



Congress of Ethnic Communities of Ukraine

National Minority Rights Monitoring Group

Xenophobia in Ukraine in 2018

Annual Monitoring Report

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Introduction

In 2018, xenophobia in Ukraine again attracted heightened attention of the international community. The sharp increase in the number of incidents involving violence by ultra-right groups at the beginning of the year and a wave of unpunished attacks on Roma settlements in spring — beginning of summer caused concern among the country's leaders, representatives of international structures, human rights organizations and the diplomatic corps. High urgency of the problem of xenophobia and hate crimes in Ukraine is unfortunately obvious.

Even according to official data of the National Police, in 2018, a total of 149 offenses were registered on the grounds of racial, ethnic or religious intolerance (in 2017 – 85), 99 of them are preliminary qualified as falling under Article 161 of the Criminal Code of Ukraine. It is certainly necessary to take into account that not all offenses receive adequate official qualification and take the hate motive into account.

The Congress of Ethnic Communities of Ukraine has been monitoring xenophobia and crimes motivated by ethnic, racial and religious hatred in Ukraine for more than fifteen years. In early 2014, the Congress set up the National Minority Rights Monitoring Group, which made it possible to bring the project to a new level of professionalism. The Group was headed by Vyacheslav Likhachev, who had been monitoring the situation alone in the past. In 2006, the monthly *Xenophobia and Rights of Ethnic Minorities in Ukraine* bulletin was launched, and for the past five years, it is being published by the National Minority Rights Monitoring Group.

The need to institutionalize xenophobia monitoring as a task for a separate group of professionals in spring 2014 was caused by a sharp exacerbation of the ethno-political situation caused by the Russian aggression and occupation first of Crimea and then of part of the Donetsk and Luhansk regions. Persecution of some ethnic and religious groups on the one hand, and shameless exploitation of the rights of minority groups in the aggressor's propaganda to legitimize the occupation, on the other, increased the importance of collecting and analyzing credible reports of xenophobia. Public interest in the topic, both within Ukraine and abroad, required provision of objective and timely information.

In preparing this report on the monitoring outcome in 2018, as in previous years, we focused on hate crimes (physical attacks, arson and acts of vandalism) as the most dangerous manifestation of xenophobia. The main focus is on hate violence against individuals. Manifestations of “hate speech” in the media and on the Internet have practically remained outside the scope of this report, primarily due to the lack of resources and the lack of real opportunities to monitor the entire informational space. Only individual manifestations of xenophobia against Jews, Roma and members of the LGBT community were reflected in this report in their relevant sections, due to the wide public resonance and attention that these topics attract.

It is impossible to list all those who helped us in the monitoring itself. Materials were collected bit by bit due to efforts of dozens of people: network participants, subscribers of the Diversity Initiative's email list, representatives of UNHCR regional partner organizations, activists of anti-fascist and human rights groups, journalists, representatives of ethnic and religious communities, ethno-cultural organizations and law enforcement agencies, civil servants and employees of various non-governmental organizations. Authors of the report express deep gratitude to all of them. And certainly we bear all responsibility for any errors or inaccuracies in the report.

National Minority Rights Monitoring Group would be grateful for any possible clarification, addition or comment to the report. In addition, since the monitoring continues at the present time, we are extremely interested in current information on xenophobia in this country. Please contact the group leader by e-mail: vyacheslav.likhachev@gmail.com. You can also subscribe to receive current news on manifestations of xenophobia in Ukraine in the form of monthly electronic newsletters and thematic reports or get more detailed information for the previous period, if necessary.

An archive of monthly reviews, annual and thematic reports and other materials can be found at <http://jewseurasia.org/page443>. You can follow the Group's reports online at <https://www.facebook.com/KnguUa/>.

1. Hate Crimes: Violence

Preliminary notes

The Group systematically monitors only crimes motivated by ethnic, racial and religious hatred. Cases detailed below are those of violence for racial and/or ethnic intolerance. Due to a number of difficulties, we cannot systematically monitor homophobic violence. Some of the cases we have noticed are described in a separate section that does not claim to be comprehensive. The monitoring does not describe instances of politically motivated extremist violence, such as attacks of the ultra-rightists on human rights defenders and gender equality movement activists, attacks of neo-Nazis and supporters of the Nazi skinhead youth subculture against antifascists or members of hostile (or those perceived as such) youth subcultures, and etc.

One must also realize that the National Minority Rights Monitoring Group regards incidents as hatred-based only if there is reliable information on at least one (or more) clear indicators of hate as a motive. Official legal crime qualification by the law enforcement agencies is not a sufficient marker. The report indicates formal crime qualification only to assess the degree of adequacy and professionalism of the law enforcement agencies. However, the Ukrainian law enforcement practice shows that xenophobic crimes are extremely rarely qualified as such and the hate motive is often ignored.

It is certainly not easy to draw a clear line to unequivocally qualify a crime. There is often information lacking or the information present is not reliable. Every assessment always carries its share of subjectivity.

It should also be pointed out that the National Minority Rights Monitoring Group uses stricter criteria than the OSCE¹.

According to OSCE ODIHR methodology, a crime is considered hate crime if, even for a different motive (for example, lucrative) the victim was chosen on the basis of belonging to a group. For example, a street robbery of a foreign student near a hostel can be considered a hate crime. Criminals can choose visually distinguishable students from Africa or Asia not for racist motives but solely by rational calculation that a confused foreigner with poor knowledge of language and realities is unlikely to turn to the police. Another example is common type of house robberies among members of the LGBT community. Offenders look for potential victims on specialized sites, and once in the apartment of a reckless new acquaintance, they rob them, often violently. Such a crime is motivated not by homophobia, but by lucrative interests. The victim is selected from a certain environment by the same calculations – a person robbed in such circumstances is unlikely to turn to the law enforcements. The OSCE believes that such crimes are hate motivated while we disagree. The OSCE assumes that the motive of hatred can be combined with other motives. In principle, we do not disagree on this. For example, teenage neo-Nazi gangs who beat and killed people from Central Asia on the streets did not mind emptying the pockets of their immobile victims and leaving with their mobile phones or small amounts of money. However, they did not commit their killings in order to steal the phone. Had the motive of their actions been greed, they would not have chosen janitors as their victims.

The starting point for our understanding of the subject of our analysis is the idea that a hate crime is a crime in which hatred of a particular group is the main motive. In cases when additional information indicating the opposite is lacking, the motive is considered mercenary. A victim may indeed be chosen from among a certain group, but the logic of this choice is not based on intolerance towards the group; rather, it is rational – such a victim is usually vulnerable. Similarly, foreign tourists

¹ See Hate Crimes: A Reference Handbook for Ukraine – OSCE ODIHR, Warsaw, 2015. (<http://www.osce.org/uk/odihr/208186?download=true>). Pages 7–11. See also: Hate Crimes Laws – a Practical Guide / the OSCE Office for Democratic Institutions and Human Rights. – Warsaw, 2009. Pages 59–61; Ponomarev S. Gaps in Prevention, Documentation, Investigation and Prosecution of Perpetrators of Intolerance Crimes. An Analytical Note. K., 2015. Pages 3–5.

(not from Asia and Africa), drug buyers, or those who use the services of prostitutes are often chosen as robbery victims. Such crimes, in our opinion, are incorrectly classified as being motivated by hate.

The OSCE also believes that a hate crime is committed if during a crime, for example, a street robbery, the offender insults the victim based on his real or imaginary (existing only in the criminal's mind) group identity. The National Minority Rights Monitoring Group does not view such crimes hate crimes and does not include such incidents in our statistics. Describing a homosexual in a rude form is one of the most common curses in Slavic languages, very indirectly related to one's sexual orientation or gender identity. It is unlikely that any crime accompanied by such a curse should be considered committed on the basis of homophobia.

In 2018, a case was recorded when during a conflict that turned into a physical skirmish, the attacker yelled antisemitic swear words to the victim. But antisemitism was neither the cause of the attack, nor an essential part of the conflict. In our opinion, the incident cannot be described as antisemitic.

In other words, we describe as hate crimes only those incidents which we have enough information about to claim with some degree of certainty that it was intolerance that motivated them. We realize that this way not all the incidents are included in the general statistics, but we are pretty much sure about those that we qualify as hate crimes.

Over ten years ago, when the Congress of Ethnic Communities began its program of monitoring violence based on hatred, a youth fashion for the Nazi skinhead subculture came to Ukraine from Russia. Along with the spread of this subculture, with its aggressive racist worldview, violent, often armed street attacks by teenagers on so-called "non-Slavic" passers-by came to Ukraine. To a large extent, it was a rise in the number of such crimes that necessitated our systematic monitoring.

However, the situation has changed significantly since then. Street racist violence, the wave of which swept Ukraine in 2006–2008, has practically come to an end as a systemic phenomenon. The isolated cases listed below in the Chronicle do not represent any significant trends.

Incidents of this category that can be qualified as manifestations of homophobia or xenophobia against Roma are listed in the relevant sections separately.

Chronicle

- **On May 8**, after 11 pm, according to a witness, a group of young people aged 16-20 years, some of whom looked like Nazi skinheads, attacked a man of "eastern" appearance (dark skin, beard, wavy hair) near the *ATB* grocery store on Konstantinovskaya Street in Kyiv. The shop guard refused to intervene. The casual witness distracted the attention of the attackers, and the victim managed to escape. The next day, May 9, the witness went to the police station and filed a statement².

- **Late on May 21**, there were several racist attacks. As far as we could establish, some time before midnight a group of young people attacked some "Turks" (according to witnesses of the incident) in Khreshchatyk in Kyiv, and at least one of them was seriously beaten³. Then apparently the group descended into the subway where they attacked another man. The beating was accompanied by shouts that clearly showed the racist nature of the attack ("Hach, we will chase you," etc.).

Then the group took a train from *Khreshchatyk* metro station in the direction of *Svyatoshin* metro station. At each station, young people moved from car to car, gradually dispersing, but continuing to search for victims for further attacks⁴.

²https://www.facebook.com/peter.yakovenko/posts/1814918855198348?comment_id=1815020658521501&reply_comment_id=1815220375168196&comment_tracking=%7B%22tn%22%3A%22R1%22%7D

³ https://www.facebook.com/permalink.php?story_fbid=922337974610790&id=100005037881951;

⁴ <https://www.facebook.com/groups/611424252388503/permalink/812583818939211/> (additional information from other witnesses – in comments to the post).

● **On May 27**, a mass fight took place in the market near *Lisova* metro station in Kyiv. Members of right-radical groups, in particular, C14, started smashing kiosks. Although the reason for the attack, according to its organizers, was a conflict between the owner of one of the outlets with a retired military the day before, ethnic belonging of the owners and traders in the kiosks was an important factor in motivating the pogromists. During the mass brawl racist cries were recorded.

The pogrom in the market grew into a clash with the national police. As a result of the clashes, 37 people were detained⁵.

● After midnight **on June 26**, a foreign student (in the opinion of witness – an Indian) was attacked near the hostel of the Bukovina State Medical University in Chernivtsi. The attacker, armed with a baseball bat, seemed to be waiting for a suitable victim in the car where his accomplices also sat⁶.

● **On June 23**, a group of young men wearing identical black T-shirts beat several black students in the center of Ternopil. Four students were injured, one was hospitalized⁷.

⁵ <https://ukr.segodnya.ua/kyiv/kaccidents/massovaya-draka-na-lesnoy-poyavilis-novye-podrobnosti-i-foto-1141949.html>

⁶ <https://www.facebook.com/sergei.vorontsov.5/posts/1712661612122291>

⁷ <https://te.20minut.ua/Podii/v-tsentri-mista-pobili-inozemnih-studentiv-perehozhi-ne-dopomogli-10700725.html>

2. Hate Crimes: Vandalism

Incidents of this category that can be qualified as manifestations of homophobia or xenophobia against Roma are listed in the relevant sections separately.

Chronicle

● In the early hours of **January 25**, an arson attempt was made of the Church of Nativity of Holy Virgin of the Desyatynny Monastery that belongs to the Ukrainian Orthodox Church of the Moscow Patriarchate, located in the territory of the National Historical Museum next to the remains of the foundation of the historical Desyatynny Church in Kyiv. Two intruders brought five four-liter canisters with flammable liquid to the building. One of them climbed onto the roof of the church and poured liquid down it, while another poured it on the front door and set it on fire⁸.

The investigative department of the Shevchenko Department of the National Police opened criminal proceedings under Part 2 of Article 15 and Part 2 of Article 194 (intentional destruction or damage to property)⁹.

Suspects Alexei Shemotiuk and Alexander Gorban, Kyiv citizens 33 and 36 years old, were arrested soon after. They did not deny their guilt and argued that the arson was "an attempt to draw public attention to the fact that the territory of the National Museum was seized by Moscow clergymen".

On January 28, Shevchenko district court of Kyiv arrested arson suspects for 2 months with an alternative to a bail of 2.2 million UAH.¹⁰ Later, the judge complained of threats¹¹.

On February 5, the Kyiv Court of Appeal softened the measure of restraint, releasing the suspects on bail¹².

The legality of the construction of a stone church building in 2012 on the site of a small wooden chapel built in 2005 was indeed questioned and challenged in the courts throughout 2018. However, it is obvious that the act of vandalism was a result not so much of the illegal nature of the construction as of its affiliation with the Moscow Patriarchate.

The arson intensified public protests against the church's functioning.

On January 25, activists of the right-wing radical groups *C14*, *Tradition and Order* and *Sokol* cut down the church's metal information stand¹³.

On February 3, a rally demanding to demolish the church building took place near its building, with representatives of right-wing groups¹⁴. Participants chanted "Down with the Moscow priest!" and other slogans of the sort¹⁵.

The museum administration installed an informational bulletin at the building, reporting that the issue of the legality of its construction is being considered in court and asking to refrain from acts of vandalism.

● In the early hours of **February 4**, criminals threw a Molotov cocktail into the window of the building of the Society of Hungarian Culture in Transcarpathia (5 Pravoslavnaya Embankment) in Uzhgorod. The bottle bounced off the wall and did not ignite. Three hours later, the attackers returned,

⁸ <https://www.segodnya.ua/kyiv/kpower/V-Kieve-neizvestnye-sozhgli-chasovnyu-vozle-fundamenta-Desyatynnoy-cerkvi-404834.html>

⁹ <http://old.npu.gov.ua/mvs/control/kyiv/uk/publish/article/385697>

¹⁰ <https://www.pravda.com.ua/rus/news/2018/01/28/7169798/>

¹¹ https://www.facebook.com/permalink.php?story_fbid=330640514117640&id=239119129936446

¹² <http://www.trust.ua/news/152287-sud-otpustil-arhitektorov-gorbana-i-semotuka-na-poruki.html>

¹³ <https://www.pravda.com.ua/rus/news/2018/01/25/7169553/>

¹⁴ <https://ru.tsn.ua/kyiv/skandal-vokrug-desyatynnoy-cerkvi-pochemu-upc-mp-lyuboy-cenoy-stroit-monastyr-i-k-chemu-zdes-lyudi-yanukovicha-1103390.html>

¹⁵ <https://korrespondent.net/city/kyiv/3936546-vozle-desiatynnoi-tserkvy-v-kyeve-nachalsia-mytynh>

broke the first layer of double glass, put a gasoline-soaked jacket between the glasses and set it on fire. As a result of the arson, the window frame was burned¹⁶.

Ukrainian Foreign Minister Pavlo Klimkin condemned these actions¹⁷.

Hungarian Foreign Ministry urged OSCE to send a mission to Transcarpathia¹⁸.

According to information released by the law enforcement bodies ten days later, the attackers made two arson attempts in a row with a difference of several hours, with the first attempt being unsuccessful. It was reported that suspects of this crime were two Polish citizens who had entered the country through the Ukrainian-Slovak border on the eve of the arson attack and left immediately after¹⁹. A little later, head of the Transcarpathian Regional State Administration Gennady Moskal gave the names of those suspected of committing this crime: 22-year-old resident of Krakow Adrian Marglevski and 25-year-old resident of Bydgoszcz Tomash Rafal Shymkovyak²⁰.

On February 21, the two suspects were arrested in Poland²¹, and the next day, another suspect was found and arrested. The two provocateurs turned out to be activists of the *Falanga* right-wing group. The third suspect, 28-year-old Michal Prokopovich, was accused of organizing this crime. He is a member of the *Smena* movement. Both organizations are known for their pro-Russian position (*Smena* leader, Mateusz Piskorski, is currently under arrest on charges of spying for Russia)²².

According to one of the suspects who decided to cooperate with the investigation, on Prokopovich's instructions, the arsonists had to draw a swastika and number "88" on the wall of the building before the arson in order to direct the police to thinking of the involvement of the Ukrainian national radicals in this crime. The whole provocation was also to be video recorded to report to the client²³.

In the course of the trial, which began in January 2019, it became known that a pro-Russian German right-wing politician, aide to the Bundestag deputy and journalist Manuel Ochsenreiter had ordered this provocation by the Polish extremists²⁴.

• **On February 27**, criminals secured and activated an improvised explosive device on the windowsill of the same building of the Society of Hungarian Culture in Uzhgorod,. The building suffered more seriously than the first time. As a result, one of the rooms in the burned out completely.²⁵.

Minister of Foreign Affairs of Ukraine Pavlo Klimkin condemned the crime, calling it a provocation and suggesting the presence of a "contract external trace"²⁶.

Head of the Ministry of Foreign Affairs of Hungary, Peter Siyarto, summoned ambassador of Ukraine in Hungary Lyubov Nepol, and said that "Ukraine must control actions of extremists." He also expressed intention to meet with the OSCE High Commissioner for Human Rights to discuss the possibility of deploying an observation mission in Transcarpathia²⁷.

Criminal proceedings were opened under Part 2 of Article 194 of the Criminal Code – deliberate destruction or damage to property, committed by arson, explosion or other socially dangerous method. Later, qualification was added under Part 1 of Article 161 (intentional actions aimed at inciting ethnic hatred), 113 (sabotage), Part 2 of Article 258 (terrorist act), and Part 1 of Article 263 of the Criminal Code (illegal handling of explosives). The investigation claimed that the

¹⁶ <https://www.unian.net/incidents/2381583-v-ujgorode-neizvestnyie-pyitalis-podjeh-pomeschenie-soyuza-vengrov.html>

¹⁷ <https://www.eurointegration.com.ua/news/2018/02/4/7077050/>

¹⁸ <https://www.eurointegration.com.ua/news/2018/02/5/7077105/>

¹⁹ <https://day.kyiv.ua/ru/news/140218-soyuz-vengrov-v-uzhgorode-podozhgli-pravoradikaly-odnoy-iz-stran-es-moskal>

²⁰ <http://moskal.in.ua/?p=39819>

²¹ <https://www.eurointegration.com.ua/news/2018/02/27/7078131/>

²² <https://www.svoboda.org/a/29697514.html>

²³ <https://www.tvp.info/40726696/polacy-oskarzeni-o-terroryzm-po-spaleniu-wegierskiej-placowki-na-zakarpaciu>

²⁴ <https://www.svoboda.org/a/29708962.html>

²⁵ <https://korrespondent.net/ukraine/3945330-v-uzhhorode-snova-podozhhly-ofys-souiza-venhrov>

²⁶ <https://twitter.com/PavloKlimkin/status/968415872145608705>

²⁷ <https://kp.ua/incidents/602077-myd-venhryy-vyzvalo-posla-ukrayny-v-sviazy-s-podzhojom-kulturnoho-tsentra>

attackers acted to destabilize the situation in the region and planned to commit terrorist acts in strategic locations.²⁸

On March 4, police detained two suspected of this crime in Kropivnitsky. They turned out to be Alexander Beloborodko and Vladimir Kondratenko, former military, participants in the warfare²⁹. According to the investigation, they took part in the explosion attack “for the purpose of provoking international complications” for a material reward. In addition, the Security Service of Ukraine announced that it has established two of their accomplices – citizen of Ukraine, veteran of the Anti-Terrorist Operation, member of right-wing groups, Konstantin Kryvich (previously suspected of committing other crimes)³⁰ and citizen of Moldova (now residing in Tiraspol) Sergey Vasilikha³¹. Head of the Transcarpathian Regional State Administration, Gennady Moskal, argued that the organizer of the provocation was an employee of the so-called “Ministry of State Security” of the unrecognized “Pridnestrovian Moldavian Republic”³².

According to investigators, the suspects arrived in Uzhgorod on the eve of the crime by car and left at night of February 27 immediately after the demolition of the building of the Hungarian Culture Society. Krivich attached the explosive device to the windowsill. Vasiliha left Ukraine February 28 through the *Kuchurgan* checkpoint at the Ukrainian-Moldovan border.

On May 26, Security Service of Ukraine announced the transfer of the case to the court³³.

Konstantin Krivich was detained on August 8. The case file states that in an attempt to escape the investigation, he used a fake passport. According to investigators, he was the mastermind of the crime.

In the course of 2018, the Uzhgorod district court extended the period of pre-trial detention several times (the last time the pre-trial detention was extended at the court hearing **on January 18, 2019** to March 18).

- In the evening of **March 13**, an RGD-5 fragmentation grenade exploded at the Polish *Eaglets' Cemetery* Memorial at the Lychakiv Cemetery in Lviv³⁴. Apparently, the grenade was thrown over the fence. It exploded fifteen meters from the outbuilding and did not cause property damage.

The memorial was created on the site of the Lviv Defenders Cemetery. Members of the Polish armed forces who had perished in battles with supporters of the West Ukrainian People's Republic in 1918-1919 and with the Bolsheviks in 1920 are buried in the territory of the memorial.

On March 23, the same criminal group set fire to a bus with Lviv registration in Lviv. At the same time, anti-Polish leaflets were distributed.

Criminal proceedings were launched under Part 1 of Article 258 of the Criminal Code (act of terrorism).

On April 13, the Security Service of Ukraine announced that those suspected of committing these crimes had been detained. According to materials presented at the briefing by Deputy Head of the Security Service of Ukraine, Viktor Kononenko, the criminals acted on orders of the Russian special services³⁵.

²⁸ One of the suspects had a flash drive with text files containing description of the railway and automobile infrastructure of the Transcarpathian and Lviv regions and an assessment of damage from their destruction as a result of an explosion, as well as a plan to set up some nameless illegal armed group.

²⁹ <http://uc.kr.ua/2018/03/13/major-beloborodko-y-drugye-terrorysty/>

³⁰ Krivich claimed that he had served in the so-called “OUN battalion” and “St. Mary battalion” created on the basis of activists of Dmitry Korchinsky’s *Brotherhood* party.

³¹ <https://ssu.gov.ua/ua/news/1/category/2/view/4842#.qjzf3MAk.dpbs>

³² <https://www.facebook.com/hennadii.moskal/posts/1381116782033361>

³³ <https://kp.ua/incidents/609097-napavshye-na-zdanye-obschestva-venhershkoi-kultury-planyrovaly-dyversyy-na-zakarpate>

³⁴ <https://ukranews.com/ua/news/552267-memorial-orlyat-u-lvovi-khotily-pidirvaty-granatoyu>

³⁵ <https://ssu.gov.ua/ua/news/1/category/21/view/4631#.C8YphoUh.dpbs>

- In the early hours of **March 16**, unknown persons broke windows (rear and frontal) in nine cars with Hungarian numbers in Beregovo, Transcarpathian region, near Shevchenko and Koryatovich Streets. Cars with Ukrainian numbers remained untouched³⁶.

- **On April 9**, an act of vandalism was committed at the building rented by the Association of Muslims of Ukraine in Chernigov. Large black crosses were painted on the door and the porch of the building³⁷.

Later, perpetrators of this act of vandalism were established. According to information of the law enforcement agencies, the incident was a provocation committed by the pro-Russian forces³⁸.

- In the evening of **July 28**, a group of men broke off and smashed wooden restoration panels around two sculptures of a memorial complex at the Polish military *Eaglets' Cemetery* in Lviv. One of the vandals was detained. It was a visitor from Krakow. According to him, the other participants in the incident also came from Poland³⁹.

Although offenders were called "provocateurs" in various reports, we do not have enough information to claim we know their motives for certain. Perhaps it seemed to them that the wooden panels were deliberately closing the sculptures from visitors.

- **On September 16**, one of the Chassidic pilgrims who came to celebrate Rosh Hashanah (the Jewish New Year) set fire to a cruciform wooden structure in Uman, Cherkasy region⁴⁰.

Ambassador of Israel to Ukraine Eliav Belotserkovsky and the head of the Jewish community of Uman immediately condemned this act of vandalism⁴¹.

The cruciform with a plaster sculpture was erected without permission of the authorities in July 2013 by activists of the anti-Chassidic movement *Council of Public Organizations of Uman* over the water reservoir, near which the annual prayer of the Orthodox Jewish pilgrims takes place. As far as we can judge, the cross was deliberately installed so that the "prayer over water" (one of the Orthodox Jewish New Year rituals) takes place in the direction of the sculpture of Christ, which is unacceptable for the Orthodox Jews since it is perceived as a form of idolatry.

The *Rabbi Nachman* International Foundation has turned to the City Council several times with a proposal to move the structure to some other place, but the authorities ignore these requests.

- In the early hours of **November 5**, unknown vandals threw down and smashed several dozen concrete crosses that had been erected a week earlier at the cemetery where Polish prisoners of the Polish-Ukrainian war of 1918 had been buried in Kolomyia, Ivano-Frankivsk region⁴².

³⁶ <https://korrespondent.net/ukraine/3951482-v-berehovo-razbyly-deviat-mashyn-s-nomeramy-venhryy>

³⁷ <https://ru.krymr.com/a/news/29154105.html>

³⁸ <https://www.facebook.com/groups/611424252388503/permalink/859569804240612/>

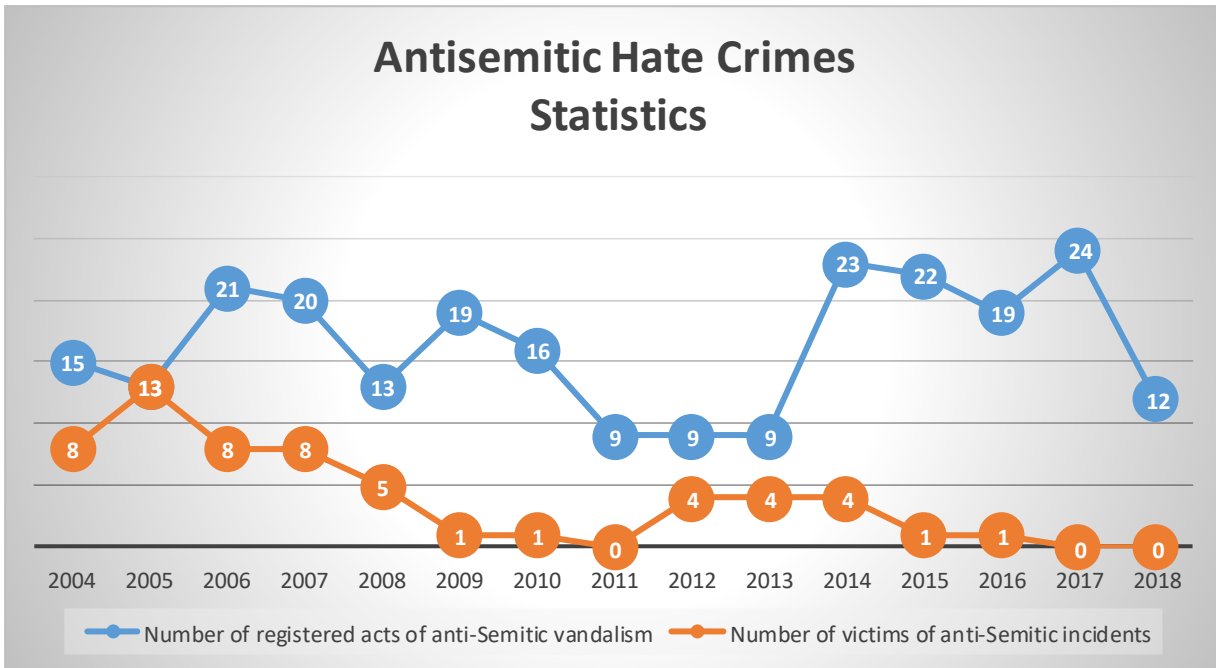
³⁹ <https://dimnovyn.com/4315-polskie-provokatory-povandalili-na-kladbische-orlyat-vo-lyove.html>

⁴⁰ https://www.mako.co.il/news-world/international-q3_2018/Article-d6a2e6c2a83e561004.htm

⁴¹ <https://strana.ua/news/161612-video-kak-khasidy-podozhli-derevjannyj-krest-na-berehu-reki-kamenka-v-umani.html>

⁴² <http://www.dsnews.ua/society/v-kolomye-oskvernili-polskoe-kladbishche-08112018152900>

3. Antisemitism



According to my monitoring, no cases of antisemitic violence were registered in 2018.

However, I am aware of one case when a conflict grew into a physical fight, in which the attacker yelled antisemitic swear words against the victim. However, antisemitism was neither the cause nor the significant part of this conflict. Therefore, this incident cannot be described as antisemitic, so I am not including it into statistics.

In previous years, since the beginning of systematic monitoring, the following number of victims were registered in acts of violence on the grounds of antisemitism:

- in 2004 – 8 persons, in 2005 – 13 persons, in 2006 – 8 persons, in 2007 – 8 persons, in 2008 – 5 persons, in 2009 – 1 person, in 2010 – 1 person, in 2011 none, in 2012 – 4 persons (as a result of 3 incidents), in 2013 – 4 persons, in 2014 – 4 persons, in 2015 – 1 person, in 2016 – also 1 person. No victims were registered in 2017 or in 2018.

Please note that, according to the materials assembled in the past 15 years, the peak of crimes on the grounds of antisemitism fell on 2005. Following 2007, a noticeable decline is seen, and in the past ten years, the number of such incidents remains at a stable low level. Apart from numbers, it is important to note that years 2005 – 2007 were marked with the wave of most violent street attacks that really threatened the lives of their victims. But statistics over the recent years shows that after some decline in the number of attacks in 2012 – 2014, their indicators declined to minimal in 2015 – 2016 again, and in 2017–2018, no antisemitic violence was registered in Ukraine at all.

Vandalism on the grounds of antisemitism

I describe vandalism as doing physical harm to the buildings of Jewish infrastructure (synagogues, community centers), tombs in Jewish cemeteries and memorials to Holocaust victims, for instance, the breaking of glass or arsons, as well as graffiti of antisemitic and/or neo-Nazi nature on such objects that demonstrates ideological motivation.

In 2018, a total of 12 cases of antisemitic vandalism were registered.

Over the past 15 years, according to our monitoring, the following dynamics has been registered: in 2004 – 15 cases of antisemitic vandalism, in 2005 – 13 cases, in 2006 – 21, in 2007 – 20, in 2008 –

13, in 2009 – 19, in 2010 – 16 cases, in 2011, 2012 and 2013 – 9 cases each, in 2014 – 23 cases, in 2015 – 22, in 2016 – 19 cases, in 2017 – 24 cases.

Chronicle

• **January 29**, in Lviv, during the lecture of chairwoman of the *Hilel* Lviv City Public Organization, historian Olena Andronatyi on the subject “Terrible History: Holocaust. Memory. Pain. Lessons” at the *Knyharnia E* bookstore, an unknown person threw a smoke bomb into the store. The person was described as a 15-16-year-old teenager with his face covered. None of the people attending the lecture were harmed⁴³.

While we understand the conditions and the vulnerability of such typology, in the ultimate statistics we view this case as an act of vandalism because the antisemitic aggression was directed at an institution where an event was held, rather than the people.

• **February 2**, in Odessa, unknown people wrote antisemitic insults and threats (“kike* scum, f*** you”) on the sign of the public receptionist of the *Solidarity – Petro Poroshenko Bloc* party⁴⁴. Criminal proceedings were launched under article 161 of the Criminal Code⁴⁵.

• **February 3**, the Holocaust memorial in the village of Petrikov, on the outskirts of Ternopil, was desecrated. Nazi symbols – a swastika and a sign of the SS – were painted on the stela⁴⁶.

• **March 7**, in Chernihiv, according to the United Jewish Community of Ukraine, quoting the Chernihiv City Jewish Community, inscriptions were made “F**k the kikes!” and “Away with kikes!”⁴⁷.

• **In early April**, approximately on Easter, **April 9**, an act of vandalism took place in the village of Oratov, Vinnitsa region. Unknown people destroyed the memorial plate devoted to Levi Eshkol, an outstanding Israeli military, public and political figure, third prime minister of the State of Israel, who had been born in the village⁴⁸.

By May, the plate had been restored. The law enforcement bodies refused to view the incident as an act of vandalism, insisting that it had been an accident.

The plate has been erected on the initiative and with the funds of a private sponsor and then transferred to the balance of the city council. Also, last year, Oratov authorities renovated the old Jewish cemetery and erected a memorial plate in honor of the community destroyed in the Holocaust.

• **April 20**, in Poltava, vandals desecrated a memorial sign to Jewish victims of Nazism and the Mourning Mother Monument.

The vandals painted a swastika and words “Heil Hitler!” and “Death to kikes!” with black paint⁴⁹.

* kike – “yid”, “dirty Jew”, “zhyd”, “Jude” – an ethnic slur for a Jew.

⁴³ https://zaxid.net/pid_chas_lektsiyi_pro_golokost_u_lvivskiy_knigarni_nevidomiy_kinuv_dimovu_shashku_n144784144

https://24tv.ua/ru/v_odesse_vandaly_oskvernili_antisemitskimi_nadpisjami_priemnuju_bloka_petra_poroshenko_foto_n921878

⁴⁵ <https://vesti-ukr.com/strana/286624-ihra-na-tajnykh-strunakh-obshchestva-kak-i-kem-v-ukraine-vbrasyvajutsja-temy-ksenofobii-i-antisemitizma>

⁴⁶ <https://rada.te.ua/news/10165.html>

⁴⁷ <https://jewishnews.com.ua/community/otchet-po-antisemitizmu-obedinennoj-evrejskoj-obshhinyi-ukrainyi-za-2018-god>

⁴⁸ <https://www.facebook.com/KnguUa/photos/a.586852125026330/595887980789411/>

⁴⁹ <http://jewseurasia.org/page6/news60278.html>; <https://korrespondent.net/ukraine/3963968-v-poltave-oskvernily-pamiatnyk-zhertvam-natsyzma>

● In the early hours of **April 26**, the Holocaust memorial was desecrated in the village of Petrikov, on the outskirts of Ternopil. CCTV showed three persons involved in the crime. One poured something on the memorial, probably a flammable liquid, then another threw a Molotov cocktail at the stela⁵⁰.

Criminal proceedings have been launched⁵¹.

● In the early hours of **April 27**, in Ostrog (Rivne region) unknown people desecrated an *ochel* (a prayer house over a tomb) of famous rabbi Shmuel Eliezer Edelweiss (also known as Maarsh), who lived in late XVI – early XVII centuries. The vandals broke through the glass doors inside, damaged windows and furniture, scattered books and prayer paraphernalia.

The national police launched criminal proceedings under article 194 part 1 of the Criminal Code (“deliberate damage to property”). According to chief of the Ostrog police department Eduard Kholod, “examination of the incident site showed no trace or indications that the crime had been committed on religious grounds”⁵².

● **August 20**, director of the Lviv *Territory of Terror* Museum Olga Gonchar disclosed that information stands erected by the Museum in 12 city locations connected to the history of the Holocaust within the framework of the *Lviv’43: a City of (non)Memory* project had been vandalized several times in the course of July⁵³. The street exposition was timed to the 75th anniversary of elimination of the Yanovsky concentration camp and ghetto.

Some information stands were damaged, some got insulting words painted on them⁵⁴, and one was dismantled and stolen by unknown people⁵⁵.

● **September 19**, in Poltava, vandals again desecrated the Mourning Mother Monument. Unknown vandals poured green paint over it and wrote a call to kill the Jews⁵⁶.

● In the early hours of **October 14**, the Holocaust memorial of the Oktyabrsky district of Kamenets-Podilsky (Khmelnitsky region, Ukraine) was desecrated.

Vandals painted swastika and covered the information on the number of victims of the Holocaust in Kamenets-Podilsky on several monuments and information boards around the edges of the memorial⁵⁷.

The Holocaust memorial was unveiled in Kamenets-Podilsky in 2015.

According to our data, 87,125 Jewish people were killed during the occupation in the course of WWII in Kamenets-Podilsky. Aside from the Podilsky Jews, Jewish people deported by the Nazis from Hungary, Slovakia and Poland were killed here.

● In the morning of **October 22**, the building of the Israeli *Gastromania* café was burned down in Odessa. At around 6:30 in the morning, unknown people broke the windows of the café, poured a

⁵⁰ <https://youtu.be/WbAJndOgWcM>; <https://www.tenews.org.ua/post/view/1524757421-u-Ternopili-vandali-vkotre-poznuschalisya-nad-pam-yatnikom-zhertvam-golokostu-video>

⁵¹

https://zik.ua/news/2018/04/27/u_Ternopili_znovu_poznushchalys_nad_pamyatnykom_zhertvam_golokostu_hotily_131376

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⁵² <https://rv.npu.gov.ua/news/majnovi-zlochyni/za-faktom-umisnogo-poshodzhennya-kaplichki-v-ostrozi-rozpochato-dosudove-rozsliduvannya/>

⁵³ <http://territoryterror.org.ua/uk/resources/calendar/details/?newsid=813>

⁵⁴ <https://www.032.ua/news/2132275/u-lvovi-huligani-poskodili-vistavkovi-corni-kubi-pamati>

⁵⁵ https://zaxid.net/nevidomi_vkrali_element_vulichnoyi_vistavki_z_ploshhi_pered_lvivskim_universitetom_n1462881

⁵⁶ <https://youtu.be/1RUyKaJzWzk>

⁵⁷ <http://jewseurasia.org/page6/news61694.html>

flammable liquid and set the building on fire. A café worker was inside the building at the time but she managed to escape through the window without any damage⁵⁸.

Even though the motif behind these actions remains unknown and may not be of antisemitic nature, this possibility cannot be excluded. The café had a large sign “Israeli Cuisine in Hebrew and the “Jewish” nature of the place was obvious.

Public manifestations of antisemitism

- **January 9**, deputy chief of the tourist department of the Chernovtsy regional state administration, Sergey Krupko, posted a poem on his Facebook wall, which included the following words: “May the Muscovites howl like wolves / And the kikes squeal like pigs / It is a holiday in my land now / Kolyada is coming to Ukraine”.

The post of the official caused a wide public resonance and was soon deleted by the author. The Chernovtsy regional state administration reprimanded Sergey Krupko⁵⁹.

- **February 4**, antisemitic leaflets were distributed at a rally of Miheil Saakashvili’s *New Forces Movement*⁶⁰.

- **February 2**, the *Chortkov Vestnik* newspaper published an article titled “Kikes or Jews?”, signed by the newspaper editor, Maryana Polyanska. The article contained numerous antisemitic insults⁶¹. The material caused a wide resonance and public outrage. In an attempt to justify herself, the author wrote that her publication was caused by Israel’s denial of Holodomor⁶².

Secretariat of the Verkhovna Rada Human Rights Ombudsman declared that the article violates the rights and freedoms of representatives of the Jewish ethnic minority and shows signs of kindling ethnic enmity⁶³. The Independent Media Union of Ukraine excluded Maryana Polyanska from its ranks⁶⁴.

Head of the Chortkov State City Administration Vladimir Shmatko publicly distanced himself from the article⁶⁵. This step was caused by erroneous statements that the *Chortkov Vestnik* paper belonged to the city authorities (the paper had indeed been financed by the city council until 2016).

Criminal proceedings were launched into the publication under Article 161 part 2 (“kindling of ethnic enmity by an official”)⁶⁶. By the beginning of 2019, the case had not moved forward.

- **February 9**, Dnepr City Council member of the Opposition Bloc, Sergey Sukhanov, published a series of antisemitic posts on Facebook. They contained calls to the Dnepr residents to unite for illegal actions against the Jews.

Head of the Dnepr City State Administration Boris Filatov and members of the city council demanded that Sukhanov be prosecuted. The antisemite has been excluded from the Opposition Bloc.

⁵⁸ <https://www.facebook.com/georgiylogvinskiy/posts/2063617053951092>

⁵⁹ https://www.facebook.com/permalink.php?story_fbid=2091701547718374&id=100006356473220

⁶⁰ <https://www.facebook.com/groups/611424252388503/permalink/761400820724178/>

⁶¹ <http://jewseurasia.org/page18/news59681.html>

⁶² <https://gordonua.com/ukr/news/politics/glavred-chortkivskogo-visnika-nikoli-ne-dumala-shcho-stanu-vidomim-ksenofobom-230958.html>

⁶³ <http://www.ombudsman.gov.ua/ua/all-news/pr/upovnovazhenij-nagoloshuye-na-nepripustimosti-poshirennya-movi-vorozhnechi-u-zmi/>

⁶⁴

https://humanrights.org.ua/ru/material/mediaprofspilka_anuljiuvala_preskartku_avtorki_antisimitskoji_kolonki_v_chortkivs_komu_visniku

⁶⁵ <https://ukranews.com/news/545973-mehr-chortkova-otkrestylsya-ot-skandalnoy-gazety-kotoraya-opublykovala-antysemytskuyu-statyu>

⁶⁶ <https://www.radiosvoboda.org/a/29032538.html>

Sukhakov published “sort of” an apology, admitting he was “too emotional” and deleted the posts⁶⁷.

On the same day, proceedings were launched under Article 161 part 2 of the Criminal Code.

February 12, Sukhanov left the Ukrainian government-controlled territory into Russia-occupied Autonomous Republic of Crimea⁶⁸.

When six months later, 19 September, Sukhanov returned to Dnepr to attend a city council session, he was not allowed in by the National Corps radical right-wing party⁶⁹.

- In **February**, colored antisemitic leaflets of the same type were distributed in Kyiv⁷⁰ and Konotop⁷¹.

- At the **end of March**, workers of the Krivoy Rog *ArselorMittal* plant received a “Moshiach” paper edition printed allegedly by their trade union. The paper consisted practically only of mocking materials such as “The whole trade union should study Kabbalah” or “Arseny [Yatsenyuk] is our Messiah”⁷².

As far as we could judge, the paper was printed to discredit trade union leader Sergey Gapon on the eve of the conference of the workers of the plant. We have been unable to establish whether the management of the plant had been involved in its printing.

- **April 11**, the *Rush Hour* weekly of Kanev, Cherkassy region, printed the following poem in the headlines of page one: “May the Muscovites howl like wolves / And the kikes squeal like pigs / It is a holiday in my land now / Easter is coming to Ukraine”.

Leaders of the Cherkassy regional Jewish community turned to the law-enforcement bodies. The Security Service of Ukraine sent the paper for examination in order to find out whether the text of the poem could be viewed as kindling ethnic enmity⁷³.

- **April 18**, at a rally against raised utilities tariffs outside the Cabinet of Ministers in Kyiv, permanent antisemitic posters were installed with the following text: “Kikes get fatter while people go into debts!” Antisemitism could probably be seen in the context of other posters nearby with the text “Groisman, stop!”⁷⁴

- **May 2**, leader of the Right-Wing Sector in Odessa region Tatiana Soikina made antisemitic statements at the *Ukrainian Order March* rally devoted to the anniversary of the 2014 events. In particular, she said, “We believe, we are sure that we will bring true Ukrainian order to Odessa and to Ukraine. Ukraine will belong to Ukrainians rather than to kikes or oligarchs”⁷⁵.

The next day, Soikina apologized on Facebook before “everyone this phrase had offended”. According to her, she did not mean the real Jews but those who “belong to oligarchic clans and, by following their own selfish interests, are robbing and ruining Ukraine”⁷⁶. According to her, this is what the word “kike” in her statement meant.

⁶⁷ <https://www.obozrevatel.com/society/v-dnepre-voznik-skandal-iz-za-deputata-kotoryij-prizyival-k-evrejskim-pogromam.htm>

⁶⁸ <https://www.radiosvoboda.org/a/news/29037249.html>

⁶⁹ <https://dp.informator.ua/2018/09/19/v-dnepre-deputata-opobloka-suhanova-kotoryj-obidel-evreev-ne-pustili-v-gorsovvet/>

⁷⁰ <https://www.facebook.com/photo.php?fbid=205282976883983>

⁷¹ <https://www.facebook.com/ilyaaiz/posts/10215341030982684>

⁷² <https://www.facebook.com/social.ruh/posts/2473049462920468>

⁷³ <http://www.isrageo.com/2018/05/27/ipusk257/>

⁷⁴ <http://www.isrageo.com/2018/05/27/ipusk257/>

⁷⁵ See video: <https://youtu.be/7jcVdMqWAYU>

⁷⁶ <https://www.facebook.com/groups/611424252388503/permalink/797234873807439/>

The official website of the Right-Wing Sector repeated her apology on behalf of their movement⁷⁷.

May 3, the national police of Odessa launched criminal proceedings into the statements made at the rally under Article 161, part 1, of the Criminal Code.

Minister of the Interior of Ukraine, Arsen Avakov, declared on this occasion that no public antisemitic calls were acceptable in Ukraine⁷⁸.

May 21, the Primorsky district court of Odessa appointed a linguistic expert examination of Soikina's statement at the Kyiv Scientific Research Institute of Forensic Expertise⁷⁹.

By February 2019, court hearings had not yet started.

• **May 14**, it became known that head of the city administration of the town of Skoleh, Lviv region, Vladimir Moskal, had made public antisemitic statements. A video was made public in which Vladimir Moskal claimed that power in Ukraine belongs to “Muscovite kikes” and that following the Bolsheviks' coming into power, it contained 70-95% Jews who destroyed “nations and peoples”. In the mayor's opinion, if 50 richest Jews get isolated, there will be no more wars, and that Stalin won WWII only due to the “international kikery”.

In his online video, Vladimir Moskal tells his viewers, “I analyzed a fragment from Pavel Shtepa's book “Mafia and Ukraine” where he talks about Kabbalah and the Torah – these are the books that young Jews from the age of 10 are taught by... They are clearly instructed to read them, they hear these books read to them, they get it installed, they don't even need to get it installed in their minds because they are already brought up this way, that he must learn, he must know, because whatever we have in our heads makes us make certain moves, take up arms, point them against the enemy because you know who your enemy is. So from 10 to 18 years of age these kids are clearly instructed, they know who their enemy is and how to destroy him. By the way, these books speak a lot about death to goyim. Goyim are everyone who is not a Jew. Everyone – Christians, Arabs, Buddhists. They are not considered humans by them. After they come into worldwide power, because they are clearly moving towards it, forming the policy of cosmopolitanism and liberalism in order to destroy all nations, to leave a political nation, to mix all of them together, migrations, blacks...”, etc.

The mayor is speaking against the background of the banner of the *Dmitry Dontsov Scientific Ideological Center* public organization, while the t-shirt of Vladimir Moskal carries symbols of the Right-Wing Sector⁸⁰.

Soon we learned that the national police of the Lviv region has launched criminal proceedings into Vladimir Moskal's statements under Article 161 of the Criminal Code of Ukraine⁸¹.

• **In May**, a scandal broke out around antisemitic statements that regularly appeared in the Facebook account of staff worker of Ukraine's General Consulate in Hamburg, Vasyl Maruschinets. Numerous samples of his publications were spread around social networks and mass media through blogger Anatoly Sharia⁸².

May 13, news came that the Foreign Affairs Ministry suspended the consul from his duties and initiated an internal check into the facts made public by mass media⁸³.

May 30, news came that Vasyl Maruschinets was dismissed from the Foreign Affairs Ministry⁸⁴. Results of the internal check were transferred to the law-enforcement bodies.

⁷⁷ <https://pravyysektor.info/novyny-poglyad/vidpovid-pravogo-sektoru-skeptykam-ta-fantazeram>

⁷⁸ <https://www.pravda.com.ua/news/2018/05/3/7179396/>

⁷⁹ <http://www.reyestr.court.gov.ua/Review/74261633>; <http://www.reyestr.court.gov.ua/Review/76256700>

⁸⁰ <https://youtu.be/-B2UWFRsaQ>

⁸¹ <https://gordonua.com/ukr/news/society/politsija-vidkrila-kriminalne-provadhennja-cherez-antisemitskih-vislovljuvan-mera-skole-zmi-248090.html>

⁸² <https://zaborona.com/ua-consul-germany-accused-in-antisemitism/>

⁸³ <https://112.ua/glavnye-novosti/mid-otstranil-konsula-v-gamburge-za-vozmozhnye-antisemitskie-vyskazyvaniya-445538.html>

⁸⁴ <https://112.ua/politika/mid-uvolil-marushhinca-s-dolzhnosti-konsula-v-gamburge-447867.html>

• **June 25**, Chief Military Prosecutor, Deputy Attorney General of Ukraine, Anatoly Matios made some antisemitic statements in his interview to the online publication *Insider*.

Commenting on an attempt on the life of journalist Arkady Babchenko, the military prosecutor said, “The center for payment and funding of various groups was one of the suspects [speaking of suspect Boris German – editor]. Each war always has its own Parvus who brought money to Lenin for revolution that covered the Slavs with flows of blood for dozens of years. He was also Jewish in origin. In this case with Ukraine, they want to do the same”, said Chief Military Prosecutor⁸⁵.

Matios’ statements caused sharp public criticism.

July 26, leaders of a number of Jewish organizations turned to President Petro Poroshenko of Ukraine and Prosecutor General Yury Lutsenko with an appeal that Matios ill fits his position.

August 29, General Prosecutor's Office replied to the leaders of Jewish organizations that there are no grounds for an official investigation⁸⁶.

• **At the end of July**, aggressive antisemitic inscriptions appeared on many buildings of the Primorsky district of Odessa. The Jewish community lodged complaints to the Security Service of Ukraine and to the prosecutor's office⁸⁷.

The police examined the question of launching proceedings under Article 161 of the Criminal Code of Ukraine⁸⁸.

Around the same time, anti-Caucasian and anti-Roma graffiti also appeared in Odessa⁸⁹.

• **September 9**, the *Informator* online edition spread the news that a group of drunk Chassids on pilgrimage had allegedly raped an underage girl during their celebration of New Year in Uman⁹⁰. According to *Informator* journalists, they learned of this from police sources. Numerous comments to the news article contained aggressive antisemitic statements.

September 11, the *StopFake* website specializing in verifying and disproof of false news refuted this information⁹¹. The police of the Cherkassy region described this information as false⁹². There were no rape reports in Uman on September 9–10.

• **October 10**, leader of the Fastov department of the *Svoboda* political party Yury Gorbinko posted an antisemitic caricature on Facebook. The caricature showed a stereotypical Cossack who is using a metal chain to hit three men writhing on the ground before him, one of them wearing a kippah. The signature under the caricature said, “We threshed not grain with beaters but kike tenants and landlords”⁹³.

Yury Gorbinko has made antisemitic statements on Facebook before. At the time, Ministry of the Interior found no crime in his actions under Article 161 of the Criminal Code⁹⁴.

• **October 29**, in Vinnitsa, a rally took place against raised tariffs, in the course of which antisemitic slogans sounded. In particular, one speaker, Yury Kisel, said, “There is no more Ukraine – there is just *Khazar Khaganate* established by these Judases. Nothing more! If we want to save the Cossack Ukraine, we must resist this Judeo gang. And here’s proof that they have captured Vinnitsa as

⁸⁵ <http://www.theinsider.ua/politics/5b30c2a286a28/>

⁸⁶ Own info

⁸⁷ <https://www.unian.net/society/10207035-v-centre-odessa-snova-poyavilis-antisemitskie-graffiti-foto.html>

⁸⁸ <https://www.facebook.com/gunp.odessa/posts/652354248455318>

⁸⁹ <https://www.facebook.com/photo.php?fbid=2027605737263824&set=p.2027605737263824>

⁹⁰ <https://informator.news/v-umani-hasydy-zgvaltuvaly-nepovnolitnyu-divchynku/>

⁹¹ <https://www.stopfake.org/fejk-hasidy-iznasilovali-nesovershennoletnyuyu-devushku-v-umani/>

⁹² <https://www.facebook.com/271691193316421/photos/a.271697209982486/484930025325869/>

⁹³ <https://strana.ua/news/165496-jurij-horbinko-snova-vylozhl-antisemitskij-post-v-facebook.html>

⁹⁴ <https://strana.ua/news/83263-mvd-ne-nashlo-priznakov-pravonarusheniya-v-antisemitskih-kartinkah-svobodovca-gorbinko.html>

their capital of this *Khazar Khaganate* – a Jewish symbol they installed on the central square instead of our prophet Taras”⁹⁵.

Another speaker, Mikhail Siranchuk, added to the above: “Please name another city where the central square is occupied by a Jewish temple, that is, a synagogue? Here it is in Vinnitsa! Does a Christian Orthodox temple stand in the central square here in a Christian Orthodox country? No, throughout the whole Vinnitsa we see Jewish symbols. We speak out against scoundrels and parasites who captured the power of Ukraine and who are not Ukrainians... They call us antisemites and claim we fight against the Jews. But I consider myself a fighter against snots who have captured the power in Ukraine: groishmans, valtmans, etc!”⁹⁶.

● **September 30**, drunk chief of the Engine Aircraft Certification Division of the State Air Service, Dmitry Ustiushin, decided to express his dissatisfaction with the paid food service on board Boeing 737-8HX of flight PS-373 Kyiv (“Borispol”) – Dubai and yelled that it was “f***ing kikes and mangy Jews” to blame for this discomfort. On top of that, Ustiushin made some other boorish statements and hooligan actions.

Cabin crew filed a report on the incident⁹⁷.

October 23, with assistance of Vladimir Omelyan’s infrastructure, Dmitry Ustiushin was dismissed from his position. The cause behind his dismissal were his antisemitic statements⁹⁸.

● **November 16**, in a residential area of Kyiv leaflets were spread around with antisemitic pictures. The leaflets contained a call to take part in a “people’s vecheh” (popular assembly) in order to “express distrust and impeachment to the president, disband Verkhovna Rada and the government”. The leaflets carried crossed-out symbols: an occult five-point star and a menorah seven-branched candlestick with the word “Chabad” as well as a crossed portrait of President Petro Poroshenko⁹⁹.

The “people’s vecheh” did take place. According to a video, about a dozen people attended it. Its speakers made antisemitic statements¹⁰⁰.

⁹⁵ https://youtu.be/K1M_VtW8Jzg

⁹⁶ <https://ukraina.ru/opinion/20181030/1021601194.html>

⁹⁷ <https://from-ua.com/news/463299-gosaviasluzhba-ukraini-popala-v-antisemitskii-skandal.html>

⁹⁸ <https://tsn.ua/ukrayina/z-derzhaviasluzhbi-zvilnili-chinovnika-yakiy-p-yanim-na-bortu-litaka-gorlaniv-antisemitsku-layku-1238016.html>

⁹⁹ <https://www.facebook.com/photo.php?fbid=10156703870852410&set=a.10150373425752410&type=3>

¹⁰⁰ <https://youtu.be/lQygzT2j5zo>

4. Xenophobia against the Roma

In the spring and summer of 2018, a surge of violent hate crimes against the Roma took place in Ukraine. In the most famous cases, attacks on the Roma settlements were carried out by ultra-right groups.

The greatest public outcry was caused by the pogrom on April 21 at Lysa Hora in Kyiv by the national radical group *CI4*. For a number of reasons, including total lack of punishment of the pogrommers, an irresponsible position of many mass media that use hate speech against the Roma and invite pogrom-mongers as commentators, and considerable public support that the offenders received, the incident at Lysa Hora became a role model for other marginal ultra rightists groups.

For information on legal proceedings in 2018 related to various aspects of the investigation of the tragic events in Loshchinovka (Odessa region) and Olshans (Kharkiv region) in 2016 and 2017 (respectively), go to section “Activity of the Law Enforcement Bodies” below.

- **On January 7**, a domestic conflict between a Roma and his next-door neighbor took place in the city of Zolotonosha (Cherkasy region). The neighbor, apparently unhappy about Christmas celebration that became too noisy for him, called the police. The police officers came, saw that nothing illegal was happening and left. The Roma went to ask the neighbor why he’d called the police, but the neighbor started a fight.

Local Roma activist, Vladimir Bombula, arrived to resolve the conflict, but the neighbor attacked him as well.

The next day, neighbors of the Roma wrote an appeal to the residents of the town with a proposal to get together and discuss the issue of evicting all the Roma from their town.

- **On January 9**, around 200 people gathered for a rally, shouting anti-Roma slogans. When it was over, a group drove up to the house of Vladimir Bombula in several cars and threw stones at the building.

The national police maintained public order, patrolling around the Roma houses. According to the local Roma, only this held the aggressive-minded participants in the rally from violent actions¹⁰¹.

The Roma family that came into conflict with their neighbors on Christmas moved out of their half of the house in order to avoid any further conflicts.

Later, mayor Vitaly Voitsekhovsky initiated a meeting between representatives of the local administration, the public and the Roma community, to resolve the situation.

- **On February 17**, ultra-right group *CI4* came to a spontaneous Roma settlement at Lysa Hora in Kyiv¹⁰².

The purpose of their visit was to try and intimidate the Roma to make them leave Kyiv of their own volition.

- A group L.O.V.T.S.I was created on Facebook on the ideological basis of xenophobia against the Roma. Although the group included users from different regions, its initiators were from Lviv, and they sought to move from social network discussions to actions.

The declared task of the activists who created the group was fight against crime, but the nature of the group discussion constantly took on a xenophobic character and systematically called to violence¹⁰³.

Representatives of the local Roma organizations have filed for legal proceedings under Article 161 of the Criminal Code on the basis of publications inciting interethnic enmity, but having received

¹⁰¹ <https://hromadske.radio/podcasts/chiriklo/romska-gromada-zolotonoshi-poboyuyetsya-pogromiv>

¹⁰² <https://www.facebook.com/groups/611424252388503/permalink/773441452853448/>

¹⁰³ <http://prozak.info/Suspil-stvo/U-L-vovi-stvoryuyut-zagoni-yaki-polyuvatimut-na-zakarpats-kih-cigan;>
<https://www.facebook.com/watch/?v=610558025949043>

assurances from the group initiator that calls for violence will not be repeated, they withdrew their appeal. The nature of the group's post has not changed.

- **On April 5**, according to a local community's post on Facebook, passengers of the Kyiv trolleybus No. 30 ganged on four people, presumably Roma (two men and two women) who were accused of stealing a wallet. According to the report, they were severely beaten up¹⁰⁴.

- **In early April** an act of vandalism was done against the monument to the Roma victims of Nazism in Babyn Yar in Kyiv. Unknown persons smashed two lanterns near the sculpture and damaged the monument itself – a metal sheet was bent on one side of the wagon¹⁰⁵.

Perhaps this act of vandalism was not committed out of hatred – some believe the back wall of the wagon was damaged by the homeless who wished to get inside the monument to sleep.

However, in the following weeks, the memorial suffered at least one more time more from vandals. Unknown offenders tried to break or damage the metal news board installed at the monument. The vandals failed to bring it down (due to a solid, well-thought-out construction), but they shook and apparently kicked it¹⁰⁶.

- **On April 17**, activists of the right-wing group C14 raided the Kyiv railway station to force the Roma to leave it¹⁰⁷.

- **Pogrom at Lysa Hora. On April 19**, Sergei Mazur, coordinator of the right-wing radical group C14, said that their organization, allegedly in coordination with the Goloseevsky district administration, put forward an ultimatum to the Roma living in a spontaneous settlement at Kyiv's Lysa Hora to leave the district before next day, April 20¹⁰⁸.

On April 21, C14 page showed photos of them burning down the tents that Roma lived in at Lysa Hora, in a forest in the Goloseevsky district of Kyiv. According to the posts, the Roma left the territory "after convincing legal arguments", and C14 "picked up almost all the trash, dismantled the tents and safely burned them"¹⁰⁹.

According to the Roma though, C14 threw stones at them, used gas, cut their belongings with knives, and even a shot was heard¹¹⁰.

It is noteworthy that in all their posts, C14 claims to act in accord with the Goloseevsky district state administration and the Goloseevsky municipal guard (which incidentally consists of C14 activists). Volunteers who talked to the victims also quote them as saying that during the pogrom, the Roma called the police, but the patrolmen who arrived only advised them to leave, claiming that their camp had burned down.

For a few days after the incident, the national police took no action. Ministry of the Interior told journalists that no one had filed any complaints with the police and that verification of the facts was possible only after an official appeal (which is not true) was submitted¹¹¹.

- **On April 25**, a video of the attack on the settlement appeared online, clearly showing how young people in balaclavas pursue Roma families, including women and children, throwing stones at them and using gas against them¹¹². After the publication of the video, the national police, which had

¹⁰⁴ <https://www.facebook.com/groups/lossolomas/permalink/2050491185163361/>

¹⁰⁵ <https://www.segodnya.ua/kyiv/kaccidents/v-kieve-vandaly-povredili-pamyatnik-posvyashchennyi-rasstrelyannym-romam-1130175.html>

¹⁰⁶ Соб. инф. См.: <https://www.facebook.com/groups/611424252388503/permalink/820699401460986/>

¹⁰⁷ https://www.facebook.com/permalink.php?story_fbid=168245607218785&id=100021000394552

¹⁰⁸ https://www.facebook.com/permalink.php?story_fbid=168630903846922&id=100021000394552

¹⁰⁹ <https://www.facebook.com/c14.news.reserve/posts/138574273660029>

¹¹⁰ <https://www.facebook.com/photo.php?fbid=1808689635854596&set=a.244808385576070.61148.100001407300103>

¹¹¹ <https://zaborona.com/romani-people-in-ukraine/>

¹¹² <https://youtu.be/IxjRkeJvdpk>

previously denied the fact of the crime, launched proceedings with pre-qualification under Part 2 of Article 296 (“hooliganism”) and Part 2 of Article 161 (“inciting ethnic hatred”)¹¹³.

On April 27, after a public rally in front of the building of the Chief Directorate of the National Police in the Kyiv region (see below), Interior Minister Arsen Avakov told a press conference, “Roma, just like any other Ukrainian ethnic group, must respect the laws and order of our state. But no one has any right to do what was barbarously done. No groupings. And we will be very tough about stopping such actions. If someone suddenly decided they could flaunt a brand, a trend or something else, believe me, our job is to make sure such things are unacceptable. They will be severely suppressed”¹¹⁴.

Despite loud statements, as of the beginning of 2019, no one was held accountable for what had happened.

On July 11, suspicion was presented to Sergey Mazur under Article 296¹¹⁵.

On July 18, the Golosevsky district court chose a two-month house arrest as preventive measure for the suspect¹¹⁶.

On August 7, court mitigated the measure of restraint against Mazur from round-the-clock house arrest to 10 pm to 6 am¹¹⁷.

On October 30, the court overturned the message of suspicion of Sergei Mazur in this case. This decision did not relate the essence of suspicion but its delivery procedure¹¹⁸.

The pogrom at Lysa Hora caused a significant public outcry. However reaction to C14’s actions in social networks was rather positive, which contributed to the popularity of the organization. From the viewpoint of promoting its brand and advertising, the pogrom turned out to be a successful strategy for C14.

Reaction of many mass media also left much to be desired. C14 leaders and other national radicals were invited to talk shows to discuss the “Roma issue”. The wordings of TV plots and leadings-in were often xenophobic. Under the guise of “discussing” and “presenting different points of view,” violence against the Roma was indirectly or even explicitly endorsed and promoted.

Other ultra-right groups decided to join this “success,” and began to imitate C14. The lack of prompt and effective investigation or adequate punishment of those responsible for the pogrom encouraged the national radicals to further violence. Similar attacks occurred in different regions; we might not even know of all such incidents. The wave of violence reached its climax at the beginning of June, when as a result of an attack in Lviv, one Roma was killed and four more were stabbed. This time, the crime suspects were promptly established and detained.

After the June killings, the attacks ceased. We believe C14 would not have had any imitators and the murder in Lviv would not have happened had the perpetrators of the April pogrom been detained without delay, had government agencies and the civil society been unanimous in assessing what happened, and the media demonstrated adherence to responsibility and professionalism.

● **On April 23**, unidentified persons set fire to several empty cottages on the 25th and 26th lines of the Rusanovsky Gardens in Kyiv, where Roma resided. At least five houses were set on fire.

A video was posted on social networks capturing the process of the arson with a statement on behalf of a “*Nemizida* organization”. The statement said, “Join the C14’s “flash mob” to combat gypsy parasites in the city of Kyiv. The other day, our activists visited a Gypsy camp in the Rusanovsky Gardens in the houses whose residents were evicted several years ago for the construction of a strategic

¹¹³ <https://kyiv.npu.gov.ua/news/xuliganstvo/policziya-rozpochala-kriminalni-provadhennya-za-faktom-publikacziyi-video-napadu-na-romiv/>
¹¹⁴

http://mvs.gov.ua/ua/news/13333_Arsen_Avakov_Mi_budemo_zhorstko_reaguvati_na_vsi_proyavi_nasilstva_shchodo_gr_omadyan_Ukraini_.htm

¹¹⁵ <https://www.pravda.com.ua/news/2018/07/10/7185924/>

¹¹⁶ <https://www.pravda.com.ua/news/2018/07/18/7186672/>

¹¹⁷ <https://www.pravda.com.ua/news/2018/08/7/7188554/>

¹¹⁸ <https://www.pravda.com.ua/news/2018/11/7/7197558>

bridge, funds for which were smoothly stolen and the construction was suspended. [...] we set fire to several houses inhabited by the Gypsies. Also during the raid, we were forced to “treat” one of the Gypsies with a pepper spray”¹¹⁹.

Mass media and social networks reports about the arson at Rusanovsky Gardens got confused: the tragic incident in December 2017 when three children of a Roma family occupying one of the cottages died a fire (caused by a heater explosion) was identified with the latest arsons¹²⁰. In one of the houses that was set on fire on April 23 by an incendiary bottle thrown into the window, there really was a Roma woman and her little daughter (a TV was on in the house so the arsonists could not help but realize that someone was in the room), but the woman managed to run out with her child ¹²¹.

On April 24, another arson took place. Although, unlike the last time, no one saw the arsonists, there was no electricity in the house and spontaneous combustion was ruled out.

On April 27, after repeated attempts by victims to file a complaint for an arson in Rusanovsky Gardens on April 23, at the insistence of eyewitnesses, pre-qualification proceedings were launched under Article 194 of the Criminal Code (“intentional destruction of another's property”)¹²².

Margarita Bondar, member of the National Minority Rights Monitoring Group, visited abandoned summer houses to study the situation of the Roma living there and accidentally became a witness to one of the arsons. She went to be a witness in criminal proceedings. After she wrote about it on her Facebook page, an announcement was published in the *Nemizida* Telegram channel with a promise of a cash reward to anyone who would have an “educational conversation” with the girl. The announcement was accompanied by her photos and concealed a call to violence understood in the subcultural code language.

According to some reports, the burning of houses where Roma live in the Rusanovsky Gardens continued during the summer¹²³.

● **On May 9**, an attack was launched on a Roma settlement located in an industrial zone not far from Gorodotskaya Street in the village of Rudno near Lviv. The Roma living in the settlement were engaged in the collection and delivery of scrap metal.

The incident involved up to 30 people, with many faces covered with masks. As a result of the attack the settlement was burned down¹²⁴. Violence accompanied the attack and several residents of the settlement were beaten up¹²⁵. At least two persons suffered¹²⁶.

On May 10, the national police launched criminal proceedings under Part 2 of Article 296 of the Criminal Code (“hooliganism”). At the same time the official website used the phrase “criminal case was initiated on the fire”¹²⁷.

● **In the evening of May 22**, an attack was launched on a Roma settlement. The settlement was located in the Velikogayetsky forest opposite the sugar factory in the village of Bolshaya Berezovitsa on the outskirts of Ternopil. At the time of the attack, 7 adults and 13 children were in the camp. The attackers fired traumatic arms and drove the Roma into the forest, following which they burned their temporary dwellings. The attackers shouted “Glory to Ukraine!” during the attack.

¹¹⁹ <https://www.facebook.com/kosmicheskaya.era/posts/1878955209069547>

¹²⁰ See, for example: <https://www.obozrevatel.com/kiyany/crime/deti-sgoreli-zazhivo-v-kieve-unichtozhili-doma-romov/amp.htm>

¹²¹ <https://commons.com.ua/uk/tabor-uhodit-v-peklo/>

¹²² <https://www.facebook.com/events/910769069095591/permalink/911404179032080/>

¹²³ <https://ukraina.ru/exclusive/20180823/1020906662.html>

¹²⁴ <https://hromadskeradio.org/news/2018/05/11/pogrom-v-romskomu-tabori-vlashtuvaly-blyzko-trydcyaty-molodykiv-u-maskah-znayomi-poterpilyh-foto>

¹²⁵ <https://www.facebook.com/photo.php?fbid=2120089624673398&set=a.160295503986163.34807.100000171424210>

¹²⁶ <https://hromadske.radio/news/2018/05/11/pogrom-v-romskomu-tabori-vlashtuvaly-blyzko-trydcyaty-molodykiv-u-maskah-znayomi-poterpilyh-foto>

¹²⁷ <https://lv.npu.gov.ua/news/xuliganstva/za-faktom-pozhezhi-u-stixijnomu-poselenni-u-lvovi-vidkrito-kriminalne-provazhennya/>

According to the law enforcement officials, one man was injured in the attack – he was hit with a stick several times¹²⁸. Journalists managed to find an interview several victims, including women¹²⁹.

Criminal proceedings were initiated with pre-qualification under Part 4 of Article 296 (“hooliganism”)¹³⁰.

12 suspects in the attack at the settlement were detained soon after¹³¹. Five of them were underage.

Reports came that at least some of the attackers belonged to the local Right Sector group¹³². Leaders of the local Right Sector group denied that its members took any part in the attack¹³³. Law enforcement reports insist that some of the attackers belonged to radical right-wing groups but did not specify which¹³⁴.

- **On May 24**, lawyer Andrei Muha was attacked in the city of Dergachi, Kharkiv region. He is working on the case of the murder of a Roma in Olshany, Kharkiv region. According to the lawyer, prosecutor of the Dergachev city prosecutor's office of the Kharkiv region, Ilgar Hasanov, and three men accompanying him came into his office and started hitting the lawyer, shouting "Stop protecting the Gypsies!"¹³⁵.

- **On June 7**, activists of the right-wing radical party *National Corps* and the paramilitary *National Squads* formation associated with it destroyed a Roma settlement in the Golosevsky Park in Kyiv¹³⁶.

National Squads posted on their Facebook page that they had given the Roma 24 hours to leave the settlement, otherwise the organization announced a “cleaning” in the park. Later it was established that it was journalists of the ICTV channel who had called the *National Squads* to the settlement¹³⁷.

The national radicals livestreamed the pogrom on social networks. The video shows that the “combatants” had heavy hammers on long handles and axes which they destroy the temporary structures with. Many of them had their faces hidden with balaclavas, kerchiefs or bandanas. The Roma ran away and tried to save their belongings from the settlement destroyed by the rioters. It is also clearly audible how the attackers insulted the ethnic dignity of an elderly Roma woman present at the pogrom¹³⁸. The video was later deleted but its copies were preserved on the Internet¹³⁹.

Official social accounts of the organizations involved in the incident posted boastful messages on the day of the pogrom, such as “Today the *National Squads* have cleared the Kyiv park of the Gypsy garbage”¹⁴⁰.

The Roma called the police from the settlement and asked them to ensure their safety because they feared violence from the national radicals. Representatives of the Svyatoshin National Police

¹²⁸ <https://ru.tsn.ua/ukrayina/vooruzhennoe-napadenie-na-lager-romov-pod-Ternopilem-policiya-traktovala-proizoshedsheekak-huliganstvo-1160199.html>

¹²⁹ <https://www.radiosvoboda.org/a/29255157.html>

¹³⁰ <https://tp.npu.gov.ua/news/kriminal/pravooxoronczy-Ternopilya-vstanovlyuyut-osib-yaki-napali-na-tabir-romiv/>; <https://zaborona.com/ternopil-romes-attacked/>

¹³¹ <https://www.pravda.com.ua/news/2018/06/7/7182669/>

¹³² <https://www.radiosvoboda.org/a/29255157.html>

¹³³ <https://ru.tsn.ua/ukrayina/pravyi-sektor-oprovergaet-prichastnost-k-razgromu-cyganskogo-lagerya-pod-Ternopilem-1160232.html>

¹³⁴ <https://job-sbu.org/romyi-rasskazali-kak-napali-na-tabor-na-okraine-Ternopilya-57589.html>

¹³⁵ <https://www.facebook.com/radiochiriklo/videos/1291340777665330/>; <https://zaborona.com/roman-advokate-attaked/>

¹³⁶ <https://zaborona.com/nac-druzhyny-romy-golosiyevo/>

¹³⁷ <https://zaborona.com/nazkorporus-do-romiv-poklykaly-zhurnalisty/>

¹³⁸ <https://hromadske.radio/news/2018/06/07/nacdruzhyny-rozgromyly-romske-poselennya-u-kyievi-video>

¹³⁹ <http://legalspace.org/ua/napryamki-posilennya-romskikh-gromad/item/10734-media-zaiavliaiut-pro-pohrom-romskoho-poselennia-u-stolychnomu-parku-holosiiivskiyi-foto-video>

¹⁴⁰ <https://www.facebook.com/ndrugua/posts/476281946142692>

Department claim that they came to the call and were present at the scene. According to them, "the police did not allow any violations or conflicts"¹⁴¹.

That same evening, the Kyiv police Communications Department issued a press release entitled "Kyiv police will respond strongly to violations of the law by representatives of any public organization". The text says, in particular, "No one has the right to carry out illegal actions, put up pseudo ultimatums or conduct demonstrative pogroms against other citizens for the sake of their own PR. This also concerns representatives of ethnic minorities"¹⁴².

Criminal proceedings were initiated with pre-qualification under Part 4 of Article 296 ("hooliganism")¹⁴³.

On the same day, the following leaflets were spread around the area of the incident: "Gypsies in Ukrainian cities bring robberies, thefts, drug trafficking and dirty dens. They could not care less about the norms of behavior in our society. They ignore our laws. They do not want to work. They attack citizens in the streets. Almost every Ukrainian family faced fraud from Roma communities"¹⁴⁴.

In our opinion, the content of the leaflets incites ethnic hatred, and their distribution on the day of the pogrom directly indicates intent and socially dangerous consequences of such propaganda.

As far as we know, as of the beginning of 2019, no one had been brought to account for the pogrom; moreover, no investigative actions have been carried out.

- **On June 1 and 8** the Ternopil regional online edition of *Svoboda* that has no relation to the party of the same name, published two articles at the same time with clear anti-Roma rhetoric. The first article was written by Zoryana Derkach. It tells the story of a theft of a lighter-skinned child by a Roma woman; the rest of the text is filled with generalizations about the Roma community of Ternopil¹⁴⁵. The second article, with no specific authorship, talks about the strength of the "gypsy curse"¹⁴⁶. Both texts are filled with negative ethnic stereotypes and are typical examples of the "tongue of enmity".

- **On June 11**, a group of young men attacked a group of Roma in a tent not far from the central railway station in Kyiv. As far as we could establish, a group of teenagers accosted a Roma woman who went to get a coffee at a kiosk. The teens ran after her, throwing bottles. Roma men chased the teens away. In the ensuing brawl, one of the bottles broke the head of a 16 year old. Then, a larger group of young men attacked the Roma again. They threw a smoke bomb into the tent and beat up old Roma and a pregnant woman¹⁴⁷.

According to reports of the teen's family, the young man and his friends celebrated his birthday when suddenly they were attacked by the Roma. In conversation with Vyacheslav Likhachev of the National Minority Rights Monitoring Group, the mother of the teen did not deny that the fight began with an attack on the Roma but insisted her son was not part of it. According to her, the attackers were *Dynamo* FC fans and football hooligans. Her son, according to her, suffered by mistake (the Roma who attacked him asked first, "Are you with them, too?"). We will not argue that the injured teenager was part of the attack from the very beginning, but the appearance of his friends¹⁴⁸ who also allegedly happened to be there by accident and who later commented on it the incident for TV, suggests that the company of football hooligans who attacked the Roma and the company of the young man who celebrated his birthday are the same people. According to eyewitnesses, the young people explained their second attack on the Roma by saying that "they smashed the head of one of ours"¹⁴⁹.

¹⁴¹ <https://www.pravda.com.ua/news/2018/06/7/7182669/>

¹⁴² <https://kyiv.npu.gov.ua/news/novini/policziya-kijeva-zhorstko-reaguvatime-na-porushennya-zakonu-z-boku-predstavnikiv-bud-yakix-gromadskix-organizacij/>

¹⁴³ <https://zaborona.com/police-about-romes-attacks/>

¹⁴⁴ Ethnic Minorities' Rights Monitoring Group has the original leaflet.

¹⁴⁵ <http://svoboda.te.ua/novyny/derzhava-u-derzhavi-abo-jak-Ternopiljany-spivisnujut-iz-romamy.html>

¹⁴⁶ <http://svoboda.te.ua/novyny/syla-cyhanskoho-prokljattja.html>

¹⁴⁷ Information received by Margarita Bondar of the National Minority Rights Monitoring Group from eyewitness.

¹⁴⁸ See, for example: <https://youtu.be/M5RbpXFMfQ8>

¹⁴⁹ <https://ukraina.ru/exclusive/20180701/1020548130.html>

Mass media interpretation of the situation was often frankly hateful against the Roma. Practically all the news mentioned only that “the Gypsies smashed the head of a 16-year-old teenager” and quoted the friends and the mother of the “victim” only¹⁵⁰.

No reports have been made in mass media on the report on the Roma. And since they moved to the Transcarpathian region, no investigation has been carried out.

- Late in the evening of **June 23**, a brutal attack took place on a Roma settlement in the forest on the outskirts of Lviv near Truskavetska Street¹⁵¹. A group of young people attacked the sleeping Roma with knives. As a result of the attack, 23-year-old Roma David Pop died from numerous knife wounds¹⁵². Four others were injured too – two 19-year-old young men, a 30-year-old woman and a 10-year-old child. There were ten adults and four children in the settlement.

Eight suspects in the attack were soon detained. Most of them were underage. The supposed pogrom mastermind is 20 years old¹⁵³. All of the attackers belonged to the *Sober and Evil Youth* subcultural group.

Immediately after the attack, Interior Minister Arsen Avakov and other officials stated that the incident was a result of a provocation by the Russian special services. Public information about the group that committed the attack does not support this statement¹⁵⁴. Apparently, it is not based on anything substantial and is pure propaganda.

The alleged mastermind of the pogrom is charged with Paragraph 12, Paragraph 2, Article 151 of the Criminal Code (murder committed by a group of persons in preliminary conspiracy), as well as hooliganism and involvement of minors in criminal activities. The investigation also established the alleged killer, who turned out to be, just like all the other participants in the pogrom, a minor. In addition, one assailant is accused of intentional grave bodily injury, life-threatening at the time of infliction, while seven other participants of the attack are accused of hooliganism¹⁵⁵.

The alleged organizer of the pogrom and the murderer are in custody, the rest of attackers are under house arrest¹⁵⁶.

On October 31, a preparatory court session was held on four juvenile suspects who collaborated with the investigation¹⁵⁷. Despite their house arrest, they were allowed to attend school¹⁵⁸. They are accused of hooliganism only. The case will be examined at the Pustomyty district court of Lviv region.

Investigative actions against other pogrom participants continued.

As of February 2019, the court hearings had not yet begun.

- **On June 25**, activists of the ultraright *Nemizida* group attacked a Roma settlement near *Akademmistechko* metro station in Kyiv.

According to the group's Telegram posts, “they treated the Gypsies with hot and explosive gifts,” “treated the villains with laughing gas” and “burned several tents”. Photos to the post show incendiary bottles with petards attached to them and cans with improvised explosives and striking

¹⁵⁰ <https://www.unian.ua/incidents/10150166-otyamivsyia-v-kalyuzhi-krovi-u-kiyevi-bilya-vokzalu-cigani-rozbili-golovu-16-richnomu-hlopcyu.html>

¹⁵¹ <https://www.unian.ua/incidents/10163585-pid-lvovom-napali-na-tabir-romiv-odna-osoba-zaginula-chetvero-travmovani.html>

¹⁵² <https://zaborona.com/shcho-vidomo-pro-vbytogo-roma-lviv/>

¹⁵³ <https://lv.npu.gov.ua/news/podiya/policziya-zatrimala-usix-napadnikiv-na-romske-poselennya-u-lvovi-sergij-knyazjev/>

¹⁵⁴ See, for example: <https://ru.bellingcat.com/novosti/ukraine/2018/06/26/straightedge-nazis;>

<https://zaborona.com/organizatsii-shcho-napadayut-na-romiv/>

¹⁵⁵ <https://zaborona.com/shcho-vidomo-pro-vbytogo-roma-lviv/>; <http://lviv1256.com/news/orhanizatoru-napadu-na-roms-kyy-tabir-u-l-vovi-zahrozhuie-dovichne-uv-iaznennia-onovleno/>

¹⁵⁶ <http://lviv1256.com/news/orhanizatoru-napadu-na-roms-kyy-tabir-u-l-vovi-zahrozhuie-dovichne-uv-iaznennia-onovleno/>

¹⁵⁷ <https://youtu.be/DNnGd3VwDRE>

¹⁵⁸ <https://www.0312.ua/news/2202811/cetvero-hlopciv-aki-u-lvovi-ubili-zakarpatskogo-roma-prodovzuut-hoditi-do-skoli-foto>

elements — nails and pneumatic bullets¹⁵⁹. Attackers also published a fragment of a video showing only a group of young people (from the back) approaching the settlement. One of them swings his arm and throws something, and here the video ends¹⁶⁰.

The National Police stated they did not receive any complaints about the incident either from the local residents or from the victims, and denied that there were any Roma settlements around *Akademmistechko*¹⁶¹. Some representatives of the Roma organizations also refuted the pogrom reports.

However, Margarita Bondar of the National Minority Rights Monitoring Group managed to meet the Roma of that settlement who moved to the Transcarpathian region following the pogrom. They confirmed reports that *Nemizida* had posted. Moreover, according to one of the female residents of the settlement, the police came immediately after the attack¹⁶².

Representatives of the organization later expressed surprise in their Telegram channel that “there are people who for some reason believe that the attack was fake.” The group responded to these doubts by claiming, “We have posted so little materials only due to conspiracy and banal safety rules only”¹⁶³.

● **On June 27**, website of the *Vecherny Cherkassy* newspaper published Sergei Radchenko’s post “Did a Rome rape a minor girl in Zvenigorodka?”. The author reposted his piece on Facebook as well. The newspaper published an article with a modified title reading “Was a teenager raped in Zvenigorodka?” The first sentence says the crime was committed by a “local resident”, but then it continues with reference to the law enforcement bodies that “the suspect is a man of Roma ethnicity”.

On July 4, the non-profit organization *Romani Rota* appealed to the police and the prosecutor’s office with a request to open proceedings under Article 161 of the Criminal Code¹⁶⁴.

The journalist denied any intention to kindle ethnic enmity with is article.

● **On July 1**, a 30-year-old Roma woman was killed in Beregovo, Transcarpathian region. She was stabbed in the neck.

The police launched proceedings under Part 1 of Article 115 of the Criminal Code. According to their press service, the investigation uncovered no gender, racial or other discrimination-related motives for the murder¹⁶⁵.

By early 2019, nothing had been reported on the results of the investigation into this crime.

Residents of the Beregovo district of compact Roma residence complained of attacks and intimidation. In particular, according to them, approximately at the same time someone killed a dog that lived in their area; the dog’s belly was ripped up and her guts were hung on the fence of one of the houses in the village. However, the reliability of these accounts is unclear¹⁶⁶.

● **On July 25**, an attack was made on a 38-year-old Roma, who was buying up old things near the village of Vishnevoe, Ichnya District, Chernihiv region.

Three drunk guys spent about half an hour beating the victim, he said. He passed out several times, but the attackers poured water over him, brought him back to consciousness and beat him again. In addition, they beat the victim’s car with a shovel.

After the incident, the victim complained about the lack of adequate response from the police¹⁶⁷.

¹⁵⁹ <https://styler.rbc.ua/ukr/zhizn/kieve-razgromili-tabor-romov-aktivisty-sdelali-1530008685.html>; см. также: https://t.me/nemezida_ua/148

¹⁶⁰ <https://youtu.be/aofLIrI4bR0>

¹⁶¹ <https://ru.tsn.ua/ukrayina/v-policii-nazvali-feykom-soobschenie-o-napadenii-na-romov-v-kieve-1177491.html>

¹⁶² <https://ukraina.ru/exclusive/20180727/1020710191.html>

¹⁶³ https://styler.rbc.ua/static/ckef/img/Screenshot_8_65.png

¹⁶⁴ <https://detector.media/infospace/article/139128/2018-07-06-na-cherkashchini-romi-zvernulisya-do-pravookhorontsiv-ta-oda-cherez-publikatsiyu-v-mistsevii-gazeti-onovleno/>

¹⁶⁵ <https://zk.npu.gov.ua/news/Informacziya/policziya-zakarpattya-rozsliduje-vbivstvo-zhinki-u-beregovi/>

¹⁶⁶ <https://ukraina.ru/exclusive/20180727/1020710191.html>

¹⁶⁷ <https://www.facebook.com/murshimo/posts/1919097491483500>

● **On October 23**, C14 (some of whom were registered as municipal guards) raided the central Kyiv railway station and, according to their coordinator, “caught a few dozen law breakers, mainly – G...sies¹⁶⁸.”

The office of the ombudsman described the incident as an “attack on the Roma camp” by “radically minded persons”. The police denies any participation in the “raid”¹⁶⁹.

On October 29, the Commission for Journalist Ethics reported that most of the mass media covered the incident using hate speech and violating the principles of journalistic ethics. CJE writes that the majority of mass media focused their headlines on ethnicity, although crimes do not have ethnic belonging. In addition, most materials demonstrate no balance of sides and no human rights activists dealing with the rights of ethnic minorities of Ukraine have been involved in providing the comments. Many mass media used the commentary of C14 coordinator Sergey Mazur containing xenophobic statements as their only source of information. In addition, many reports contained value judgments instead of facts, and their style was clearly emotionally colored¹⁷⁰. As an example, you can look at materials of TSN¹⁷¹, *Glavkom* website¹⁷², a program on Channel 5, and others.

● **On October 25**, activist Yevgeny Savvateev who volunteers with social help to the vulnerable categories of people in the Roma community, said that during a regular visit to the families he supervises that live in abandoned summer houses at Rusanovsky Gardens in Kyiv, he discovered one of the Roma-inhabited houses burned down. According to local residents, this was done by "local activists" or "unknown people in masks and with bats"¹⁷³.

● **On December 16**, National Police officers stopped people in the streets of Kamensky, Dnepropetrovsk region, on the basis of visual ethnic profiling and took them to the district office for fingerprinting and checking their mobile phone IMEI numbers. Police officers explained their actions by conducting *Operation Gypsies*¹⁷⁴.

● **On December 25**, passengers of the Przemyśl-Kyiv Intercity train reported that upon arrival, the following announcement was made: “Passengers, be careful, Roma thieves are at work in the train station”. Some passengers resented the incorrect wording of the warning¹⁷⁵.

¹⁶⁸ https://www.facebook.com/permalink.php?story_fbid=261456247897720&id=100021000394552

¹⁶⁹ <https://zaborona.com/s14-povidomyla-pro-zachystku-vokzalu-kyieva-vid-romiv-za-uchastiu-politsii-hunp-ne-komentuie/>

¹⁷⁰ <http://www.cje.org.ua/ua/news/zhurnalisty-porushyly-etychni-pryncypy-shchodo-vysvitlennya-napadu-na-romiv-bilya-centralnogo>

¹⁷¹ https://www.facebook.com/tsn.ua/videos/971328053067812/?hc_location=ufi

¹⁷² <https://glavcom.ua/kyiv/news/nacionalisti-rozignali-tabir-romiv-na-zaliznichnomu-vokzali-u-kijevi-538905.html>

¹⁷³ <https://www.facebook.com/photo.php?fbid=2072239086166315&set=a.872535699469999&type=3>

¹⁷⁴ <https://www.facebook.com/vesnianka/posts/2467993223215990>

¹⁷⁵ <https://www.facebook.com/lyudmyla.yankina/posts/10156120912328240>

5. Homophobia

National Minority Rights Monitoring Group carries out no systematic monitoring of xenophobia on the basis of sexual orientation or gender identity. However, our report would be lacking without such reports. Homophobic attacks are done by supporters of the same xenophobic ideology (and often – members of the same organizations) that attack the Roma, for instance. However, since the topic of homophobia is not “profile” for the Congress of Ethnic Communities of Ukraine or the National Minority Rights Monitoring Group, the incidents listed below should not be considered as an exhaustive chronicle. Rather, the examples cited are illustrative in nature, designed to give the reader general impression of the nature of the problem and its scale.

According to expert of the *Nash Svit* Human Rights LGBT Center Sofia Lapina, 226 incidents were recorded against members of the LGBT community in 2017, of which 99 were crimes (beatings, robberies, blackmail, damage to property)¹⁷⁶.

In this section, we list attacks and breakdowns of events dedicated to gender equality and feminism, because as a rule attackers perceive these ideas and homophobia as linked into a single system.

Chronicle

- In the evening of **January 21**, an attack was made on head of the local Gay Alliance group Boris Zolotchenko and his colleague at the exit from the LGBT community center in Krivoy Rog. The attackers shouted homophobic insults. Proceedings were launched with prequalification under Article 125 of the Criminal Code (causing light bodily harm)¹⁷⁷.

Six months later, the criminal proceedings had been terminated¹⁷⁸.

- **On February 13**, a lecture on LGBT+ movement in Ukraine and worldwide by Anna Sharygina, activist of the Kharkiv public women's organization *Sphere*, was disrupted at *Knigarnya E* in Kharkiv. Fifteen people broke into the room and said the lecture should be finished because "homosexuality cannot be discussed in a war-line city". The police invited the audience to disperse, refusing to ensure order¹⁷⁹.

- **On March 8**, right-wing radicals attacked events dedicated to gender equality on the International Women's Day in several cities of Ukraine.

In Uzhgorod, four activists of the *Carpathian Sich* doused paint on Vitalina Koval, a participant in the event. The victim received a chemical eye burn with a serious threat to his eyesight. She needed long-term treatment.

The attackers were detained but released on the same day.

Upon insistent demands of the victim, criminal proceedings were initiated with pre-qualification under Article 161 of the Criminal Code¹⁸⁰. Later, qualification under Article 170 (“inhibiting activities of public organizations”) and 296 (“hooliganism”) was added.

Subsequently however it turned out that the case was reclassified as “minor bodily harm”, and only two girls were issued suspicions, one of them being a minor. Other detainees were not even interrogated.

Trial began in Uzhgorod **on November 30**.

¹⁷⁶ <http://genderz.org.ua/za-rik-v-ukrayini-zafiksovano-226-intsidentiv-proti-lgbt-lyudey-lapina/>

¹⁷⁷ <https://1kr.ua/news-38557.html>

¹⁷⁸ <https://1kr.ua/news-41333.html>

¹⁷⁹ <https://hromadske.radio/news/2018/02/13/u-harkivskiy-knygarni-ye-radykaly-zirvaly-lekciyu-lgbt-ruh-v-ukrayini-ta-sviti-foto>

¹⁸⁰ <https://amnesty.org.ru/ru/2018-06-29-ukraine/>

Attacks on feminist events took place in Kyiv, too, with five participants in the Women's March falling victim to them¹⁸¹.

Violent attacks took place during against an event in Lviv and against the Feminist Workshop exhibition that opened that day¹⁸².

- **On March 31**, activists of the right-wing radical party *National Corps* disrupted a private training session on "Peculiarities of Psychological Work with Representatives of LGBT Community" in Poltava¹⁸³.

- **On May 13**, LGBT+ activist Olga Polyakova was attacked by a man in camouflage and a woman accompanying him, allegedly her neighbors, in Dnepr. Insults that accompanied the attack suggest high probability of hate motive. The woman suffered a serious beating.

The police that arrived at the victim's call did not take any measures until the attacker turned on the police officers. At the police station, officers refused to accept the victim's statement for a long time¹⁸⁴.

Meanwhile, in the past, O. Polyakova conducted trainings for national police officers, teaching them to distinguish hate crimes and explaining the need for such distinction¹⁸⁵.

- **On May 10**, about 20 ultra-right activists from the Right Sector, *Tradition and Order* and other groups broke the discussion on "Attacks on LGBT rights as a form of censorship: Russia's experience", organized by Amnesty International in Kyiv. The police refused to ensure safety for the participants, and the owner of the *Underhab* premises that was to host the event, demanded that the discussion group left¹⁸⁶.

The event took place **on May 17** at a different venue. About 40 activists of ultra-right groups (such as *Monolith*, *Katehon*, *Tradition and Order*, *Right-Wing Youth*, and others) picketed the event, however thanks to the police presence and preliminary registration for the event, it was successfully held.

- **On May 16**, a man threw a petard at the LGBT rally in the center of Zaporizhzhya. The action *Rainbow Flash Mob* took place near the building of the Zaporizhzhya city hall and was timed to the International Day Against Homophobia and Transphobia. The man explained he wanted to express his "civil disagreement" this way. One person was injured in the incident¹⁸⁷. The incident was qualified as hooliganism.

The court made its decision **on January 15**, 2019. The guilty was sentenced to a fine of 17 thousand UAH.¹⁸⁸

- **On May 19**, ultra-right activists (representatives of organizations *Tradition and Order*, *Katehon*, *Zentropa*, and St. Olga Sisterhood who came from Kyiv specifically for this purpose) blocked the premises where the Festival of Equality was to take place in Chernivtsi¹⁸⁹.

181

https://humanrights.org.ua/material/8_bereznjia_2018_choloviki_na_marshi_zelenka_percevi_balonchiki_ta_bitva_za_plak
at

182 <https://femwork.org/novini-fm/napadi-8-bereznja-nasha-tochka-zoru/>

183 <https://www.facebook.com/nationalcorps.poltava/posts/632498900426438>

184

https://humanrights.org.ua/material/jia_opinilas_u_90kh_u_dnipri_policijia_vidmovljialas_prijmati_zajavu_vid_pobitoji_lgbtaktivistki

185 <https://dnipro.depo.ua/rus/dnipro/patrulnim-dnipra-rozpovili-pro-lgbt-ta-zlochyni-na-grunti-25072016180700>

186 <https://www.facebook.com/pokalchuko/posts/2116340331727339>;

<https://www.facebook.com/amnestyua/photos/a.393246938977.171031.94853523977/10155851538128978/?>;

<https://www.facebook.com/palina.brodik/posts/10216221458152876>

187 <https://www.obozrevatel.com/ukr/crime/u-zaporizhzhhi-napali-na-uchasnikiv-lgbt-aktsii-e-poranenij.htm>

188 <https://gay.org.ua/blog/2019/01/17/zharty-nenavysti/>

The police forced the participants of the Festival to leave the premises on the pretext that it was mined. Someone had previously sprayed gas on the stairs that people took to get evacuated¹⁹⁰.

Before the Festival, homophobic propaganda was expressed not only by ultra-right groups but also by the regional Council of Churches. Among those who blocked the event was a priest.

- **On May 29**, an action took place under the Office of Human Rights Ombudsman demanding that Aksan Filipshina, who had removed the petition to ban LGBT propaganda from the President's website, be dismissed. The rally was organized by *Love against Homosexuality* and the *All Together* the organization¹⁹¹.

- **On June 17**, a traditional *March of Equality* took place in Kyiv.

On the eve of March, right-wing radicals spread out calls for a "traditional safari" in social networks¹⁹².

Representatives of right-wing organizations (including C14, *Tradition and Order*, etc.) attempted to prevent the event, taking over part of the territory of the proposed March route in advance, the day before. Early in the morning, national police officers ousted right-wing radicals from the street, arresting several dozen people. Violence (possibly disproportionate) was used against the protesters against the March, which the national police explained with the presence of arms (knives and gas cartridges) in young people's hands.

The march was calm thanks to massive police protection. However, the week after the event, according to expert of *Nash Svit* organization Sofia Lapina, at least 20 attacks on members of the LGBT community were reported¹⁹³.

- **On June 30**, an attack was made on head of the local Gay Alliance group Boris Zolotchenko in Krivoy Rog. At about 6:30 pm, the victim was returning home with friends after a meeting of the *KryvbassPride* organizing committee. His attackers were about a dozen, all wearing identical T-shirts. Zolotchenko was hospitalized. From the hospital, he called the police who refused to come see him, so he had to go and file a complaint himself¹⁹⁴.

Boris Zolotchenko had already been attacked a few months before.

- In the early hours of **August 11**, a group of five or six unknown persons beat up two young men in Podol district in Kyiv suspecting them of being homosexuals. One of the attackers wore a balaclava and held a gun. As a result of the beating, one of the victims suffered head injury and both were bruised and abraded. After they filed a complaint to the police, pre-qualification proceedings under Article 125 of the Criminal Code (light bodily injuries) was launched¹⁹⁵.

- **On August 18**, an Equality March took place during the fourth festival of queer culture *Odessa Pride 2018*, during which two men tried to attack the marchers, but were detained by the police¹⁹⁶.

¹⁸⁹ <https://www.facebook.com/events/432351807210189/>

¹⁹⁰ <https://zaborona.com/festival-rivnosti-chernivtsi-zryvayut/>

¹⁹¹ <https://hromadske.ua/posts/pid-ofisom-ombudsmena-vidbulasia-aktsiia-z-vymohoiu-zvilnyty-filipishynu>

¹⁹² See, for example: <https://www.facebook.com/photo.php?fbid=2124130144283604&set=pcb.2124130190950266>

¹⁹³

https://humanrights.org.ua/material/pisljia_marshu_rivnosti_u_kijevi_stalos_ponad_20_napadiv_na_lgbt_ta_volonteriv__aktivistka_

¹⁹⁴ <https://1kr.ua/news-41409.html>

¹⁹⁵ https://www.facebook.com/story.php?story_fbid=515992088860469&id=100013490467395

¹⁹⁶ <http://odessa-life.od.ua/news/49811-odesskiy-prayd-2018-segodnya-sostoyalsya-marsh-ravenstva-dvoih-zaderzhali-zahuliganstvo>

● **On August 19**, a drunk man attacked transgender activist Anastasia-Eva Kristel Domani in a tram in Lviv. After insulting remarks about her appearance, the man struck the activist several times in the face and went out at the next stop.

Criminal proceedings were initiated with pre-qualification under Part 1 of Article 125 of the Criminal Code (infliction of minor bodily harm), although the victim insisted that the police take into account the motive of the attack¹⁹⁷.

● **On August 19**, three young men attacked an underage girl in Kontraktova Square in Kyiv because of a colored strand in her hair. They used gas spray and hit the girl in the face. The attackers wore symbols of the Right Sector and the National Corps¹⁹⁸.

● **On August 19**, an assault took place at a punk concert positioning itself as an "anti-discrimination" event at the *Platform TU* Cultural Center in Mariupol. About twenty people, whose faces were hidden by balaclava, beat up the visitors to the concert. Two of the attackers wore symbols of the National Corps Party. About ten visitors suffered from the beatings¹⁹⁹.

The attack was most likely caused not only by the antifascist ideology of the music band but also by the previous activities of the Center that used to house events on LGBT rights which caused anger among the right-wing radicals.

● **On August 30**, Chernivtsi city council made a recommendation to "LGBT communities to refrain from holding public events in the city of Chernivtsi"²⁰⁰. The draft decision was developed by the city council's legal department and was based on an electronic petition banning "gay parades and equality festivals" that had gathered 282 signatures.

It must be noted that the legal significance of the City Council decision is negligible for any bans on holding peaceful assemblies can be made through the courts of law only.

● In the early hours of **September 6**, a group of young people attacked a representative of the LGBT community in Khreshchatyk, downtown Kyiv. After a short verbal skirmish, during which the homophobic motivation of the attackers became apparent, they started beating the victim, and one of the hooligans inflicted several knife wounds to his chest²⁰¹.

The suspects were detained shortly after. The victim was hospitalized.

● **On September 25**, representatives of some ultra-right groups disrupted a Pride Hub event at the Women's *Sfera* Association in Kyiv²⁰².

● In the evening of **October 11**, representatives of the *Freikor* ultra-right organization blocked access to the premises where the *Coming Out Fest* of LGBT+ was to take place in Kharkiv. The ultra-rightists pasted stickers with their symbols all over the club and hung a banner with "White Pride Hub" written over it. One of the far-rightists tried to break into the room. The police did not intervene in the conflict. Thanks to their presence, the national radicals did not openly attack the visitors of the event, although they committed some aggressive actions – they pushed and hit one girl on her nose with a head, according to the organizer of the festival Vera Chernygina²⁰³.

The event was disrupted.

¹⁹⁷ https://update.com.ua/zhizn_tag/svideteli-kontca-zapret-festivalei-ravenstva-izbienie-pankov-i-sviataia-voda_n4125

¹⁹⁸ <https://www.facebook.com/dmytro.dubitskyi/posts/1744190992364417>

¹⁹⁹ <https://news.liga.net/incidents/news/napadenie-na-art-platformu-v-mariupole-podrobnosti>

²⁰⁰ <https://acc.cv.ua/news/chernivtsi-u-chernivcyah-deputati-pidtrimali-peticiyu-pro-zaboronu-provedennya-gey-paradiv-foto-35609>

²⁰¹ <https://kiev.informator.ua/2018/09/06/v-kieve-na-kreshhatike-tolpa-podrostkov-podrezala-geya-za-ego-orientatsiyu/>

²⁰² <https://www.facebook.com/PrideHub/photos/a.183530919136133/289205211902036/>

²⁰³ <https://nakipelo.ua/konflikt-u-prajdhaba/>

● **On November 18**, activists of far-right organizations *Tradition and Order*, *Katehon*, *Brotherhood*, and others disrupted a rally in memory of dead transgender victims that was to take place at the *University* metro station in Kyiv.

First, police tried to prevent direct contact between the ultra-right and the participants in the action, however, fights could not be avoided. In particular, a foreign journalist suffered at the hands of the attackers. Several protesters, including a member of the National Minority Rights Monitoring Group, suffered from tear gas sprayed by attackers²⁰⁴.

The police did not let the action to be started, forcing its participants and go down into the subway.

Criminal proceedings were launched with the pre-qualification of “hooliganism”.

● **On December 5**, with the connivance of the national police, ultra-right activists disrupted the training session on “More equality! Feminism in everyday life” in Rovno²⁰⁵.

● **On December 11**, Secretary of the National Security and Defense Council Alexander Turchinov published an article entitled *Neo-Marxism or the Road to the Abyss* expressing some aggressively homophobic theses from a conservative Christian point of view. In addition, he linked the LGBT rights movement to the Russian propaganda²⁰⁶.

The article caused a wide public response²⁰⁷.

At the end of 2018 – the beginning of 2019, as far as scattered reports show, Alexander Turchinov began to try and consolidate religious (not only Baptist, but also Catholic) congregations and various public organizations. His conceptual basis seems to be the idea of “protection of traditional family values” that has a strong homophobic component. It is likely that the coalition being created will also claim political expression in the perspective of parliamentary elections.

²⁰⁴ <https://www.nihilist.li/2018/11/18/trans-marsh-2018-kak-tovarishh-major-aktivistok-gonjal/>

²⁰⁵ <https://www.facebook.com/nina.potarska/posts/10216564286032470>

²⁰⁶ <https://www.facebook.com/oleksandr.turchynov/posts/10156082029293553>

²⁰⁷ See, for example: https://update.com.ua/zhizn_tag/bblia-traditcin-tcnost-ta-tramp-pro-shcho-u-vlnii-chas-duma-golova-radi-natcbezpeki-turchinov_n4261

6. Activities of the Government and Law-Enforcement Bodies

• **On January 11**, the prosecutor's office of the Zaporizhia region launched proceedings to investigate actions of individual representatives of the Zaporizhia Diocese of the Ukrainian Orthodox Church of the Moscow Patriarchate and the *Radomir Orthodox Union* public organization containing signs of Part 3 of Article 161 of the Criminal Code (“violation of equality of citizens for their racial, ethnic, religious beliefs”). The reason behind the proceedings was refusal of the priest to bury the dead child who had been baptized in the Ukrainian Orthodox Church of the Kyiv Patriarchate. According to the press release of the prosecutor’s office, “it has been established that representatives of the Zaporizhia Diocese of the Ukrainian Orthodox Church of the Moscow Patriarchate follow a selective approach to religious practices, giving preference to those who were baptized in UOC-MP, which offends the feelings of citizens and their religious beliefs”.

The official press release describes the alleged offenses and states, “In addition, some representatives of these religious organizations have recently made statements about the unity of Slavic Orthodox peoples under the spiritual guidance of the Russian Orthodox Church (ROC). Information on the need to unite Ukraine with Russia is being spread among parishioners while the European direction of development of our state and the anti-terrorist operation are being condemned, and the aggressive actions of the Russian Federation towards Ukraine are being justified”²⁰⁸.

The refusal of the Zaporizhia priest to perform the burial ritual caused actions against the churches of the UOC-MP in various regions of the country, in particular, in Kyiv²⁰⁹, Odessa, Kharkiv²¹⁰, and Ternopil²¹¹.

• **On February 5**, the Dzerzhinsky District Court of Kharkiv sentenced Vitaly Kadnichansky, who committed a series of brutal racist attacks in 2012. The convict was sentenced to life imprisonment²¹².

In 2012, the monitoring of the Congress of Ethnic communities of Ukraine reported the following crimes committed by him²¹³:

On January 27, 2012, a young man with a knife attacked a foreigner (an Arab student from North Africa) who was strolling with a Ukrainian girl near 5 Hirschman Street in Kharkiv, and inflicted a penetrating wound. A criminal case was initiated under Article 115 Part 2 Item 14 (attempted murder based on racial or national hatred). The attacker also caused knife injuries to the girl.

In the evening of **May 2**, the killer murdered a man who offered him to a beer at the *Kharkiv - Passazhirsky* station.

In the evening of **May 9**, the attacker inflicted four knife wounds to one victim and two more to another near 18 Plekhanovskaya Street. As far as we could summarize from the available information, the victim was a teenager, a citizen of Ukraine, of “non-Slavic” appearance, a 9-grade student of secondary school No. 151. His friend stood up for him and received two knife wounds, too.

Apparently the same criminal attacked a 19-year-old Nigerian student of the Poltava Agrarian Academy and stabbed him **on May 10** near № 190/1 Moskovsky Prospect.

In the evening of **May 13**, the criminal attacked a 28-year-old Nigerian student of the Kharkiv National University of Radio Engineering in an alley near 37 Svobody Avenue and inflicted several knife wounds to his chest and left shoulder.

There might have been more attacks.

²⁰⁸ https://zap.gp.gov.ua/ua/news.html?_m=publications&_c=view&_t=rec&id=221963

²⁰⁹ https://www.2000.ua/novosti/ukraina_novosti/s14-ugrozhaet-reguljarnymi-akcijami-po-blokade-kievo-pecherskoi-lavry.htm

²¹⁰ https://www.2000.ua/novosti/ukraina_novosti/v-harkove-pravyi-sektor-podderzhal-kampaniyu_-napravlennuyu-protiv-upc.htm

²¹¹ https://www.2000.ua/novosti/ukraina_novosti/v-Ternopile-pravyi-sektor-ustroil-ocherednyuyu-ataku-na-hram-upc.htm

²¹² <https://2day.kh.ua/pozhiznennoe-zaklyuchenie-ubijtsu-na-pochve-rasovoj-neterpimosti-osudili-v-harkove/>

²¹³ See sentence: <https://court.gov.ua/press/news/426923>

• **On February 23**, the Security Service of Ukraine announced they had foiled the efforts of the Russian special services to destabilize the situation in Transcarpathia and Bukovina. The efforts of Russian agents, according to SSU, were aimed at provocations against symbolic objects of ethnic minorities and imitations of the “outrage” about the situation by these minorities. In February alone, according to the SSU, 12 such attempts were foiled.

In particular, according to SSU, a citizen of Russia, David Ponomarev, was looking for someone to set fire to the building of the Society of Hungarian Culture of Transcarpathia in Uzhgorod in December 2017²¹⁴. This however does not follow from the records found.

At a SSU briefing, recordings of conversations and screenshots of messages were made public, showing that Ponomarev was planning to set fire to two Romanian schools in the Chernivtsi region, in the villages of Velikoselye and Ostrytsia. An advance payment had already been transferred to the alleged perpetrators of this sabotage in Bukovina²¹⁵.

At the same time, according to the documents made public by the Security Service of Ukraine, preparations were made to hold a “conference of Hungarians of Transcarpathia against discrimination” that would complain against the Ukrainian authorities on behalf of ethnic Hungarians. After the organizers did not succeed in attracting real Hungarian community structures to their plans, they decided to pay the “extras” for that role²¹⁶. The *United Peaceful Ukraine* foundation from Kyiv helped organize the event²¹⁷.

• **On March 22**, Security Service of Ukraine informed about the arrest of a group of provocateurs in Chernihiv suspected of a number of acts of vandalism on the grounds of xenophobia.

According to preliminary information of the investigation, members of the group committed a number of acts of vandalism against objects of the Polish and Jewish cultural and religious heritage in the territory of the Sumy and Volyn regions.

Investigators believe that in the early hours of December 26, 2017, they painted and destroyed the crosses of the mass grave of the Polish border guards who died in September 1939 in battles with the Red Army in the village of Melniki Shatsky district of Volyn.

In the early hours of December 30, 2017, the vandals painted an antisemitic inscription on the building of the *Jewish House* in Sumy. During searches in the houses of the suspects, Security Service officers found eight trotyl blocks, five RGD-5 grenades, steel arms, and anti-Ukrainian symbols.

According to information collected, the criminals were acting on orders of the Russian special services with the purpose of kindling ethnic enmity in Ukraine and damaging her image on the international arena.

Criminal proceedings have been launched under Article 110, part 3 (“encroachment on territorial integrity”), Article 111, part 1 (“state treason”) and Article 255, part 1 (“creation of a criminal organization”) of the Criminal Code of Ukraine²¹⁸.

On June 15, information came that the court found the participants of the group guilty of the crime under Article 161 of the Criminal Code of Ukraine²¹⁹.

• **On April 16**, Security Service of Ukraine spread information on the detention of the suspect of writing an antisemitic inscription on the building of the Chernihiv synagogue in late 2017. According to reports, the criminal acted on orders of the Russian special services²²⁰.

²¹⁴ <https://tsn.ua/ukrayina/12-sprob-provokaciy-lishe-za-lyutiy-sbu-vikrila-organizatoriv-masshtabnoyi-diversiyi-na-zahidniy-ukrayini-1114557.html>

²¹⁵ https://youtu.be/Z2Xxmtv_36k

²¹⁶ <https://www.facebook.com/SecurSerUkraine/photos/pcb.2082549001975094/2082548641975130/>

²¹⁷ <http://anons-zak.com.ua/politika/24702-na-zakarpat-naconalsti-zrvali-akcyu-separatistv-foto.html>

²¹⁸ <http://jewseurasia.org/page6/news60016.html>

²¹⁹ <https://www.facebook.com/mykola.klochko/posts/1758398627578706>

²²⁰ <https://ssu.gov.ua/ua/news/1/category/2/view/4640#.EQc6cGn7.dpbs>

● **On May 4**, Foreign Ministry of Ukraine spread a commentary in connection with insinuations and accusations of an alleged rise of antisemitism in the country. The commentary states that “Ukraine consistently condemns any demonstration of intolerance or public antisemitic calls, while the law-enforcement bodies investigate and prosecute every culprit of such crimes”²²¹.

On the same day, President Petro Poroshenko declared that he resolutely condemns all manifestations of intolerance and xenophobia, quoting specifically the incidents in Odessa and Lviv²²².

● **On May 5**, the national police of Kyiv initiated criminal proceedings under Article 436-1 of the Criminal Code (demonstration of Nazi symbols) after the publication of photos taken at a concert in a Kyiv club²²³.

● **On May 25**, President of Ukraine Petro Poroshenko signed a response to the electronic petition “*On Protection of Traditional Values and Family Institute*” containing a number of homophobic statements and a proposal to “ban the promotion of homosexuality”. In his response, the President of Ukraine pointed out that “our common task is to build a tolerant, democratic and European society in Ukraine,” drawing attention to the inadmissibility of violations of the Constitution and the Law on the basis of preventing and combating discrimination²²⁴.

● **On July 1**, commenting on the recent cruel attack on the spontaneous Roma settlement, Advisor to the Minister of the Interior Anton Geraschenko told TV Channel 112, “The tragedy that took place in Lviv is not a spontaneous situation. It is a well planned action involving the Russian special services. We understand today that two leaders of this youth organization had been recruited online, and a thought was planted into their minds that they had to organize attacks not just on the Roma but they also had plans to attack Jewish organizations in Lviv [...] Their task was to show that a xenophobic organization is acting in Lviv that, on the basis of racist views, demonstrates its hatred to representatives of certain ethnic groups”²²⁵.

As far as we can judge, Geraschenko’s allegations that the pogrom in Lviv had been organized by the Russian special services as well as that Moscow had ordered attacks on the Jewish organizations of Lviv are ungrounded.

● **On July 6**, Interior Minister Arsen Avakov held a meeting with ambassadors and representatives of the diplomatic corps of the Big Seven to discuss countering extremist activities of the Ukrainian ultra-right, in particular, the attacks on the Roma settlements. During the meeting, Avakov proposed that European countries introduce “additional restrictions on entry into the EU countries” for “young Nazis”.

Head of the National Police, Sergei Knyazev, told the meeting that, according to his information, there are about 3,100 “places of compact Roma residence” in Ukraine, with more than 100,000 people living there. He further reported that “this year, six reports of attacks on such settlements have been received by the police: three in Kyiv, two in the Lviv region, and one in Ternopil.”

Please note that the National Police head does not distinguish between permanent “places of compact Roma residence” and spontaneous settlements associated with seasonal labor migration, which were the targets of all the above-listed attacks. In our estimates, ten times less Roma live in the settlements of the latter type than the number voiced by Knyazev.

²²¹ <http://mfa.gov.ua/ua/press-center/news/64696-komentar-mzs-ukrajini-u-zvjazku-z-insinuacijami-ta-zvinuvachennyami-u-nibito-zrostanni-projaviv-antisemitizmu-na-teritoriji-nashoji-derzhavi>

²²² <https://www.facebook.com/petroporoshenko/posts/1264975260303530>

²²³ <https://kyiv.npu.gov.ua/news/novini/pravoovoronczy-rozpochali-kriminalne-provazhennya-za-faktom-vikoristannya-nacistskoji-simvoliki/>

²²⁴ <https://petition.president.gov.ua/petition/42862>

²²⁵ <https://112.ua/glavnye-novosti/krome-romov-specsluzhby-rf-planirovali-napadeniya-na-evreyskie-organizacii-vo-lvove-gerashhenko-451970.html>

In general, according to the national police head, “the police registered nine criminal proceedings, of which four were into hooligan actions, three into violations of equality of citizens [Art. 161 of the Criminal Code – Ed.], one – into involvement of minors into criminal activity, and one – into premeditated murder. All these crimes are of the same type and are associated with groups of radical youth’s attacks on places of compact residence of Gypsies”²²⁶.

● **On July 2**, SSU announced of a disruption of a provocation action planned against the Crimean Tatars in Kyiv.

“The idea of some foreign subversive centers was that their subordinates in Ukraine should have disrupted the presentation of the first Crimean Tatar fairy tale film *Khidir-Dede* due July 1, 2018, at the *Zhovten* cinema”, the SBU reported²²⁷.

Criminal proceedings were initiated into this crime under Part 3 of Article 161. According to the law enforcement bodies, the same group is responsible for organizing a provocation picket that took place on June 20 near the Embassy of Hungary in Ukraine.

● **On July 10**, the first meeting took place of the permanent working group on law enforcement and migration issues under the Ministry of Internal Affairs for the implementation of the Strategy for Protection and Integration into the Ukrainian Society of the Gypsy Ethnic Minority for the Period of up to 2020 was held²²⁸.

The group’s agenda was approved at the meeting.

● **On August 2**, National Police filed a closing indictment to the Pechersk District Court of Kyiv regarding an organized criminal group suspected of a number of provocations aimed at kindling ethnic enmity²²⁹. The suspected mastermind of the crime and one of its hands will stand trial. Two other suspects were detained in fall 2017 but absconded from house arrest and have been declared wanted.

Investigators believe the criminals had desecrated a synagogue in Chernivtsi (November 19, 2016); desecrated the tomb of Rabbi Nachman in Uman (December 21, 2016); desecrated the memorial to victims of mass destruction of ethnic Poles and Jews in Guta Penyatska, Brody district of Lviv region (January 9 and March 12, 2017); desecrated the “Polish” part of the memorial to victims of totalitarianism in the *Bykovnianski Mohily* preserve (January 25, 2017); desecrated the Polish cemetery in the village of Podkamen, Brody district of Lviv region (March 12, 2017); threw an explosive near the Lithuanian Embassy in Kyiv (April 24, 2017); blew up a grenade under the office of the Organization of Ukrainian Nationalists (May 20, 2017); blew up an explosive near the office of the National Corps party in the Obolon district of Kyiv in Zoya Gaiday Street (May 22, 2017); threw a grenade at the US Embassy (June 8, 2017); painted antisemitic graffiti on several Jewish objects and tried to set a synagogue in Lviv on fire (June 30, 2017); threw an explosive at the Polish Consulate in Lutsk (July 10, 2017); threw a grenade in Grushevsky Street in Kyiv (August 24, 2017); desecrated and tried to blow up a monument to a combatant in Les Kurbas Street in Kyiv (August 24, 2017); threw a grenade in Uman, wounding pilgrims (September 21, 2017); tried to blow up a memorial sign in Veretsky Pereval erected in honor of the 1100th anniversary of the passing of Hungarian tribes over the Carpathians; and other things.²³⁰ Members of the group are charged with 27 episodes.

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http://mvs.gov.ua/ua/news/14527_Arsen_Avakov_Mamo_stvoriti_atmosferu_u_suspilstvi_koli_buti_neonacistom_necika_vo_ta_nevigidno_FOTO.htm

²²⁷ https://censor.net.ua/news/3074224/sbu_sorvala_provokatsiyu_rf_protiv_krymskih_tatar_v_kieve_fotoreportaj

228

http://mvs.gov.ua/ua/news/14554_U_MVS_stvorili_robochu_grupu_z_pitannya_integracii_romskoi_nacionalnoi_menshini_v_ukrainske_suspilstvo_FOTO.htm

²²⁹ <https://www.npu.gov.ua/news/Informacziya/policziya-napravila-do-sudu-obvinuvalnij-akt-vidnosno-chleniv-ozg-pidozryuvanix-u-vchineni-shesti-teraktiv/>

²³⁰ <https://strana.ua/articles/special/162933-torpedam-iz-cherkass-podlozhili-svinju.html>

The court heard Dmitry Chernodubravsky and Sergey Bakhchevan – the suspected mastermind and one of his hands – an executor of the provocations. Two other suspects who were detained in fall 2017, Boris Muschenko and Bogdan Shevchenko, absconded from house arrest and have been declared wanted²³¹.

As of February 2019, no court hearings had begun.

● **On August 7**, a case was transferred to the Leninsky District Court of Kropyvnytskyi against 21 members of the *White Lions* group who committed homophobic attacks. Cases of four more suspects were separated into separate proceedings²³².

The young people are accused of beatings, torture, robbery, extortion and the involvement of minors into criminal activities.

During the investigation, the involvement of members of the gang in thirteen different episodes was proved.

The *White Lions* Association was formed around the Internet community of the same name at the end of 2016. Young people met online with those whom they thought to be gay, set up a meetings with them and then beat up and mocked their victims. The group was clearly under the strong influence of the Russian neo-Nazi group *Occupy Pedophily*.

In early 2017, the group was eliminated by the police²³³.

● **On October 20**, unknown persons hung up provocative posters in the Transcarpathian region accusing Ukrainian politicians and public figures of Hungarian ethnic origin of separatism²³⁴.

Criminal proceedings were initiated with pre-qualification under Article 161 of the Criminal Code (stirring ethnic hatred)²³⁵.

● **On December 5**, news got around that investigation had been launched in Rivne region into a criminal case with prequalification under Articles 161 and 111 (high treason) of the Criminal Code. That day, priests of the Ukrainian Orthodox Church of the Moscow Patriarchate were called in for questioning by the SSU (at least 15 people).

As far as we could judge from the information available, the case was based on the distribution of brochures "Ukrainian Orthodox Church: Relations with the State. Attitude towards the ATO and the Church Schism. Questions and Answers", which in the opinion of a UOC MP representative, "explained what the split is"²³⁶, but in the opinion of the police – stirred up religious enmity²³⁷.

● **On December 6**, Verkhovna Rada of Ukraine registered a draft Resolution for Strengthening Fight against Xenophobia and Antisemitism²³⁸.

The draft was authored by MP Georgy Gogvinsky, leader of the Jewish Confederation of Ukraine Boris Lozhkin and president of the Ukrainian Union of Jewish Students Anna Vishnyakova.

An explanatory note to the draft states: "Having taken course to adhere to democratic principles, Ukraine confirmed once again that fight against antisemitism is a task and a responsibility of both our

²³¹ <http://www.reyestr.court.gov.ua/Review/77209543>

²³² <https://persha.kr.ua/news/criminal/165494-sprava-bilyh-leviv-shhe-ne-dijshla-do-sudu-bo-pidozryuvani-pivroku-oznajomyuyutsya-z-obvynuvachennyam/>

²³³ <http://dostyp.com.ua/novini/kropivnits-ki-bili-lievi-doliu-21-gho-uchasnika-ughrupuvannia-nappravili-na-rozghliad-sudu-1>

²³⁴ <https://zakarpattya.net.ua/News/186234-FOTOFAKT.-Na-Uzhhorodshchyni-nevidomi-rozkleily-zaklyky-zupynty-separatystiv-Brenzovycha-Borto-i-Oros>

²³⁵ <https://www.pravda.com.ua/news/2018/10/21/7195829/>

²³⁶ <http://charivne.info/rivne-news/37660-dopyt-svyashchenyiv-upts-mp-v-sbu-ottsyam-inkryminuyut-derzhavnu-zradu-ta-rozpalyuvannya-relihijnoyi-vorozhnechi>

²³⁷ <https://ssu.gov.ua/ua/news/1/category/2/view/5488>

²³⁸ http://w1.c1.rada.gov.ua/pls/zweb2/webproc4_1?id=&pf3511=65080

state and our society”. The Resolution is to emphasize the political will of the state to overcome negative phenomena inadmissible in a democratic country.

The address proposes to condemn all manifestations of xenophobia and antisemitism in Ukraine and to emphasize that the government should take all measures possible to protect the rights of its citizens, to prevent hate crimes and to increase fight against manifestations of xenophobia and antisemitism. Control should be strengthened over explanation to state officials of nuances of crimes on the grounds of xenophobia, antisemitism or hatred because of real or alleged national or ethnic background of the victim.

The Resolution envisages that Verkhovna Rada should coordinate counteraction to and prevention of xenophobia and hate crimes with the Cabinet of Ministers of Ukraine, the Security Service of Ukraine, the Prosecutor’s General Office of Ukraine, the National Police of Ukraine, and other law-enforcement bodies, judicial bodies and bodies of local self-administration.

An important element of the Resolution is a call to bodies of state power and the law-enforcement bodies to use the operational definition of antisemitism in their work – the one developed by the International Holocaust Remembrance Alliance. This definition has been accepted as an official definition of antisemitism in a number of European countries. Authors of the Resolution believe that this definition clearly explains what antisemitism is.

The Human Rights and Ethnic Minorities Profile Parliamentary Committee has already examined the text submitted by MP Georgy Logvinsky and decided to recommend that Verkhovna Rada should adopt the draft Resolution as the basis and on the whole²³⁹.

It must be noted that Verkhovna Rada may examine a special resolution against antisemitism and xenophobia for the first time.

- In the course of 2018, legal actions continued on a number of cases related to the so-called “**Loshchinovka pogrom**”.

A recap: on the morning of **August 27, 2016**, the body of an underage girl with multiple stab wounds was found in the territory of an abandoned household in the forest belt near the predominantly Bulgarian village of Loshchinovka, Izmail District, Odessa region. Criminal proceedings were launched under Article 115 Part 2 (“murder”).

A 21-year-old local resident was detained on suspicion of committing this crime an hour after the body was discovered; according to local residents, he was of Roma origin²⁴⁰ (as far as we can judge from the information available, his mother was Roma). After his arrest, the police beat him and demanded a confession to the murder. According to the information made public by the lawyer of the suspect, there are weighty reasons to assume he was not guilty of the murder, but another person committed the crime, who is currently a witness in the case²⁴¹.

In 2018, the Primorsky District Court of Odessa gradually approached the case, but the process was clearly delayed.

In the evening of August 27, residents of the village, with the police’s silent agreement, crushed nine houses inhabited by Roma families. The rioters chanted “Gypsies, get out!”, etc. The Roma had left the homes in advance and did not suffer²⁴².

The next day, on August 28, the people’s *vecheh*” (popular assembly) of the village made a “decision” to evict the Roma from the village. The decision was supported by the district administration. Chairwoman of the Izmail District State Administration, Valentina Stoykova, said that

²³⁹ <http://jewseurasia.org/page6/news62273.html>

²⁴⁰ <https://bessarabiainform.com/2016/08/izmailskij-r-n-vozmushhenye-zhestokim-ubijstvom-rebenka-zhiteli-loshhinovki-vostali-protiv-tsygan-lyudi-krushat-doma-i-obnovlyatsya/>

²⁴¹ <https://life.pravda.com.ua/society/2018/04/24/230544/>; <http://gidnist.org.ua/sud-po-delu-ob-ubijstve-v-loshhinovke-budet-proxodit-otkryto-zasekretiyat-tolko-dokumenty/>

²⁴² <http://dumskaya.net/news/ubijstvo-rebenka-v-sele-na-yuge-odesskoy-oblasti-061966/>

the Roma would be given an opportunity to peacefully pick up their belongings and leave the village²⁴³. The Roma left the village under the protection of the police who prevented any acts of violence²⁴⁴.

Criminal proceedings were initially launched into the pogrom with prequalification under Article 194 of the Criminal Code ("damage to another's property").

However, two and a half years after the incident, none of the participants in the pogrom were punished in any way.

In addition, lawyers of the victims – seven Roma families with 19 minor children left without a home – filed an application for the opening of criminal proceedings into criminal inaction of the police.

In the course of 2018, the case developed as follows.

On March 23, the Primorsky District Court of Odessa overturned the earlier decision of the Prosecutor's Office of the Odessa region to close criminal proceedings into official negligence that was expressed in criminal inaction of the police during the pogrom (Article 367 of the Criminal Code)²⁴⁵. Case papers were returned to the prosecutor's office to continue the investigation²⁴⁶, however, the proceedings were subsequently closed with the explanation of "the case has no trial prospects". Since the beginning of the investigation into the case, the prosecutor's office has closed the proceedings on criminal inaction of the National Police three times²⁴⁷.

On August 17, Odessa Regional Administrative Court ruled to satisfy the complaint of the group of victims and recognize as illegal the actions of the chairwoman of the Loshchinovka Village Council regarding the execution and announcement of the decision of the "people's vecheh" concerning the "Demand of the residents of the Loshchinovka village on the future non-residence of the Roma in the territory of the village of Loshchinovka, Izmail district of the Odessa region".

The applicants also demanded that the police's inaction be declared unlawful, arguing that the police were not inactive, although their activities were not effective²⁴⁸.

On October 18, Human Rights Information Center notified that Ukrainian human rights activists are preparing a complaint to the ECHR due to the inaction of the law enforcement bodies in the investigation of Roma pogroms in the village of Loshchinovka²⁴⁹.

• During 2018, legal actions continued on a number of cases related to the **attack on the Roma that took place in Olshany village, Kharkiv region on May 16, 2017**. Leader of the Roma community Nikolay Kaspitsky was killed by firearms, eight more Roma were injured from traumatic weapons. The violent attack was preceded by a conflict between one of its participants and a local Roma.

Former chairman of the Olshansky Village Council, currently deputy of the Kharkiv Regional Council Alexey Litvinov was suspected of the murder. Initially, three attackers were detained, including Litvinov and his son Andrey Litvinov, current head of the Olshansky Village Council. However, in 2018, all participants in the attack, including the alleged killer, were set free. Up till the

²⁴³ http://society.lb.ua/accidents/2016/08/28/343757_zhiteli_loshchinovki_odesskoy_oblasti.html

²⁴⁴ See, for example: <https://youtu.be/n62NG1JngmY>; <http://www.unian.net/society/1490031-v-odesskoy-oblasti-posle-ubiystva-vosmiletney-devochki-vsphyhnul-romskiy-pogrom-video.html>; <http://www.pravda.com.ua/news/2016/08/28/7118920/>; <http://www.5.ua/suspilstvo/cherez-vbyvstvo-dytyny-rodyny-romiv-vyseliat-iz-sela-loshchynivka-na-odeshchyni-124148.html>; <http://tsn.ua/blogi/themes/politics/peremoga-vil-nad-pravami-i-zakonom-735952.html>; <http://www.5.ua/suspilstvo/staly-vidomi-novi-podrobytsi-vbyvstva-divchynky-na-odeshchyni-124160.html>; and others

²⁴⁵ <http://www.reyestr.court.gov.ua/Review/72926777>

²⁴⁶ <https://www.facebook.com/photo.php?fbid=2033376793357866&set=a.799985706696987>

²⁴⁷

https://humanrights.org.ua/material/pravozahisniki_gotujiut_skargu_do_jespl_cherez_nerozsliduvannjia_pogromiv_u_loshh_inivci

²⁴⁸ <http://reyestr.court.gov.ua/Review/75925635>

²⁴⁹

https://humanrights.org.ua/material/pravozahisniki_gotujiut_skargu_do_jespl_cherez_nerozsliduvannjia_pogromiv_u_loshh_inivci

autumn of 2017, the preliminary measure of restraint during the investigation against the suspect was nightly house arrest, but later this measure of restraint was dropped.

In the opinion of the lawyers of the injured party and human rights organizations, the law enforcement agencies are delaying the investigation after helping conceal and destruct evidence at the initial stage. A separate criminal proceeding was initiated into the destruction of evidence under Part 1 of Article 366 (abuse of official powers by a law enforcement officer).

The investigation was conducted first in the Dergachevsky district of the Kharkiv region, then the case was transferred to Kharkiv, and later – to Poltava.

On May 16, the prosecutor's office of the Poltava region handed indictments to two suspects – Alexei Litvinov and Andrey Litvinov, under Paragraph 9, Part 2, Article 155 (premeditated murder) and Part 2, Article 294 of the Criminal Code of Ukraine (organization of mass disorders). The case was transferred to the Kharkiv district court.

Concerning the third suspect, Yevgeny Krivoruchko, who was accused of abusing his official powers and organizing mass riots, the case was separated and suspended due to the suspect's illness. The decision of the prosecutor to close the proceedings against Krivoruchko was challenged in court.

On September 21, members of the Roma community held a rally in front of the Prosecutor's Office of the Poltava region, demanding that those responsible be brought to justice.

7. Activities of civil society

● **On February 13**, a press conference took place in Kharkiv on *Counteraction to Antisemitism and Xenophobia: Recommendations*. Leader of the Ethnic Minorities' Rights Monitoring Group Vyacheslav Likhachev, director of the *Public Alternative* Foundation Maria Yasenovska and representative of the Congress of Ethnic Communities of Ukraine Ludmila Bondarenko reported on findings of the research into effective mechanisms of counteracting intolerance of the Roma and the Jews. The research proved that the Roma are currently the least protected social group and suffer attacks and discrimination more often than others do.

The project was implemented by the Congress of Ethnic Communities of Ukraine jointly with the *Public Alternative* (Kharkiv) and the Regional *Resonance* Charity Foundation (Lviv) in the course of 2017 with financial support of the EVZ Foundation – “*Memory, Responsibility, Future*” (Germany) simultaneously in five countries – Ukraine, the Czech Republic, Poland, Hungary and Lithuania.

On February 26, the findings of the project were presented in Lviv. Due to the threats that participants in the event received the day before, the premises were guarded by the police. Representatives of the Romophobic *LOVTSI* group came to attend the press conference but they were not allowed into the building.

On February 28, Vyacheslav Likhachev and executive vice president of the Congress of Ethnic Communities of Ukraine Joseph Zissels presented the findings of the research in Kyiv²⁵⁰.

The report on the findings of the research was published in two parts and is available at the website of the Congress of Ethnic Communities²⁵¹.

● **On March 15**, the Ukrainian Center for Holocaust Studies presented a publication *Roma: Myths and Facts. A Guide for Teachers to Counter Romophobia*. The manual is available online at the *Legal Space* website²⁵².

● **On April 27**, Center for Civil Liberties, the *Without Borders* project and the Ethnic Minorities' Rights Monitoring Group held an *Anti-Pogrom Subbotnik: Clean Up Garbage in Your Heads* in front of the Main Directorate of the National Police in the Kyiv region²⁵³. The goal of the action was to draw attention to the problem of xenophobia against the Roma, and the main requirement was to objectively and promptly investigate the pogrom of the Roma temporary settlement at Lysa Hora in the Goloseevsky district of Kyiv on April 21. The action was motivated by the fact that on April 24, head of the Kyiv police Andrei Krischenko, called the incident a “subbotnik” [*community clean-up – translator*] when “garbage was burned” and said that the police were not investigating into what had happened²⁵⁴.

About 50 people took part in the action. When it was over, representatives of the organizations that initiated the event – Alexandra Romantsova, Maxim Butkevich and Vyacheslav Likhachev – met with Deputy Head of the Main Directorate of the National Police in Kyiv, Head of the Investigation Department, Colonel Alexander Pivovarov²⁵⁵. He told them about the progress of the investigation into the criminal proceedings initiated into the attack on the Roma settlement²⁵⁶.

²⁵⁰ <http://uacrisis.org/ua/64804-attitude-to-ethnic-minorities-annual-report>

²⁵¹ P.1: http://www.kngu-recommendations.org/data/pdf/evz_report_2017_print_re.pdf; http://www.kngu-recommendations.org/data/pdf/evz_report_2017_part2_print.pdf

²⁵² The manual is available for download at: http://legalspace.org/ua/napryamki/posilennya-romskikh-gromad/item/download/1453_72943964dc8ed651711c6f31cd7aa9c2

²⁵³ <https://www.facebook.com/media/set/?set=a.2149252038424687.1073742233.304089532940956>

²⁵⁴ <https://112.ua/kiiev/kryshhenko-na-lysoy-gore-vo-vremya-subbotnika-sozhgli-musor-a-ne-lager-romov-443016.html>

²⁵⁵ <http://legalspace.org/ua/napryamki/posilennya-romskikh-gromad/item/10707-pidpal-romskoho-taboru-na-lysii-horipravozakhysna-aktsiia-ta-reaktsiia-media-foto-video>

²⁵⁶ <https://www.facebook.com/events/910769069095591/permalink/911404179032080/>

On the same day, a representative of the Ukrainian Helsinki Human Rights Union met with head of the National Police of Ukraine Sergey Knyazev and head of the Main Directorate of the National Police in Kyiv Andrei Krishchenko²⁵⁷.

Prior to that, condemnation of violence against the Roma and demand to investigate were also expressed by the Congress of Ethnic Communities of Ukraine²⁵⁸, Ukrainian Helsinki Human Rights Union²⁵⁹, Amnesty International²⁶⁰, Office of the Human Rights Commissioner, International Renaissance Foundation²⁶¹, and many other public organizations²⁶².

● **On May 17**, a meeting of representatives of a number of marginal Jewish groups was held in Kyiv. Among other things, it expressed “deep concern over the growth of antisemitic incidents” and called for the “law enforcement agencies, including the police, SSU and prosecutors, to be serious about the perpetrators of antisemitic crimes, vandalism of Holocaust-related sites, and hate crimes”²⁶³.

● **On May 18**, the *Khudsovet* Curatorial Association set up a *Survivor Syndrome* art event in Mikhailovskaya Square in Kyiv²⁶⁴ in support of the Roma victims of radical groups’ attacks. Ultra-nationalist organizations tried to disrupt the event, but due to the police and the adequate reactions of the participants, violence got avoided²⁶⁵.

● **On September 14–15**, an international scientific conference took place in Kyiv and Uman on the subject “Healing the Wounds of the Past: 1768 in the History of Ukraine (Christian Orthodox, Roman-Catholic, Uniate and Jewish Ethno-Denominational Communities under the Terms of the Bar Confederation, Koliyivschyna and Russian Occupation)” and a round table on the “History, Memory and a Search for Consensus in the Past and Present Ukraine”.

Among organizers of the conference were the Ukrainian Catholic University, the Uman *Pavlo Tychyna* State Pedagogical University, the *Kyiv-Mohyla Academy* national university, the Ukrainian province of the Holy Savior of the Basilian Order of St. Josaphat, the Kyiv Archdiocese of the Ukrainian Greek-Catholic Church, the Association of Jewish Organizations and Communities (Vaad) of Ukraine, and others.

The organizing committee also included representatives of scientific, religious and public organizations, in particular, Joseph Zissels, co-president of the Association of Jewish Organizations and Communities (Vaad) of Ukraine.

The purpose of the conference was to create a platform for wide public discourse on the complicated pages of the past in search of a consensus on the historical and cultural memory in Ukraine for reconciliation and inclusive inter-denominational inter-ethnic dialogue, beginning with the critical academic study of the tragic events in Right-Bank Ukraine in 1768.

Following the conference, an inter-denominational commemoration service for the victims of Koliyivschyna – Ukrainians, Poles, and Jews – took place in the yard of the former Basilian monastery in Uman.

Chief Rabbi of the Jewish communities of Progressive Judaism Alexander Dukhovny took part in the commemoration service²⁶⁶.

²⁵⁷ <https://helsinki.org.ua/articles/borys-zaharov-zustrivysya-z-ochilnykamy-natspolitsiji-z-pryvodu-pohromu-na-lysih-hori/>

²⁵⁸ <http://kngu.org/ru/zaava-sodo-situacii-z-napadami-na-predstavnikiv-romskoi-gromadi>

²⁵⁹ <https://helsinki.org.ua/appeals/uhspl-rishuche-zasudzhuje-diji-predstavnykiv-s14-v-holosijivskomu-rajoni-m-kyjeva/>

²⁶⁰ <http://amnesty.org.ua/nws/amnesty-international-vimagaye-rozsliduvati-pogrom-taboru-romiv-na-lisij-gori-u-kiyevi/>

²⁶¹ http://www.irf.ua/allevnts/news/roma_kyiv_26042018/

²⁶² See, for example, a collective statement: <http://ehrh.org/novini/zvernennia-napad.html>

²⁶³ <http://jewish.kiev.ua/news/10574/>

²⁶⁴ <https://prostory.net.ua/ua/novyny/346-syndrom-toho-khto-vyzhyv>; <https://commons.com.ua/uk/syndrom-vyzhivshego/>

²⁶⁵ <https://www.44.ua/news/2044810>;

<https://www.facebook.com/photo.php?fbid=10213492973693363&set=a.10202195958715049.1073741836.1071821425>

²⁶⁶ <http://jewseurasia.org/page6/news61523.html>

8. Assessments of international organizations and diplomatic representatives

● **On January 27**, just as in previous years, on the International Holocaust Remembrance Day, the Israeli Ministry for Diaspora Affairs published a report on worldwide antisemitism in 2017²⁶⁷

Its section on Ukraine claims that in 2017, compared to 2016, the number of incidents doubled. “2017 was the second consecutive year that Ukraine had the largest number of antisemitic incidents of any other country from the former Soviet Union. We should also note the use of antisemitic propaganda in the public discourse, vandalism against Jewish sites such as cemeteries, Holocaust commemoration sites and communal institutions”²⁶⁸.

The report was criticized by experts who insisted that it was inadequate in its assessment of Ukraine²⁶⁹.

● **On April 25**, American Congressman Ro Khanna published a letter on his website²⁷⁰ concerning antisemitism in Ukraine and Poland. 57 members of Congress signed the letter.

The letter expresses concern over “state-sponsored Holocaust distortion and denial” and “the honoring of Nazi collaborators”. After briefly mentioning that Poland had passed a law making it a criminal offense to state that Poland as a state or Poles as a nation participated in the Holocaust, the congressmen claim: “Ukraine’s 2015 memory laws went even further by glorifying Nazi collaborators and making it a criminal offense to deny their ‘heroism’”. Further text of the letter shows that its authors believe the Ukrainian Insurgent Army to be “Nazi collaborators”.

Insisting that Ukraine has “state-sponsored Holocaust revisionism”, the authors of the letter follow it with conviction that it “is accompanied by other forms of antisemitism”. Quoting a report of the Israeli Department of Diaspora Affairs, the congressmen insist that “the whitewashing of these Ukrainian “heroes” has coincided with the increasing incidence of antisemitism across Ukraine”.

The letter has caused a sharply negative response from the Vaad of Ukraine²⁷¹, as well as from a number of historians and public figures²⁷².

The statement of the Presidium of the Vaad of Ukraine said, “The letter contains a whole number of statements that do not correspond to reality as well as incorrect formulations of phrases”²⁷³.

● **On May 4**, the US Embassy in Ukraine tweeted its disappointment about hate and antisemitic manifestations in Lviv and Odessa²⁷⁴.

● **On May 14**, the United States Holocaust Memorial Museum published a statement expressing “deep concern regarding recent manifestations of intolerance and antisemitism in Ukraine including violence directed against the Romani communities in Kyiv and L’viv”²⁷⁵.

²⁶⁷ <http://antisemitism.mda.gov.il/media/1440/%D7%93%D7%95%D7%97-%D7%94%D7%90%D7%A0%D7%98%D7%99%D7%A9%D7%9E%D7%99%D7%95%D7%AA-2017-%D7%9E%D7%A9%D7%A8%D7%93-%D7%94%D7%AA%D7%A4%D7%95%D7%A6%D7%95%D7%AA-2.pdf>

²⁶⁸ <http://detaly.co.il/stalo-li-v-ukraine-bolshe-antisemitizma/>

²⁶⁹ <http://www.hadashot.kiev.ua/content/politolog-vyacheslav-lihachev-za-poslednie-gody-v-ukraine-nikto-ne-osuzhden-za-antisemitskie>

²⁷⁰ <https://khanna.house.gov/sites/khanna.house.gov/files/Combat%20Antisemitism%20Letter.pdf>

²⁷¹ <http://vaadua.org/news/zayavlenie-prezidiuma-vaada-ukrainy-v-svyazi-s-pismom-kongressmenov-ssha-o-situacii-s>

²⁷² <https://www.radiosvoboda.org/a/29194569.html>

²⁷³ <http://jewseurasia.org/page6/news60440.html>

²⁷⁴ <https://twitter.com/USEmbassyKyiv/status/992341122361036800>

²⁷⁵ <https://www.ushmm.org/information/press/press-releases/museum-expresses-deep-concern-about-anti-romani-violence-and-antisemitism-i>

● **On June 1**, the UN Office in Ukraine called on the Ukrainian government to take urgent measures to protect Roma communities, LGBT activists and other minorities that are being attacked and harassed. The statement was published on the website of the UN Office in Ukraine²⁷⁶.

The statement, in particular, says, "The UN in Ukraine calls on the Government of Ukraine to continue to monitor actions of certain radical elements that violate fundamental rights of minorities fixed in international human rights treaties ratified by Ukraine."

● **On June 14**, Amnesty International, Front Line Defenders, Human Rights Watch and Freedom House published a joint statement urging the Attorney General and the Minister of the Interior to investigate attacks by right-wing activists and ensure that human rights and civil liberties are respected in Ukraine²⁷⁷.

● **On June 20**, a *Report on the Human Rights Situation in Ukraine* was distributed by the UN Monitoring Mission in Ukraine on Human Rights in Ukraine, covering the period from February 1, to May 15, 2018²⁷⁸. The report of the Office of the UN High Commissioner for Human Rights expresses "deep concern" over the attacks on the Roma communities.

● **On November 6**, the European Court of Human Rights ruled in the *Burlyta and Others v. Ukraine* case.

Nineteen Roma victims complained to the ECHR about an anti-Roman attack in the village of Petrovka in the Odessa region in 2002. The plaintiffs stated that Ukraine was responsible for the invasion and looting of their homes, for local authorities were at worst accomplices in the attack and at best did nothing to prevent it.

Judges unanimously acknowledged that in this case, a violation of Article 8 (the right to respect for private and family life) and Article 14 (prohibition of discrimination) of the European Convention on Human Rights took place. In addition, the ECHR found Ukraine guilty of violating Article 3 (prohibition of torture). It referred to some applicants who were at home during the attack.

The court rejected arguments of the Ukrainian side, which tried to prove that the government did not play any role in the pogrom, but in fact acted to resolve the situation. The ECHR ruled that the police's decision not to defend this group of claimants, without a good reason, but instead advising them to leave their homes before the pogrom, was degrading.

The court also decided that the Ukrainian investigation into the attack was inadequate and characterized by a lack of thoroughness and independence. The ECHR satisfied the requirements of 17 out of 19 applicants. Victims will receive cumulative compensation totaling 5,000,000 UAH.

12 victims will receive compensations of 11,000 euros. Another five – of 9,000 euros. Victims should receive their compensation in hryvnia at the current exchange rate²⁷⁹.

On September 7, 2002, a citizen of Ukraine was killed in Petrovtsy. In response to the murder, a crowd of residents demanded the expulsion of all the Roma from the village. Local authorities agreed with this approach and asked to evict the "socially dangerous persons regardless of ethnic origin".

Village head advised the Roma to leave their houses before the pogrom started. Several people searched the Roma houses and broke their belongings. The police were present at the time of the attack, but they did not try to stop the robbery, apparently concentrating solely on avoiding casualties.

Parallels are obvious between this case and the pogrom in Loshchinovka in 2016. By analogy, it can be argued that in the latter case, Ukraine as a state is also responsible for violating the human rights convention and should it come to the ECHR, she will be forced to pay considerable compensations to the victims.

²⁷⁶ <http://www.un.org.ua/ua/informatsiinyi-tsentri/news/4374-ukraina-oon-zaklykaie-uriad-efektyvno-rozsliduvaty-vsi-napady-na-predstavnykiv-menshyn>

²⁷⁷ <https://www.hrw.org/news/2018/06/14/joint-letter-ukraines-minister-interior-affairs-and-prosecutor-general-concerning>

²⁷⁸ https://www.ohchr.org/Documents/Countries/UA/ReportUkraineFev-May2018_RU.pdf

²⁷⁹ https://humanrights.org.ua/material/ukrajina_maje_zaplatiti_postrazhdalim_vid_pogromu_romam_5 mln_grn_jespl

• **On December 13**, the ambassador of Israel to Ukraine published a letter stating he was “shocked” by the decision of Lviv Region to name 2019 the year of Bandera who “was directly involved in horrible antisemitic crimes”²⁸⁰.

²⁸⁰ <https://www.facebook.com/IsraelinUkraine/photos/a.149962261718224/1938361709544928/>

Conclusions: most important results of 2018 and actual tendencies

In the course of 2018, we observed rather diverse tendencies, both positive and negative, which are quite difficult to summarize.

On the one hand, **the situation with antisemitism significantly improved compared with 2017**. The number of acts of antisemitic vandalism was halved and there were no cases of antisemitic violence. The National Police and SSU succeeded in arresting suspects of a number of previously committed antisemitic crimes. However, law enforcement bodies usually fail to adequately qualify antisemitic vandalism for its motive. In addition, public antisemitic statements continue to go unpunished as before.

On the other hand, one of the most negative trends of the past year was **a sharp increase in xenophobic violence against the Roma**. Violence against representatives of this community, including large-scale violence resulting in casualties, took place in the past as well. In 2016, the Roma pogrom in Loshchinovka of Odessa region became infamous worldwide, and in 2017 the Olshany tragedy took place near Kharkiv. However, since the beginning of 2018, xenophobia towards Roma became a systematic and important activity of organized groups. In the second half of spring – beginning of summer, a wave of brutal attacks swept across the country, some of them resulting in casualties. Almost all of them, with the exception of the most brutal attack that occurred in Lviv, remained unpunished.

The situation with violence on the basis of homophobia (hatred on the basis of sexual orientation and gender identity) remains stable. In addition to physical attacks, one of the trends of the past year was numerous disruptions of the LGBT events, both public and private.

Having realized the danger of aggressive xenophobia, civil society showed solidarity and significant ability to consolidate efforts to combat this phenomenon.

Despite some intensification of efforts, public authorities and law enforcement agencies clearly failed in the task of ensuring human rights and guaranteeing civil liberties in the past year. In 2019, the state should make more effort to prevent xenophobic crimes, ensure effective investigations and punish those guilty.