thieves. However, taking into account the fact that such cases keep reoccurring, they can hardly be called ordinary actions by hoodlums.

During last six months, offices of regional and district councils of the SDPU(U) were attacked more than 10 times. And none of these attacks were investigated. These attacks provide grounds for saying that an organized onslaught by criminal hoodlums against SDPU(U) is being waged in western Ukraine with the absolute connivance (or even the incitement) of the authorities and law enforcement agencies, Our Newspaper Plus states.

Vasily Zabrodsky, the secretary of the Chernivtsi SDPU(U) regional party council asserted:

«The style and logic of such robberies make us think of a targeted and planned onslaught with the goal of harassing members of opposition political forces who demonstrate overt and consequent criticism of the current government on the eve of par-

liamentary elections. Such opposition forces are pursuing democratic principles in a political struggle.»

■ Unidentified people attack the People's Party office located in the Mezhorie district center in the Transcarpathian region on Oct. 10.

According to information distributed by Internet publication From-UA.com, they smashed advertising boards and tore down party and state banners.

A day before the attack, the local office hosted a district conference with the participation of Transcarpathian region People's Party leader Parliamentary Deputy Serhiy Ratushnyak. The deputy has sent a letter to the leader of People's Party, Parliament Speaker Volodymyr Lytvyn in which he accuses representatives of the Our Ukraine bloc* of the attack.

Ratushnyak stated: «I have grounds to consider this event as the beginning of pre-election terror waged by the leadership of the Transcarpathian regional state administration and the Peoples' Union Our Ukraine, which are represented here by the company Barva. The director and the founder of the company is currently the head of the Ministry of Emergencies.»

Opposition party leader states that his mother is being persecuted

■ First deputy chairman of the SDPU(U) Nestor Shufrich said

* People's Union Our Ukraine (NSNU) — pro-presidential party

his mother, Maria Shufrich, is being pressured.

According to information distributed by Polit-Terror, Maria Shufrich spent the last part of September in the Strazhasko Institute of Cardiology due to coronary heart disease. The day after she was released, the clinic received letter signed by a representative of the Prosecutor General of Ukraine. The letter says that prosecutors investigating a criminal case «found it necessary to interrogate citizen Maria Shufrich (born Oct. 13, 1933) as a witness. At the moment she is being treated in the Strazhesko Institute of Cardiology.» At the same time, Rudenko, the investigator of particularly grave crimes on behalf of the Prosecutor General's Office, asked for her diagnoses, terms of treatment and date of possible release. The Prosecutor General's Office also asked in its letter for a speedy update as to whether the «fitness of Maria Shufrich allows for the conduct of investigative actions (interrogation as a witness).»

«Fight me, I am ready for anything, but do not touch my relatives and the relatives of my comrades!» Shufrich stated in an appeal to law enforcement agencies.

Establishment of social institutions for monitoring corruption and human rights violations in Ukraine

■ «Corruption has reached its highest point in Ukraine and has become the main reason



Semen Gluzman

for human rights violations.» This statement was made by participants in the anticorruption committee The Limit who are prominent human right activists, scientists and public figures.

According to information distributed by Polit-Terror, the main reason for establishing the committee are:

- the futility of efforts by the authorities to confront corruption
- inadequate anticorruption laws
- a lack of transparency in the process of decision-making by the authorities
- the absence of public control over the activities of state agencies

The organizers of the committee consider publicity to be the main tool in fighting corruption. Bearing this in mind, they announced the launch of a national project called the White Book: Facts of Corruption and Human Rights Violations in Ukraine.

The Limit invited reporters, scien-

tists, politicians, and people suffering the effects of corruption and all citizens to contribute. The project it is scheduled to conduct a «social audit of corruption levels in all main agencies, major political parties and their leaders. This will create true ratings of corruption levels.»

Prominent human right activist and committee Chairman Semen Gluzman stated:

«The events going on in Ukraine now (I am talking about administrative repression) are due to the stupidity of the authorities which came into power as a result of the national protest. I consider it wise to have announced the date of an amnesty (economic or some other kind) earlier to provide people with the possibility of living in a different way. The issue is that such steps result in very grave aftermaths... ordinary chief physicians and school directors have to suffer... I am visiting Ukrainian regions and I see these things... Enemies are being made of those people.»

SDPU(U) and the Party of Regions have made the most significant contributions toward protecting human rights

■ **Participants in the roundtable dubbed Kyiv-Moscow: Overcoming the Political Crisis in Ukraine and the Role of Ukrainian Society and the International Community, got a chance to**

get acquainted with the bulletin from the Social-Democratic Party of Ukraine (United) Violation of Human Rights and Political Repression in Ukraine.

Vsevolod Loskutov, advisor to the Russian Federation ambassador to Ukraine, declined to comment on political repression in Ukraine, but positively valued the bulletin in an interview with Polit-Terror. «The bulletin reflects the point of view of influential political forces. We are grateful to the leadership of the party and the authors of the bulletin who provide us with such interesting and informative observations,» he said, adding that both guests from Moscow and employees of the embassy read the bulletin. Taras Chornovil, a member of the Regions of Ukraine parliamentary faction, stated that the SDPU(U) and the Party of Regions made the most significant contributions toward protecting human rights. At the same time, he emphasized the particular role of the SDPU(U) in protecting the rights of repressed people:

«It is very good that the SDPU(U) made a stand for the rights of people who were arrested without any reason through violating procedural norms.» But at the same time Chornovil is disturbed by the fact that after the memorandum was signed by the government and the opposition, Yanukovich was summoned to the prosecutor's office twice. «The only thing we managed to achieve is that the authorities admitted to the existence of political repression. The supposition that repression will be stopped is not a fact yet.»

ABUSE OF OFFICE BY LAW ENFORCEMENT AGENCIES

European human right activists have stated that 72% of Ukrainians serving sentences in penal institutions have been subjected to physical methods of pressure, and that nobody is punished for torture in Ukraine

■ **Amnesty International presented a report dedicated to Ukraine entitled Ukraine: Time For Action: Torture and Ill-treatment in Police Detention.**

According to information distributed by Polit-Terror, representatives of this organization expressed their disturbance with the fact that people detained by police in Ukraine are subject to torture and brutal treatment. The facts revealed by the organization demonstrate that suspects, witnesses and any other people somehow involved in the process of an investigation risk becoming victims of lawlessness.

AI researcher in Ukraine Heather McGill «Any government that wishes to fight torture and ill-treatment must ensure that all allegations of

such human rights violations are duly investigated according to international standards of promptness, thoroughness and objectivity, that the guilty are punished and the victims compensated... Many victims do not lodge complaints because they are scared or don't trust the system... allegations of torture are rarely investigated and if such investigations are carried out, most often they are flawed. As a result few police officers implicated in acts of torture and ill-treatment are punished and the victims rarely receive reparation.»

«If the government of Ukraine is serious about reaching an associated agreement with the European Union by 2007, it must start immediately on reform in the criminal justice system, root out torture and ensure justice for the victims,» McGill said. McGill said she welcomes the publication of the bulletin, because openness always helps and the very existence of such information is a positive sign. Having signed the memorandum, the president guarantees cancellation of political repression. McGill thinks that real measures are necessary and that while Amnesty saw some positive steps, no real measures had undertaken until now.

Arcady Bushenko, a representative of a Kharkiv human rights group remarked: «When the state widely uses testimony obtained using torture, when the state lacks any notion of legal and illegal arrests, when the state conducts no efficient monitoring of penal institutions and has no efficient system of investigating torture, then anyone may say that

such a state opens up a great risk of using torture. When there are no such restraints, the use of torture expands.

Police have no idea how to conduct investigations, lack professionalism and means to investigate crimes. «We are not American detectives, we work in different ways, we do not need this, people testify against themselves voluntarily» that is what Ukrainian police say, Bushenko. He thinks that tens of thousands of people receive injuries inflicted by police officers. Many officers justify use of torture, he said. «This is a horrifying phenomenon and we will hardly manage to succeed.» He also noted that he has «shocking» audio recordings of police interrogations using torture dated May 2005.

Tatyana Yablonska, a representative of the Ukrainian-American Bureau for Human Rights Protection, stated that «Ukraine has not developed yet a scheme for revising cases where people were sentenced and jailed after being forced to testify against themselves under police pressure. Some 72% of sentenced people asserted that they were subjected to methods of physical pressure.»

Galya Govan, the deputy director of Amnesty International for Europe and Central Asia, told reporters about her recent meeting with Minister of the Interior Yuriy Lutsenko, official representatives of the Ministry of Interior and the Prosecutor General's Office. According to information she released, «representatives of the ministry and Prosecutor General's Office admitted the

existence of torture and recognized that they should take care of the problem.»

Govan remarked that in order to prevent torture it is necessary to supplement the wording of Article 127 of the Criminal Code of Ukraine with all elements describing torture that are listed in Article 1 of the Convention against Torture. She said that the Ukrainian government shall examine the possibility of establishing an independent organization to investigate violations of human rights committed by law enforcement officers.

Eduard Bagirov, the chairman of the International League for Protection of the Rights of Citizens of Ukraine, described torture committed by police officers in Ukraine. He said institutions refuse to start criminal cases about accusations of use of torture. He said that those who dare to publicly state such things are blamed for lack of responsibility and slander against police officers. «We are living in times that resemble the NKVD and Vyshinsky — people are trying to defend their rights, but they are harassed and threatened.»

It is almost impossible to charge police and SBU officers who violate the law. A lot of things depend on the authorities. «When offences committed by subordinates become public, the guilty persons are called to account for their deeds, but when such cases are not made public, the cases are held close in the family circle,» Bagirov said «That means criminal cases against officers from law enforcement agencies are instituted only when certain authorities



have to present themselves as ardent fighters of corruption, or when they are striving to build up their careers.»

Opposition party representatives pushed out from courtroom, 9-year-old injured

■ Court hearings for the case of Brotherhood Party* activist Alexander Lebedev ended on Oct. 27 in the Shevchenkovsky

*A party which expresses antiglobalist ideas, led by Dmitri Korchinsky. Three activists from the «Bratstvo» party have been under arrest since September.

District Court in Kyiv. The judge prolonged the term of detention to four months. Court hearings for Alexander Shvetsov and Alexander Basharin were postponed.

According to information provided by the Brotherhood party, seven party activists tried to enter the courtroom because the session was open to the public. However, they were not let in by officers of the Berkut special police. Officers kicked activists into the street using clubs, punching and kicking them. They did not reply when asked who gave such an order. They severely smashed the head of Brotherhood newspaper correspondent Alexei Serduk and blood ran down his

face. A nine-year-old boy, the son of one of the Brotherhood prisoners of conscience, was also beaten by Berkut clubs.

On Oct. 24, during protest action near the Presidential Secretariat, President Yushchenko promised to meet with a group of Brotherhood activists in two days. The scheduled aim of the meeting was negotiations associated with liberating prisoners of conscience — party members.

The president failed to fulfill his promise. When party members delivered speeches demanding the liberation of prisoners of conscience, clashes between protesters and special police occurred on the way to the Secretariat and near the building. People were injured. The conflict was sparked by Secretariat officials who did not want protesters to come closer to Yushchenko's citadel, according to the Brotherhood party.

Law enforcement agencies press deputies who voted against charges against two opposition deputies

■ On Oct. 27, a session of the Mukachevo city council in the Transcarpathian region examined a motion from the Prosecutor General's Office. The motion asked local deputies for permission to bring charge Ivan Chubirko and Yuriy Maleshko, who are city

council deputies and SDPU(U) party members.

According to information released by the press office of the Transcarpathian regional council of the SDPU(U), the deputies refused to grant permission despite the fact that Mukachevo Mayor Vasyl Petyovka personally asked deputies to support the motion. Ivan Gardubei, a Mukachevo city council deputy, said that after the session deputies who voted against prosecuting Chubirko and Maleshko experienced pressure from law enforcement agencies. «All means were used in order to force deputies to change their decision,» said Gardubei. On Oct. 30, deputies granted permission for the two deputies to be prosecuted.

Prosecutors try to discredit opposition party leader on the eve of parliamentary elections

■ An investigator from the Donetsk prosecutor's office arrived in Kyiv on Oct. 20 to interrogate Anna German, an advisor to Viktor Yanukovich, as a witness in a case regarding falsification of documents to cancel the former presidential candidate's criminal records.

The Kommersant newspaper said that neither German, nor Elena Lukash (the Party of Regions leader's lawyer) received any information about the interrogation. Sup-



Elena Lukash

porters of Yanukovych considered the scandal surrounding the case as an attempt to criminalize the leader of the opposition on the eve of parliamentary elections. Yanukovych's criminal records became well known last May. Prosecutors are conducting an investigation into the alleged falsification of documents on restoring Yanukovych's rights. Alexei Baganets, the regional prosecutor, asserted at a press conference in Donetsk that just a couple of investigative procedures have to be completed. «An enormous amount of work was done. Almost all evidence necessary to confirm the falsification is already complete.»

The prosecutor said that results of the interrogation of the last two witnesses may «shed light on the situation.» The investigator from the regional prosecutor's office left Donetsk on Wednesday and headed to Kyiv to meet with one of the



Anna German

last witnesses, German. The prosecutor failed to make public the name of the second witness.

German told Kommersant that she has received no official summons from prosecutors:

«I found the news on the Internet, however nobody contacted me with this information,» she asserted, emphasizing her readiness to meet prosecutors at any time. Reacting to a supposition from the prosecutor that she may resort to Article 63 of the Constitution, German replied: «I would warn Baganets from giving me advice on what to do. I will not avoid this meeting and it was very strange for me to read such a comment. I was always ready to meet the prosecutor and give my testimony, but I have no idea why he advises me to use articles as a cover.»

Elena Lukash, Viktor Yanukovych's lawyer, also knows nothing about the interrogation of witnesses: «We have

no information referring to the case and no investigator has arrived. Nobody that I know and whose interests I defend was interrogated. We received no warnings about that — either in written form, or by phone.»

Both German and Lukash are inclined to consider statements made by the Donetsk regional prosecutor as pressure on the opposition leader. «I consider that this is undoubtedly pressure on both

Yanukovych and his entourage,» German said. «This is another attempt to raise questions about some criminal records and nothing more. And there cannot be anything more in this case.» Lukash, in turn, announced that the scope and volume of the materials of this nature will only increase on the eve of the elections, because the process of «criminalizing Yanukovych in the public eye» has started.

FREEDOM OF PEACFUL ASSEMBLY

Police block peaceful demonstration

■ The organization **People's Opposition*** organized mass protest actions in the capital of Ukraine on Oct. 14 and 15. At least 6,000 activists took part each day.

According to information distributed by the PSPU press office, the Shevchenkivskyi District Court illegally restricted the right to peaceful assembly for events scheduled for Oct. 14-16. The Union of Orthodox Citizens of Ukraine drew believers to a religious procession to protect canonic Orthodoxy on Oct. 14. Police assisted in conducting the procession and maintained order. The action was held without incident. However, on Oct. 15 during an antifascist action in Kyiv, Ukrainian authorities infringed the rights and freedoms of Ukrainian citizens.

The Confederation of Labor of Ukraine (Ukrainian trade unions) and the Ukrainian women's organization The Gift of Life informed the Kyiv city council about the antifascist action as stipulated by the Constitution of Ukraine. The organizers accurately indicated the time, the route and the

location. With rough violation of the European Convention for the protection of basic rights and freedoms, and Articles 39 and 34 of the Constitution of Ukraine, Ukrainian authorities used a great number of police officers and special departments (Bars and Titan) to block a peaceful demonstration at Independence Square (Maidan), preventing it from completing the route indicated in the notification — passing to European Square and conducting a protest rally there. Police constantly tried to disperse the demonstrators. Vitaly Ploshkin and two other PSPU activists were detained, yet young hoodlums representing nationalist groups* were allowed to do anything. They incited fights, abused and provoked participants in the peaceful protest action, took away and burnt symbols from believers, and pelted people with stones, vegetables and paint. All of this happened in front of police officers.

The opposite side used all possible methods to attack. Even parliamentary deputy Kateryna Samoylyk was harmed by law enforcement officers. Somehow police have developed a dislike of Volodymyr Marchenko. The editor-in-chief of the newspaper People's Opposition was constantly persecuted and

*Former veterans of the Ukrainian Rebel Army (UPA) and supporters of its rehabilitation. The UPA is suspected of going into action to assist the fascist German army. With the arrival of Viktor Yushchenko as president, the topic of rehabilitating the UPA was partly revived because of his loyal attitude to these people who have been considered enemies of the Ukrainian nation for a long time — a nation which destroyed fascism. They were called «Banderivtsi.»

*A political bloc — one of its founding members is the Progressive Socialist Party of Ukraine (PSPU), a leftist party. Nataliya Vitrenko is a leader of the party.



banned from executing his journalistic duty. Marchenko even had to protect himself.

Moreover, police had no scruples against using force against believers who peacefully prayed in the midst of Kreshatik. The list of victims included grandmas with icons in their hands, downtrodden banners and broken crosses. Police blocked exits and believers were banned from conversations with their followers.

Banderivtsi (followers of Stephan Bandera's teachings) tried to ruin protesters' equipment and set on fire a truck with a tribune. However, people encircled the trucks and interfered with the nationalists' plans. We were surprised with the police actions which hurt peaceful protesters at Maidan.

Authorities and law enforcement agencies seriously violated constitutional norms for conducting mass

protests, reporters were banned from executing their functions and violent force was used against believers and peaceful protestors. We demand that the president of Ukraine prosecute all guilty persons who have violated the rights and freedoms of citizens and journalists. We will tell the entire world about the totalitarian, anti-democratic essence of Ukrainian authorities. We will appeal to the Ukrainian judiciary and the European Court for Human Rights to protect the rights of citizens of Ukraine and to prevent the establishment of a fascist dictatorship. This information was distributed in a PSPU statement signed by party chairman Nataliya Vitrenko.

PSPU asks president to dismiss Interior Minister for police suppression of peaceful demonstration in Kyiv

■ On Oct. 26, the deputy chairman of the Progressive Socialist Party of Ukraine and chairman of the Confederation of Labor of Ukraine Volodymyr Marchenko was summoned to a general investigation at the Ministry of Interior of Ukraine.

According to information released by the PSPU press office, «he was summoned as a witness to organized mass disorder in Kyiv on Oct. 15. Agencies of the ministry are to be blamed for the events which took place. They roughly violated constitutional rights of citizens of Ukraine along with the right to conduct a peaceful protest action, an antifascist march. The statement made by the Progressive Socialist Party of Ukraine was confirmed by a court. Police violated the law. Police blocked the way to European Square* from Maidan* and pressed a column of protestors who tried to liberate Kreshatik* for the passage of Bandera's supporters.

*Street and squares in downtown Kyiv.

XENOPHOBIA AND INFRINGEMENT OF FREEDOM OF CONSCIENCE

Rights of Orthodox Christians violated with the assistance of the authorities

■ **Confrontations between Christians belonging to the Ukrainian Orthodox Church of Moscow Patriarchate and the Kyiv Patriarchate's flock in the Rivne region continues. Schismatics tried to attack and take the Svyato-Voskresensky Church because its prior has moved from the Moscow Patriarchate to the Kyiv Patriarchate.**

Believers do not support the decision and refuse to pass over the building. The Rivne episcopate has previously forwarded its appeals to the resident and prosecutor general of Ukraine, emphasizing abuses of power by local authorities. These abuses resulted in violating the rights of believers.

Viktor Yanukovych, the Party of Regions leader, demanded that Yushchenko to protect the Moscow Patriarchate flock from the lawlessness of Vasily Chervony, the governor of the Rivne region.

«Mister president, I summon you to execute your functions as guarantor of the Constitution and put an end to

the ardent persecution of the Ukrainian Orthodox Church in the Rovenskaya region. Local chairman of the regional state administration Vasily Chervony issues orders and commits violent actions targeting the seizure of buildings belonging to the Ukrainian Orthodox Church in favor of champions of the non-canonical Kyiv Patriarchate. Such overtly medieval practice is absolutely intolerable for a civilized European state. As a result of provocative acts undertaken by the local governor and subsequent violent robberies undertaken by his militant young thugs, blood has already been spilled. The fact that the chairman does not conceal his hostile attitude against the Ukrainian Orthodox Church and discriminates against believers (demonstrating his favor for the Kyiv Patriarchate Church) creates such a situation in the region in which society slides back to the early 90s when representatives of various churches in Ukraine collided in inter-confessional conflicts.

«However, the events that happened more than 10 years ago can be explained by the process of gaining Ukrainian sovereignty and a lack of experience by authorities. The appeals which the regional state administration makes public now may be equaled with an overtly anti-constitutional attack. It happens that great work aimed at reconciling inter-confessional confrontations, creating an atmosphere of stability in relations between representatives of various confessions that was conducted by previous Ukrainian governments may have been in vain. The relatively calm current situation may erupt. And all this will happen only because authorities of the region are

irresponsible politicians with adventurous natures.

«Due to the danger resulting from such actions, I consider it necessary to demand immediate measures to put an end to the irresponsible decisions taken by regional authorities Rivne. As a guarantor of the Constitution you have to stand for protecting the legal rights of citizens. Otherwise only you will bear responsibility for possible inter-confessional clashes and for the beginning of inter-confessional struggle in Ukraine. I demand the immediate dismissal of Vasily Chervony from his position as chairman of the Rivne regional state administration, the cessation of fomentation of inter-ethnic hate, a ban on expropriation of property (church buildings and premises) from legal owners and the cancellation of all illegal resolutions made by the Rivne regional state administration».

Security measures for Russian Cultural Center strengthened due to frequent attacks by unknown people

■ **The Ministry of Interior department in the Lviv**

region has strengthened security measures to protect the Russian Cultural Center in downtown Lviv due to constant attacks. This information was contained in a letter provided by the Ministry of Foreign Affairs in reply to a note of protest received from the Russian Federation Consulate General in Lviv.

According to information distributed by Internet publication New Region, police have moved patrols closer to the center, and the regional police department has ordered the local precinct to react quickly to attacks.

In the end of September, the Russian consulate filed a note of protest to the office of the Ministry of Foreign Affairs in Lviv in reference to the fact that anti-Russian signs had appeared on the walls of the Russian Cultural Center. Some unidentified people have previously attacked the Russian Center and broken a bust of Pushkin in the front wall of the building, painted outer walls with abusive signs, broken windows and even blown up the front door.

LANGUAGE DISCRIMINATION

TV Company to lose its license for broadcasting programs in Russian

■ **Ukraine TV risks losing its broadcasting license because its programs contain too much Russian.**

According to Our Newspaper Plus, a warning may be issued by the National Council for TV and Radio Broadcasting regarding the presence of the Russian language in informative or entertainment programs. Vitaly Shevchenko, the chairman of the council, made such a statement recently. In his opinion, the main problem for Ukraine TV is Russian dubbing for broadcasts of non-Ukrainian programs and movies. Shevchenko has noted that Ukraine TV has violated the law during election campaigns several times. However, he did not detail the those violations.

In an interview with Our Newspaper Plus, Marina Mirgorodskaya, the editor-in-chief of the station, explained that this September mass media outlets working in the country have had to see a memorandum about voluntarily shifting to 100% broadcasts in the Ukrainian language. The National Council will have to monitor all TV channels to check the observance of the memorandum's provisions. In other words, the council has to inspect how obedient employees of TV chan-

nels are and if they continue talking in Russian.

«We examined the text of the memorandum, but nobody ordered us to sign it. Yet monitoring was conducted. We consider that it was conducted in an urgent manner, without any schedule. Our programs were monitored from Sept. 23 to Sept. 26 and they found only one violation — the broadcasting of an additional advertising block (besides usage of the Russian language).

«As for the main problem — the language of broadcasting — the Constitution of Ukraine, the European Charter on languages, and other laws do not ban broadcasts in Russian. Moreover, the majority of the population of Ukraine, in particular in the southeastern part of the country, uses Russian in daily life. While the leadership of the country tries to decide which language shall be used for broadcasting, our channel continues losing watchers who got used to watching programs in Russian. We receive a lot of letters asking us to transfer to broadcasting only in Russian, but we are unable to satisfy these requests because the council is hovering above us. As a result, we are losing ratings and our southeastern watchers are switching to Russian channels. In other words they stopped supporting a domestic producer,» said Mirgorodskaya.

Alexander Moroz, leader of the Socialist Party of Ukraine, and Victoria Nuland, U.S. representative to NATO, visited Donetsk recently with different purposes. They delivered speeches live air on Ukraine TV and were interviewed in Russian. It was

funny for the American ambassador to listen to the story of Ukrainian broadcasting in a Russian-speaking region.

In various countries with two or more official languages (The Netherlands, Canada, Finland, Switzerland and so on) people are not banned from listening to radio or watching TV in the language which suits them. Certainly this is done by considering the existence of ethnic groups and their locations. Almost half of Ukrainian citizens speak Russian for historical reasons, said Our Newspaper Plus.

The official statement «On Provisions for Freedom of Speech in Mass Media on the Eve of the Election Campaign» issued by the SDPU(U) says the following:

«The events which are going on now around TET, KRT, NTN and TRK Ukraine TV Channels do not comply with any principles of a democratic state. Disturbances are provoked by authorities striving to politicize the language question and provoke residents of southeastern regions through interference in the operation of TRK Ukraine.»

FREEDOM OF SPEECH

TV reporter who investigated government corruption attacked

■ **Late at night on Oct. 4, an unidentified person beaten reporter Nataliya Vlasova in Dnipropetrovsk.**

According to 2000 weekly, the police record says that he «punched her in the head and body several times due to hooliganism motives.» The ambulance delivered the beaten reporter to city hospital #16. The preliminary diagnoses was cerebral injuries, concussion and a bruised chest. The Kirovsky district police instituted a criminal case according to Article 296, part 1 of the Criminal Code (hooliganism). The journalist says the attack was due to her professional activities.

In an interview with the Our City newspaper Vlasova said: «Yesterday I went to the regional council to meet Viktor Veselsky, the chief of the main department of healthcare in the Dnipropetrovsk regional state administration. He is busy in during the day and is not able to talk with reporters. The most convenient time for him is after 10:00 p.m. Halfway to the regional council someone called me by name. I raised my head and saw big, strong guy. He punched me in the face several times. I fell over and bruised my head against the wall. Then he landed a blow in my stomach. I lost consciousness and when I woke up, reporters were standing nearby.»

A colleague who witnessed the crime saved her life. She started shouting and the attacker ran away, warning his victim that «this is only the beginning.» Vlasova received repeated threats by phone: «I was warned that I should quit collecting information on one of the political parties. I conducted a journalistic investigation trying to find out if it was true that positions in party lists for elections to city and regional councils are being sold. I tried to check information that certain clans exist inside this political force and that they are engaged in a fight for positions of power.»

Ruslan Uralov, the editor-in-chief of news at Dnipropetrovsk TV Channel 34, supports this version: «She voluntarily conducted her own investigation. It cannot be excluded that the roots of the incident are associated with this fact.»

These events are linked with the broadcast of a press conference by one of the district offices of Batkivshina* on TV Channel 34. The negative part of the conference consisted of a statement made by Ihor Rudenko, the leader of the party branch who said: «As we know, the cost of a deputy's seat among the first ten names has increased from \$50,000 to \$200,000 since June. Naturally, this refers only to city council.»

According to 2000 weekly, only one case of an attack against a reporter in Dnipropetrovsk has been solved recently. Officers managed to detain a robber who had stolen property belonging to Ukrainian news-

*Centrist party headed by former prime minister of Ukraine Yulia Tymoshenko

paper Ukraina Moloda correspondent Sergey Dovgal.

The Babushkinsky district police department is still investigating a criminal case in connection with bodily injuries to prominent reporter Oleg Klimov who writes a crime column in the Our City newspaper. On July 28, he received a blow in the face near the porch of his house. Glass from his spectacles seriously damaged his vision and surgery was necessary. There is also no resolution to an attack on Alexander Razumny, chief of the information department at the Dnipro Vechirni newspaper. That attack happened a couple of years ago.

A case investigating an the attack and robbery of Radio Liberty Dnipropetrovsk correspondent Genady Sacharov in 2003 was shut down for unknown reasons. The same year, Volodymyr Efremov, a representative of the international organization Reporters without Borders, died in car accident, but the reasons remain unclear. Police closed the case after the investigation and only after multiple complaints from relatives and persistent requests from respected international organizations was the case reopened by the prosecutor's office.

Business newspaper reporter threatened for investigating corruption among high-rankng officials

■ **Alexander Dranikov, former deputy editor-in-chief of the newspaper Business, appealed to the Ministry of Interior and**

and the Prosecutor General's Office asking to investigates threats he has received.

According to newspaper Kyivskie Vedomosti, the reporter said that starting from spring 2004 he investigated the political careers and business activities of some politicians who were members of Viktor Yushchenko's bloc in the presidential election — Alexander Tretyakov, David Zhvaniya and Yevhen Chervonenko.

The start of the investigation coincided with the moment when the main owner of the Blitz-Inform holding company (the publisher of Ukrainian newspaper Business) Serhiy Melnichuk was indicted*. Dranikov said that Melnichuk decided to uses result of the journalistic investigation to stop the persecution.

«The publications that I prepared provided my employer Melnichuk with trump cards and he started trading with the authorities for his own business privileges and did that behind the backs of reporters,» stated Dranikov.

Dranikov said that in the middle of July, Melnichuk initiated negotiations with Our Ukraine parliamentary faction leader Mykola Martynenko and personally banned Dranikov from publishing any negative information about the politician. In addition, Dranikov said that early in August Melnichuk ordered him to stop investigating falsified vodka sales by some companies. Tretyakov was among the shareholders of those companies.

*In March 2004, the State Tax Administration in accordance with an order by the Prosecutor General, laid charges against Serhiy Melnichuk. He was charged with major tax evasion. The conflict between the tax administration and his business continues.

Dranikov asserts that in reply to his protests, Melnichuk told him to investigate the activities of Kyiv Mayor Oleksandr Omelchenko or Parliamentary Speaker Volodymyr Lytvyn. The journalist refused. Then Business editor-in-chief Ihor Kanevsky passed him a proposal from Melnichuk that he voluntarily resign. The next day he was forbidden from entering his office. When Dranikov refused to accept the proposal, they started blackmailing him. When he was going home on the evening of Oct. 11 he was stopped by two young guys who threatened him and told him to change his job. Dranikov appealed for protection to the Ministry of Interior and the Prosecutor General's Office by forwarding applications by registered mail. He said he is not officially fired yet and has a sick leave certificate. If he is fired to intends to appeal in court.

To support Dranikov, Business editor-in-chief Kanevsky and leading reporter Andriy Ogarenko left their jobs.

Foreign publisher working in Ukraine threatened, car set on fire

■ **On Oct. 1 late at night unidentified persons set on fire a car belonging to the director of Paparazzi magazine and owner of Supernova Radio, Valid Arfush, a Lebanese citizen.**

According to the newspaper Facts, a Bentley worth 250,000 euros was parked near the entrance of the house where Arfush lives. Alexander Radkevich, the deputy chief of the public rela-

tions center at the Ministry of the Interior in Kyiv said that a patrol that arrived at the crime scene found that unidentified persons had broken the windshield with a dumbbell and had thrown in a plastic container of flammable liquid, followed by a lit object. As a result, the interior of the expensive foreign car, purchased last year in France, was burnt out. The house is guarded 24 hours a day by a well-known Kyiv security company. In an interview with Facts, Arfush said he has no business problems. The incident was associated only with Paparazzi magazine. «This Thursday I was coming back home at 10:30 p.m. and it seemed to me that I was followed.» Arfush stated:

«I think everything that has happened is associated with Paparazzi and the cover of the next issue which was never published. At the beginning of September, I bought very expensive photos of Andriy Yushchenko (the president's son) taken during a vacation in Turkey in the company of his girlfriend. We planned to publish a photo on the cover of the magazine and supplement it with a report. The photos were decent and beautiful. But when it became known that we had the photos, I started receiving phone calls from influential figures in government (I do not want to name them) requesting not to publish them. «You'd better not touch Andriy Yushchenko.» We suspended publication of the magazine and in two weeks published an announcement about our next issue with a photo of the son of the president in Kyiv-Post newspaper. Phone calls demanding to stop publication of the issue continued. All these things resembled an ultimatum.

«I asked my friend Rober Menard, general secretary of the international organization Reporters without Borders for advice. He said, «If you do not publish this, there will never be freedom of speech in your country.» On Thursday, I contacted the editorial office of Paparazzi and said, «Ok, we will publish this issue.» Valid called me on Friday morning: «Do not worry, everything is OK with me, but my car was burnt.» I am certain that this was associated with the Yushchenko situation. Neither me, nor my brother, experienced any other problems. No matter what would have happened, I gave an order to print the issue at any cost.»

The same day Valid Arfush, his wife and two children decided to leave for France. One of the most influential members of the former Cabinet of Ministers was sitting near him, trying to persuade Valid not to go. But when Menard and Omar Arfush called him, he said that he had simply come to say farewell to Valid. According to Facts, the Air France flight was delayed for two-and-a-half hours. Nobody explained the reason for the delay, but Omar Arfush suspected that it was associated with an attempt to prevent his brother from leaving the country.

Viktor Yushchenko has ordered Yuriy Lutsenko, Minister of the Interior, to personally monitor the investigation of this case.

Paparazzi magazine publishers file a lawsuit against the Minister of the Interior of Ukraine, alleging interference with an investigation

In an interview with Komsomolskaya Pravda, Interior Minister Yuriy

Lutsenko stated that Andriy Yushchenko, the son of the president Viktor Yushchenko, testified regarding a case in which a car belonging to Valid Arfush, publisher of Paparazzi magazine, was torched.

«We have interrogated Andriy Yushchenko in the framework of this case. He said that he got acquainted with Omar Arfush in the restaurant Decadence in 2004. There were no conflicts between them (the brothers said different things). However, there were no friendly or business relations either.»

Lutsenko also said that the Arfush brothers have a «dark past.»

«The Prosecutor General's Office has been investigating a criminal case against one of them for more than a year. As I know, he owes sizable amount of money to his partner and decided not to return the money.»

Lutsenko proposed several versions as determined by the investigation:

«The car was probably set on fire by hoodlums. Or this might have been done by those people with whom Valid Arfush quarreled during his work at Paparazzi magazine or Radio SuperNova. We have also considered another version — that the Arfush brothers burned the car hoping to obtain insurance. But we found out that the car was not insured. The results of expert analysis of the fire are ready. It seems that somebody threw a can of gasoline onto the rear seat of the car along with a pyrotechnical torch.»

The minister emphasized that the crime was thoroughly planned: «Oth-

erwise it is not clear why all video cameras in the neighborhood were switched off. There are a lot of them at Kruglouniversitetskaya Street in downtown Kyiv. Four surveillance cameras are installed at the office of the representative of the European Commission. Four cameras are installed on building 14, Kruglouniversitetskaya Street, five cameras are on the building of the Republic of Iran's embassy and 10 cameras are installed at a building located at Kruglouniversitetskaya Street 13.»

According to Kommersant-Ukraine, Lutsenko talked about the progress of the investigation, hinting that the Arfush brothers might have organized the arson. The minister said that a neighbor of the Arfush brothers saw how a black-clad man (resembling Valid Arfush's guard) rushed inside the house right after the car was set on fire.

More than a month after the accusations were made public, in a TV interview the president's son said that he never threatened the Arfush brothers.

Arfush brothers, publishers of Paparazzi magazine, to file lawsuit against Interior Minister Lutsenko to protect their honor and dignity.

«Our lawyers are preparing lawsuits to protect our rights. The very fact that slander was voiced by Lutsenko shall be considered as interference in the process of the investigation because the minister went beyond the limits of his authority by giving instructions to investigators as to which version shall be considered preferable,» said a statement distributed yesterday by the Arfush

brothers. The brothers blamed Lutsenko for disclosing materials from the pre-trial investigation and interfering in work conducted by investigators.

TV channel which supported opposition suffers from political pressure

■ **According to Our Newspaper Plus, authorities tried to take a license away from NTN TV Channel in court this spring. The idea of withdrawing the license came from the National Council for TV and Radio Broadcasting which was composed mainly of members who were mainly appointed by the new government.**

Ukrainian Parliamentary Deputy Ihor Shurma made a public statement in parliament about pressure on judges by former secretary of the National Security and Defense Council Petro Poroshenko.

Shurma appealed to the Prosecutor General to check on pressure applied to judges of the Supreme Court of Ukraine by Poroshenko.

Shurma, the SDPU(U) authorized representative, considers that judge Ivan Shitsky (the presiding judge for business cases in the Supreme Court of Ukraine and the direct supervisor of the «National Council VS. NTN» case) experienced pressure from Poroshenko. The deputy said that the council was transformed into an efficient tool used by the govern-

ment in the process of establishing control over mass media outlets and it «does everything it can, in particular through court hearings, to secure frequencies for channels loyal to the government.»

The SDPU(U) demanded a report as quickly as possible about the situation from Vitaly Shevchenko, the council chairman.

Nataliya Katerinchuk, the editor-in-chief of the channel, stated that moral damage is being inflicted upon employees and its creative staff

In an interview with Our Newspaper Plus she said, «We do not understand why we need a state which obstructs the operations of our staff and creates artificial obstacles for the station's development. Everyone clearly realizes that no one will invest money in a station linked to a criminal case. Projects are suspended now because any investor will stay away from investments in such a situation and will at least wait until the situation is clarified. The authorities have their own media outlets and they simply try to get rid of competitors.»

The NTN press office made a public statement that said the following:

«Chairman Shevchenko asserted that the channel has a 'bad record.' It seems that he meant the Donetsk origin of the channel. So, who in this situation separates Ukraine into various sorts accordance to some 'record' and their own understanding of reality? We have reason to believe that the judicial problems faced by NTN have political grounds.»



Igor Shurma

National Council for TV and Radio Broadcasting prevents opposition channel from expanding

■ **The Derzhava* party made a public statement issued by the press office of Kyivskaya Rus TV Channel (KRT), which says the following:**

«A year ago the Business Court of Kyiv obliged the National Council for TV and Radio Broadcasting to enter amendments to license KRT TV Channel in relation to the right to sue broadcasting channels (an additional 36 frequencies). When the court resolution had taken effect, the court issued an order for the compulsory execution of its resolution. But nothing of the kind happened! The council not only refused to execute the

*Pro-Russian party standing for strengthening the Orthodox Moscow Patriarchate

verdict, but on contrary has adopted its own resolution on forwarding the verdict to the Prosecutor General's Office, the Supreme Council of Justice and the National Security and Defense Council for assessment of the judges' behavior. The distressful case has returned to the Business Court of Kiev again after being examined by many institutions.

The next examination of the case by the Business Court of Kyiv resulted in the same resolution as was done a year ago, regarding the legality of amendments entered into the KRT license. The council, which does not care about law, has stated again its desire to appeal the decision to the Kyiv Business Court of Appeals.

The council recently succeeded in the art of presenting overt witch-hunting of opposition channels under the guise of fictitious court trials. It seems that the council is not going to change its tactics. It does not care much that the marathon of harassment of KRT started last October ended in a total fiasco. The tireless agency is ready to wage second round of court wars against the opposition channel. The authorities try to punish discomfoting mass media outlets on the eve of parliamentary elections and such a lack of tolerance towards freedom of speech, dissident views and political opponents subverts democracy in Ukraine.

Opposition newspaper staff shut out

■ **On Oct. 24, employees of opposition newspaper Our Time Plus (Zaporizhya) came to work**

at 8:30 a.m. as usual and found the office sealed.

According to the SDPU(U) press office, «the lobby of the office building where the editorial board has rented space premises for a long time was blocked with a formidable steel door welded from the inside. The fire exit was also welded shut. The employees of the newspaper were unable to enter the office and could not obtain any explanation from the new owners of the building which hosts the offices of many regional newspapers. That is why the building was dubbed Mass Media House. The building also hosts the administration department of a publishing house which recently was state property.

Conflicts between the owners of the building and the newspapers started a long time ago. The West-Reserve insurance company (which is not registered in Zaporizhya) privatized the production facilities of publishing complex Zaporizhya at the end of 2004 (including the office building as a part of a property complex).

No one can tell for sure how this privatization was conducted. The deputies of the regional council do not have any information. The privatization happened when Volodymyr Berezovsky was a chairman of the Zaporizhya regional state administration and simultaneously chaired the regional council. However, the documents which confirm property rights do not bear his signature. They were signed by deputy chairman of the regional council Alexander Berezhnoi and the first deputy chairman of the regional state administration. Berezovsky is still chairman of the regional council. The editorial

board knew nothing of this so-called privatization and found that out only when the new owners demanded new rent agreements because previous contracts were concluded with LPK Zaporizhya. At the same time the new owners established rent rates on a level applicable to trading enterprises despite the fact that they made no improvements to the building or at best minor repairs.

The first alarm bell sounded for reporters of local mass media outlets when the new owners shut down the Press Bar where all press conferences were held. This happened early in 2005. The organization of journalists forwarded a complaint to all relevant institutions and the conflict was settled, however regional authorities refused to investigate the legality of the privatization despite previous promises. The second stage of the conflict started two months ago when the new owners demanded revised rent agreements and increased rates again.

The editors-in-chief of three newspapers (with the support of an organization of journalists) prepared an appeal to the regional council demanding an examination of the legality of the privatization. At a press conference with leader of the People's Party Volodymyr Lytvyn*, these appeals were passed to Berezovsky and leaders of the People's Party faction in the Ukrainian parliament. Despite his pledges, Berezovsky has not included the question of the privatization's legality on the agenda for examination by the regional council.

*Centrist party headed by Ukrainian Parliamentary Speaker Volodymyr Lytvyn

Only under pressure from the editors-in-chief of newspapers and the regional organization of journalists did the regional council prepare a lawsuit for business court (40 days had passed since the council received the complaint). The newspapers have also appealed to courts during that period. In addition, they have repeatedly contacted the prosecutor's office to say that they have been experiencing constant pressure from the new owners of the building. Two weeks ago the new owners arbitrarily and without any explanation or warning switched off energy supply to the editorial office of the newspaper Our Time. An appeal from the editorial board to prosecutors brought no results. On Oct. 24, 2005, after the next attack by the new owners at the editorial office of the newspaper, the editors-in-chief contacted the regional prosecutor who had ordered the district prosecutor to examine the situation. However, the employees of the district prosecutor's office who arrived at the building were unable to find the new owners.

The editors-in-chief of three newspapers gathered at an urgent meeting at 11 a.m. Yaroslav Sukhoi, a deputy of the Ukrainian parliament, also attended. Neither representatives of the Zaporizhya regional state administration, nor representatives of the regional council came to the meeting despite the fact that they all received invitations. Discussion of the situation was stormy. Representatives of the mass media outlets demonstrated many documented facts supporting the illegality of the privatization of the building and multiple violations of the Constitution and



Yaroslav Sukhoi

other laws of Ukraine. These violations by the owners are criminal.

Many journalists shared their opinions on the reasons for an indifferent attitude by the authorities regarding the conflict. Despite the fact that the building was privatized by some strange company, a Zaporizhya financial-industrial group which practically rules the city was mentioned in the list of true owners. In order to confirm this point, reporters noted that newspapers belonging to that group have not experienced any pressure. Editors-in-chief of newspapers and reporters approached deputy Sukhoi asking him to initiate an urgent session of the regional council to examine the legality of the building's privatization. Sukhoi promised that parliamentary deputies from the Zaporizhya region will settle the problem and added that he will forward the requests to all executive agencies, including the Prosecutor General's Office.

To conclude the stormy discus-

sion, Sukhoi took personal responsibility in having the steel door cut open to provide free access for employees to enter their offices. However, they were unable to prepare the next issue because the energy supply was still switched off. Lyudmila Marinuk, the editor-in-chief of Our Time said that readers will not suffer, because employees of the newspaper already published two issues of the newspaper using equipment and premises provided by colleagues.

The same day an urgent meeting of the secretariat of the regional organization of journalists was held. The meeting approved a decision to inform Kyiv authorities about the lawlessness and to demand immediate assistance from local authorities and law enforcement agencies.

Authorities try to shut down newspaper, suppressing freedom of speech on the eve of parliamentary elections.

■ **Personnel of the Narodnoe Slovo newspaper sent an open letter addressed to the chairman of the Kirovohrad regional state administration Eduard Zeinalov stating the following:**

«We are forced to appeal to you for two reasons. First, you avoid meeting with us and you are the first chairman of the regional state administration in the history of the region who refuses to meet with staff from the newspaper. The regional state administration

is one of the founders of the newspaper. Second, we are obliged to inform readers of Narodnoe Slovo about your plans to eliminate the newspaper that has served them as a source of unbiased information and a protector of their interests for 15 years.

«We are proud that during its existence the newspaper worked for the establishment of state sovereignty for Ukraine and a democratic society. We have never accepted injustice, particularly last year after the first round of the presidential election. We have not kept our eyes shut to multiple violations of the election law that were committed in the region and condemned them. We hoped that a change in government in the country would result in the expansion of democracy, and the establishment of real freedom of speech. Tens of millions of Ukrainians who supported Viktor Yushchenko hoped for the same.

«However, from the first days of your appointment, you have chosen a strange attitude toward Narodnoe Slovo. You pretend that we do not exist. In order to meet you, the editor-in-chief had to call your office for several weeks and send letters. During the time you have spent as chairman of the regional state administration we have never received means for publishing coverage of the regional state administration and regional council (as stipulated in the regional budget) on time or without additional effort. Financial assistance to the newspaper ended completely despite multiple promises to settle this question, as did corresponding instructions which you gave your deputies.

«The editorial board, in turn, owes

a substantial amount to the publishing house and paper suppliers. The editorial board is unable to pay salaries for August to its staff or royalties to freelance correspondents. Nothing like that has ever happened before at our newspaper. The state administration does not assist with subscriptions to the newspaper despite the fact that this is one its duties as a founder.

We realize that all of these events are not coincidental. The regional state administration tried to put on a session agenda the question of eliminating some communal enterprises, including the newspaper Narodnoe Slovo, and establishing a 'regional media and publishing center.' As was emphasized in a draft resolution, all these steps were aimed at a 'complex solution for information provision of regional council and regional state administration activities.' Regional council deputies did not support this strange proposal. It is strange because we heard for the first time about the problems with coverage of activities of the founders of the newspaper. The very attempt to put such point on the agenda without public discussion and consideration of ideas of newspaper personnel bears witness to the existence of covert plans by the leaders of the regional state administration. It is not hard to guess what these plans are. They are mostly associated with the upcoming elections. It is well-known that People's Union Our Ukraine Party, which regional branch you chaired, does not enjoy a level of popular support that would guarantee a majority of seats on the local administration and in the Ukrainian parliament. At the same



Igor Lubchenko

time the public will not let you use administrative resources as your predecessors did. We reporters will not keep silent. That is why you have to neutralize us and turn the newspaper into a 'pocket edition.'»

Reporters announce hunger strike to protest actions of the authorities

Ihor Lubchenko, the chairman of the National Union of Journalists, supported the staff of the newspaper:

«At the end of the last year Kirovohrad newspaper Narodnoe Slovo protested multiple violations during the presidential election, but the regional state administration (one of the founders of the publication) budgeted a quarter of the financial support the newspaper received the previous year.

«The new leaders of the region have entirely cut off financing without warning personnel of Narodnoe Slovo. They are also trying to reorgan-

ize the newspaper's structure by stripping it of its status as a legal entity.

«I informed the president of Ukraine about this situation on Sept. 27 and offered to discuss the question of relations between authorities and mass media outlets in the Kirovohrad region at a session of the Presidential Council for Information Policy. I am still waiting for a reply from Bankovaya Street*. The regional state administration is still trying to reorganize the newspaper.

«Employees of the newspaper consider such attempts as infringement of freedom of speech and have decided to start a hunger strike for an indefinite term. The National Union of Journalists of Ukraine expresses its solidarity to colleagues working at Narodnoe Slovo.

«I appeal to the head of state as the guarantor of the constitutional rights and freedoms of citizens of Ukraine: why is the bold neglect of constitutional norms (and your public pledges of establishing freedom of speech in the country and promises of non-interference by the government in the activities of mass media and reporters) as demonstrated by the chairman of Kirovohrad regional state administration still unpunished?

«Viktor Andreevich, reporters await your clear and straightforward assessment of the activities of Mr. Zeinalov, chairman of the Kirovohrad regional state administration. If there is no official reaction to his behavior, all assurances of protection of freedom of speech are only rhetoric.»

*The Presidential Secretariat is located on this street in downtown Kyiv

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**Нарушение прав человека
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