

Odessa 2 May 2014, Crimes against Humanity. Call for a UN Investigation

Council of Mothers of 2 May 2014: Public Association of Victims of Violence in Odessa

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Call for a United Nations Independent and Impartial Investigation

We, the mothers, fathers, siblings, relatives and friends of the victims of the 2 May 2014 violence in Odessa, as well as Odessa residents supporting a return to the rule of law, and our call for justice, are turning our hopes to the Office of the United Nations High Commissioner for Human Rights to appoint a group of experts to undertake an independent, impartial, objective and credible investigation into the tragedy that led to the death of at least 48 residents, and possibly more.

2 May 2014: Violence in Odessa

On 2 May 2014, supporters of the Kiev's authorities represented by various extremist organizations that supported the violent change of Government, and supporters of federalization that would enable Ukraine to maintain its integrity, came into conflict with each other in the streets of Odessa. These actions resulted in the deaths and injuries of many people. Six men died in the city's center: two were Government supporters four were "pro-federalism" supporters. Later in the day, an aggressive mob went to Kulikovo square. First of all the attackers burned the camp of federalization activists in the square. In the course of these activities people have been attacked and severely beaten with baseball bats, iron chains and even shot with firearm. The camp was set on fire; as a result people took refuge in the building of Trade Unions House. Dozens of people were trapped. But even after the fire in the Trade Unions House the attackers continued beating to death people gathered in the building. Fleeing from the fire, some people jumped from the windows of the second and third floor. After they fell to the ground, some were beaten to death. Other besieged people sought refuge on the roof of the building, from where they were rescued later on. Some died from suffocation or burned alive.

According to Ukrainian media, 48 people were killed: 6 in street clashes and 42 at the Kulikovo Field area. Two of the victims were pro-government demonstrators. The 46 others were supporters of federalization.

Surviving victims were seriously injured and a part of them were taken to hospitals. Some died there of their injuries, one of them died just six months ago. Others were removed from hospitals by their relatives out of fear that they would be killed.

Unfortunately, it is not known how many persons really died and disappeared, except the

available official information, namely – 48 people were killed in clashes.

These violent actions were unprecedented in the recent history of Odessa. What happened shocked and horrified the entire city, which had traditionally been a haven for people of different nationalities, religions and languages.

All this occurred under the eyes of the police, which did not intervene, on the ground that it had “no orders”. The fire brigade, located nearby, was called repeatedly for assistance, but took 45 minutes to come.

Some of these events, including the violence in the Kulikovo square were partially monitored by the OHCHR monitoring mission in Ukraine.

In a number of cases, the police eventually provided protection some of the victims but surprisingly took them into custody. Some of those arrested were released the next day, under pressure from Odessa residents who protested against their detention. About 60 “pro-federalism” supporters arrested in the center of the city were taken away from Odessa and detained in other cities. Five people arrested at the time are under arrest in prison and 15 others are under house arrest. All 20 are “pro-federalism” supporters. They were all charged for “mass disorder” (Penal code, Section 294) instead of being individually charged of specific offenses. All indictments are identical, as if they had been cut and pasted from the same model. None of the “pro-government” supporters responsible for the organization and implementation of the murders has been punished. All perpetrators are free (three were initially arrested, but two of them were released, and the third died in detention from TB). One of them is undergoing investigation for murder, but is free and regularly participates in public events.

Investigations into the 2 May Violence

The official investigations have thus far been inconclusive; there is little evidence against on trial; numerous legal and procedural violations have been observed; the court buildings in Odessa have been repeatedly invaded by extremist militants who have threatened judges, defense lawyers and families of the defendants, and have sometimes assaulted them; they have interrupted judicial proceedings and in several cases forced judges to recuse themselves; and many documents were fabricated.

Two years, the victims of the 2 May 2014 Odessa violence are still waiting for truth and justice. Five separate official investigations were ordered by the authorities (General Prosecutor; Ministry of Interior; Parliamentary Commission; Ombudsperson; as well as police department in Odessa). None has brought about any tangible result. No one has been punished for any of the deaths, injuries and possible disappearances. Even the social activists of the “2 May group”, which claims to have carried out an independent investigation, and whose conclusions are questionable, expressed serious reservations about the willingness of the authorities to effectively investigate these tragic events. They recently stated that the investigation was clearly being sabotaged at the highest level in the [Ministry of Interior](#). The [Council of Europe](#) also conducted an assessment of the investigation effort but concluded that the authorities were not determined, nor able, to bring to justice those responsible for the deaths and injuries. The Council of Mothers agrees with the conclusions of the [Council of Europe](#), the [UN Special Rapporteur on extrajudicial, arbitrary or summary executions](#), and the UN Assistant Secretary General for human rights, about “the

lack of progress in the investigations and proceedings into the killings that happened [in Maidan], on 2 May 2014 in Odessa and 9 May 2014 in Mariupol. The slow progress in these cases undermines public confidence in the criminal justice system. It is essential that they be addressed promptly and [with impartiality](#).”We also agree with the Council of Europe’s and the United Nations envoys that it is impossible to heal the deep wounds left by these tragic events under current political conditions. As the Council of Europe concluded in its assessment of the investigations of the Maidan violence “An important part of any such healing process is the conduct of an effective and independent investigation into the acts of violence. As has been widely acknowledged, there has been a clear lack of public confidence in Ukraine in any such investigations. On the contrary, there has been widespread perception of impunity on the part of law-enforcement agencies and of an unwillingness or inability on the part of the investigatory authorities to bring to justice those responsible for the deaths and injuries. As is noted in the report, this perception has been highlighted on previous occasions by various Council of Europe bodies”. The report further notes “impunity must be fought as a matter of justice for the victims, as a deterrent to prevent new violations, and to uphold the rule of law and public trust in [the justice system](#).” Unfortunately, the Council of Europe has reached very similar conclusions in its assessment of the investigations into the 2 May violence in Odessa. Two years later, no one has been brought to justice for the crimes committed, and there is no indication that anyone will.

Appeal of the Council of Mothers

As citizens of Ukraine, we believe that justice should be delivered to the people of Ukraine by the Ukrainian authorities.

However, in view of the lack of progress in any of the official investigations, and no indication that they will ever result in truth and justice, we are left with no other opportunity than turning to the United Nations as an independent and credible authority to effectively investigate these crimes, and bring perpetrators to justice. We hope that an investigation by the United Nations may encourage renewed effort by the Ukrainian authorities to deliver to the victims and their families a long-awaited and promised justice – which was one of the key demands of Maidan – and encourage them to effectively investigate and punish the real culprits (the organizers and perpetrators) of this tragedy.

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