

# Clashes around the Maidan and in Odesa

## Council of Europe examines compatibility of Ukrainian investigations with ECHR

### Background

On 21 February 2014, violent clashes on and around the Maidan in the Ukrainian capital Kyiv resulted in the deaths of nearly a hundred demonstrators and 13 police officers, while many hundreds of others were injured. On 2 May 2014, violent clashes in Odesa and a fire in the Trade Union building caused the deaths of 46 people.

### The IAP's mandate

The IAP's task is to analyse the investigation into incidents that occurred between 30 November 2013 and 21 February 2014 in connection with the Maidan demonstrations in Kyiv. Key dates in this respect include the night of 30 November to 1 December 2013, 1 December 2013 and the days from 18 to 21 February 2014. In September 2014, the Panel's mandate was extended to cover the investigations into the incidents that took place in Odesa on 2 May 2014. The IAP has to check whether the investigations satisfy the requirements of Articles 2 and 3 (right to life and prohibition of torture)<sup>1</sup> of the European Convention on Human Rights (ECHR) and the jurisprudence of the European Court of Human Rights (ECtHR) in Strasbourg.

The IAP is the only international body dealing with the investigations of the Ukrainian authorities in this regard. The tripartite body is chaired by former ECtHR president, Sir Nicolas Bratza of the United Kingdom, former ECtHR judge Volodymyr Butkevych of Ukraine, and former prosecutor of Ukraine, Oleg Anpilogov.

### Project objective

The aim of the IAP is to prepare detailed reports into the investigations into the Maidan-related-deaths and injuries and into the investigations of the events in Odesa of 2 May 2014, to establish to what extent they conform to international human rights norms. At the same time the reports should also provide answers for those affected by the events on the Maidan and in Odesa. In addition, cooperation between the IAP and the Ukrainian authorities should also help to improve investigations and reform the legal basis for them. In this way the project will also contribute to good governance and to improved dealing with the past.

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#### Country

Ukraine

#### Theme

Human rights/dealing with the past

#### Project name

International Advisory Panel (IAP)

#### Objective

Inquiry into whether the investigations carried out after the clashes on the Maidan and in Odessa were done so in compliance with the ECHR

#### Target groups

Government, Ministry of Internal Affairs, Prosecutor General, Security Service of Ukraine

#### Partner organisation

Council of Europe

#### Total budget

CHF 483,940

#### Swiss contribution

CHF 50,000

#### Project duration

1 January – 31 October 2015

<sup>1</sup> [http://www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf)

The IAP published the first report on the Maidan in March 2015. It lists numerous shortcomings and problems with the Ukrainian investigations. Publication of the second report on the events in Odesa is scheduled for October 2015.

## **Swiss contribution**

On behalf of Switzerland, the Federal Department of Foreign Affairs' Human Security Division supports the work of the IAP with around CHF 50,000. This support is provided within the framework of Swiss peace and human rights policy.