

The following report aired on April 10, 2014. It was conducted by Monitor, an investigative journalism program on the German television network ARD. The original video and transcript (both in German) can be viewed at: <http://www.wdr.de/tv/monitor/sendungen/2014/0410/maidan.php5>. What follows is a translation.

## The Shootings in Kiev

### *Who was responsible for the bloodbath on the Maidan?*

*Report: Stephen Stuchlik, Olga Sviridenko, Philipp Jahn*

**Georg Restle:** "The crisis in the Ukraine is still far from over. The images from the East of the country this week have shown us that much. And the propaganda battle continues as well. One of the central questions is: who is responsible for the massacre in February that killed dozens of protesters and police officers, and that eventually led to the overthrow of President Yanukovich? Who were the deadly snipers on the Maidan in Kiev? Last week, the Western-backed transitional government determined that President Yanukovich and his commandos were solely responsible for the deaths. However, there are now serious doubts about this version of events, as this investigation by Philipp Jahn, Olga Sviridenko and Stephan Stuchlik shows."

What happened in Kiev on the 20<sup>th</sup> of February 2014? Passions boiled over, as the originally peaceful demonstrations turned into a civil war. Some of the protesters armed themselves and advanced towards the capitol building. Small bands of protesters tried to proceed along Institute Street. Bloody Thursday: one by one, protesters are shot, many from the rooftops of surrounding buildings. But who exactly were these snipers firing on the demonstrators?

Even now, many residents of Kiev are still asking themselves that question. They come every day by the hundreds to visit the site of the massacre.

When we arrive six weeks later, even the basic collection of evidence is apparently not finished. Sergei, a weapons expert, is one of the many independent investigators working closely with the public prosecutor's office in support of the investigation. He is still securing bullet casings, even as we watch. Afterwards, he alerts the state investigators, who claim to have already thoroughly examined the scene. Amazingly, while they [Sergei and others] are still working on the investigation, their superiors already declare in a press conference who the culprits are.

**Oleg Machnitzki, Prosecutor General of Ukraine (MONITOR translation):** "Today the prosecutor accuses 12 members of the Berkut special unit of murdering peaceful demonstrators. Former President Yanukovich directly commanded the Berkut special unit."

So the new government says that the outgoing Yanukovich government was responsible for the bloodbath.

But what actually happened on February 20th? We know that the protesters were advancing along Institute Street towards the capitol building. They came under fire from across the way, from the rooftops of the Cabinet of Ministers, the Central Bank and other government buildings. But right from the start there was evidence that they were hit from behind—from their own headquarters, the Hotel Ukraina.

And what evidence is there for this? First of all, there's this video, which shows a protestor with a metal shield obviously being hit from behind. The man in the video wearing yellow goes even further. He was one of the protesters who spent hours on Institute Street that day. His name is Mikola, and we meet with him at the scene. He says the opposition was shot at from behind, several times in fact.

**Mikola (MONITOR translation):** "Yes, on the 20<sup>th</sup> we were shot at from behind, from the Hotel Ukraina, from the 8th or 9th floor."

**Reporter (MONITOR translation):** "From the eighth or ninth floor?"

**Mikola (MONITOR translation):** "Yes, definitely, from near the very top."

**Reporter (MONITOR translation):** "From up there?"

**Mikola (MONITOR translation):** "Yes, people were standing there shooting, and we were also fired on from the other side."

**Reporter (MONITOR translation):** "And who was shooting from above?"

**Mikola (MONITOR translation):** "I don't know."

**Reporter (MONITOR translation):** "Do you have any idea?"

**Mikola (MONITOR translation):** "They were mercenaries, definitely professionals."

At that time, the Hotel Ukraina here was the headquarters of the demonstrators. Was this eyewitness mistaken? We tour the area at night with Sergei, the investigator. He shows us with a laser that not all of the bullet trajectories are traceable to the government buildings. Using the laser to illuminate the point of impact and the point of origin, some bullet-holes in the trees point in the opposite direction, to the Hotel Ukraina above, which was the headquarters of the opposition during the protests. But that doesn't jibe too well with the story from the prosecutor's office. After days of pleading with him, he finally agrees to meet with us. He works for the new government and is a member of the controversial Svoboda party, which was the nationalist right-wing of the opposition movement during the protests.

**Oleg Machnitzki, Attorney General, Ukraine (MONITOR translation):** "With all the evidence and reports that we have, we can already say who is principally responsible for the sniper attacks: former President Viktor Yanukovich, the former head of the administration, and the former Minister of the Interior, Saharchenko."

**Reporter (MONITOR translation):** "Do you also know that there were snipers at the Hotel Ukraina?"

**Oleg Machnitzki, Attorney General, Ukraine (MONITOR translation):** "We're investigating that."

As this video suggests, who ever it was that was shooting from the Hotel Ukraina also hit these Berkut policemen. It is unlikely that Yanukovich had his own people shot.

So were there snipers among the opposition? We do know that, alongside the many peaceful demonstrators, there was definitely a group of radicals with professional weapons, as these images show.

And, on the morning of February 20th, the hotel was firmly in the hands of the opposition. We've spoken with eyewitnesses from the Hotel Ukraina, journalists and opposition members. They all confirm that, on February 20th, the hotel was heavily guarded by the opposition. It is therefore hard to imagine a government sniper being able to sneak in.

So did radical members of the opposition shoot at their own in order to create chaos and pin the blame on Yanukovich? Russian TV stations have disseminated images showing just that. Our investigations confirmed that the videos really were made at the Hotel Ukraina. Still, it's impossible to say for sure exactly who was shooting at whom.

One thing is clear though: policemen as well as demonstrators were shot at. By the same people, perhaps? We meet with one of the few doctors who treated the wounded from both sides.

**Oleksandr Lisovoi, Hospital No. 6, Kiev (MONITOR translation):** "The patients we treated had the same type of gunshot wounds—I'm referring to the type of bullets we removed from their bodies. They were identical. More than that, I can't say."

**Reporter (MONITOR translation):** "But you..."

**Oleksandr Lisovoi, Hospital No. 6, Kiev (MONITOR translation):** "...removed them from both the police and the opposition."

Why doesn't the prosecutor investigate these questions? Back in February, the German Foreign Minister and the European Union jointly declared that the determination of guilt in Ukraine is an important political issue, which should be handled in an "unbiased" manner in order to strengthen confidence in the new Ukrainian government. But now there are increasing doubts as to whether the incident is really being properly investigated—even by the government's own employees. We spoke with a high-ranking member of the fact-finding commission. What he tells us is incredible.

**Quote:** "The results of my investigation do not accord with the statements of the prosecutor's office."

So has evidence been withheld or even suppressed? The lawyers representing the relatives of the deceased, all of whom happen to be supporters of the new government, complain that they are not being kept informed at all as to activities of the prosecution.

**Roman Titikalo, civil action attorney (MONITOR translation):** "No one has told about the type of weapons used. We have no access to reports. We've received no plan of action. The other discovery documents we're missing too. The public prosecutor's office has shown us no paperwork at all."

**Reporter (MONITOR translation):** "Do you have the ballistics reports?"

**Roman Titikalo, civil action attorney (MONITOR translation):** "No."

**Reporter (MONITOR translation):** "Forensics reports?"

**Roman Titikalo, civil action attorney (MONITOR translation):** "I was only allowed to take a look at the autopsy report, but not copy it. I haven't received any ballistics reports."

A lawyer for the injured parties goes even further:

**Oleksandr Bashuk, lawyer for the injured (MONITOR translation):** "We have no access to any investigation reports, and if you ask me, there's a simple reason why this isn't being properly investigated. I'm telling you, as a lawyer for the injured parties, that the prosecutor is not handling this case right. They're protecting their people. They're biased, just like always. They want to keep it all under wraps, just like they did in the Soviet Union or under Yanukovich. That's how it is."

Bloody Thursday: Over 30 people murdered in Kiev; a bloodbath in the center of a large European city. Our investigation shows that in Kiev blame is already being assigned, even though there are numerous pieces of evidence that point towards the opposition—clues which are being ignored. And there may be other parties which were involved in the shootings. The General Prosecutor's Office in Kiev is sure of its theories; we are not.

**Georg Restle:** "If the prosecutor, a member of the nationalist Svoboda Party, is trying to hinder the investigation of these unanswered questions, that puts the new interim government in a negative light--and along with them, all those Western governments that support the new rulers in Kiev."