

Key findings of Parliament's Investigative Commission into attacks against activists

08.03.2019

On February 28, the Verkhovna Rada considered and voted to confirm an intermediate report by the Temporary Investigative Commission. The mandate of the Commission was extended for three more months.

The Commission is tasked with parliamentary investigations into attacks against civil society activists. The MPs also assessed how the ongoing criminal investigations are progressing.

We would like to inform you about their findings with regards to the cases from the so-called '[List of Handziuk](#)':

Murders.

The pre-trial investigation in the criminal proceeding No. 12018230040002816 as of July 31, 2018, regarding the murder of [Handziuk Kateryna](#) should be further monitored. According to the information of the Security Service of Ukraine (SBU), illegal logging is one of investigative versions of the murder of Handziuk.

The pre-trial investigation in the criminal proceeding No. 12018080130002461 as of July 31, 2018, regarding the fact of intentional murder of [Oleshko Vitaliy](#) should be further monitored. Five persons were handed the notices of suspicion. The preventive measures in the form of detention without the right to go out on bail were chosen for all five persons. These measures continue to operate. On November 28, 2018, the pre-trial investigation in the criminal proceeding was transferred to the National Police of Ukraine, and the procedural guidance is being conducted by the PGO.

Attacks in Odesa.

As of today, persons who ordered the attack on Odesa activist [Ustymenko Vitaliy](#) are not found. The pre-trial investigation in the criminal proceeding No. 12018160000000443 as of June 05, 2018 is currently ongoing. The final procedural decision is not adopted.

Neither those who ordered the attack on another Odesa activist and local politician [Mykhayilyk Oleg](#) are identified. The pre-trial investigation in the criminal proceeding No. 12018160000000682 is ongoing.

Moreover, the Commission found that the series of attacks were conducted on Odesa activist [Sternenko Sergiy](#). The respective criminal proceedings were opened, namely No. 1201816150000335 as of February 08, 2018; No. 12018161500000992 as of May 2, 2018; No. 12018160000000421 as of May 25, 2018. Instigators and organizers of the attacks on Sternenko S. are not found, the suspicion is announced only to one of the performers of the crime. The pre-trial investigation had already been conducted by three law

enforcement agencies. However, it did not yield any results. The indictment was not sent to the court.

Attacks in Kharkiv.

The Commission points out the repeated closure by the investigative bodies of the criminal proceeding No. 12017220510002330 as of September 18, 2017, against the will of the victim, Kharkiv activist [Lisichkin Yevhen](#).

Transfer of the criminal proceeding No. 12016220530001690 for trial is delayed (the victim is another Kharkiv activist [Bulakh Dmytro](#)).

Also, the Commission sent respective requests for the clarification of validity of closure of the pre-trial investigation of the criminal proceeding No. 12018220440000906 as of June 06, 2018 (regarding an alleged suicide committed by [Bychko Mykola](#) from Eskhar, Kharkiv region)

Violation of investigation terms.

The Commission considers terms of the pre-trial investigation in some criminal proceedings on facts of attacks on public activists violated. Namely:

- 12018161500000992 as of May 02, 2018 regarding Sternenko;
- 12018160000000443 as of June 5, 2018 regarding Ustymenko;
- 12018080130002461 dated July 31, 2018 regarding the victim Oleshko

According to the received information, the term of the pre-trial investigation, classified in part 1 article 219 of the Criminal Procedure Code of Ukraine, in the above-mentioned criminal proceedings had expired.

Initiation of official investigations into inactivity of law enforcement agencies during the investigations.

The Commission has information on the initiation of official investigations due to the inactivity of law enforcement agencies during the pre-trial investigation in criminal proceedings:

- 12017120270000498 as of March 14, 2017 regarding the victim [Berchuk Mykhailo](#), eco-activists from Kirovograd region;
- 12017170040005217 as of November 22, 2017 regarding the victim [Golnyk Larysa](#), judge-whistleblower in Poltava;
- 12018170090001392 as of April 29, 2018 regarding the victim [Filipas Oleg](#) in Kremenchuk

The Commission agreed that the pre-trial investigation on some criminal proceedings has not yielded results at present time (so far). This is evidenced by violations of terms of the pre-trial investigation, the list of investigations conducted during this time, as well as the absence of indictments. For instance, these are above mentioned proceedings No. 12017120270000498 as of March 14, 2017 regarding victim Berchuk Mykhailo and No. 12018220440000906 as of June 06, 2018 regarding victim Bychko Mykola.

[Full text of the Commission's report \(in Ukrainian\)](#)