



Ones get “carrots,” others – “sticks”: freedom of peaceful assembly, protests and repressions in 2014

On February 17, 2015, at a press conference in the UNIAN information agency at 11:30 the Center for Social and Labor Research, in partnership with the Center for Society Research and the Respublika Institute and as a part of the All Ukrainian initiative “For a Peaceful Protest,” held a press-conference on the topic: “The freedom of peaceful assembly, protests and repressions in 2014: “carrots” and “sticks” from government.” The project is supported by the International Renaissance Foundation and the National Endowment for Democracy.

Participants of the press-conference: **Volodymyr Chemerys**, human rights defender, the Head of the Respublika Institute, **Volodymyr Ishchenko**, deputy director of the Center for Social and Labor Research.

On December 1, 2013, an uprising started in Ukraine. The uprising had social causes, but the immediate reason for it was the **violation of freedom assembly** – an unconstitutional crackdown by the riot police on protest on the Independence Square in Kyiv. **Millions of people mobilized for the protection of the right to freedom assembly.** The Center for Social and Labor Research and Respublika Institute as a part of All Ukrainian initiative “For a Peaceful Protest” studied what had happened with the protests, repressions and observance of the right to peaceful assembly in Ukraine after Maidan.

Monitoring of the observance of the right to freedom of assembly through the prism of courts and local authorities

The Respublika Institute systematically monitors the observance of the right to freedom of assembly in Ukraine. In particular, in 2014, we have the following situation concerning the prohibition of the protests. In 2014, the administrative courts examined **113 cases** requesting restrictions on the right to peaceful assembly, **including full or partial satisfaction of the request, in which 90 (79.65%) were fulfilled.**

According to the data of State court organization, the administrative courts examined **253 cases requesting restrictions on the right to peaceful assembly, including full or partial satisfaction of the request, in which 207 (81.82%) were fulfilled.**

That is, despite the events in the country, the uprising on Maidan and the change of government, **in general, the percentage of the lawsuits of restrictions on the right to peaceful assembly has not changed significantly for the better – the prohibitions decreased only by 2.17%.**

In 2014, there was also a decrease of the number of lawsuits by local authorities about restrictions on freedom of assembly (113 against 253 in 2013). This is primarily explained by the fact that the Crimea, Sevastopol, parts of Donetsk and Luhansk oblasts left Ukraine's legal framework and the data on these regions were accounted for only at the beginning of 2014.

Kharkiv oblast is the leader of restrictions on freedom of assembly and freedom of assembly injunctions in 2014, as it was in 2013: 25 (22.5% of total) lawsuits, all of which were sustained. Compared to 2013, the number of lawsuits for restrictions and prohibitions of meetings and demonstrations in **Odesa oblast** sharply increased: of 23 (20.7% of total) lawsuits, 21 (91.3%) were sustained.

Meanwhile in many regions (Kyiv city, Kyiv oblast, Vinnytsia, Volyn, Zhytomyr, Zakarpattia, Ivano-Frankivsk, Kirovograd, Rivne, Ternopil, Khmelnytsk, Cherkasy, Chernivtsi, Chernihiv oblasts) **since March 2014 (after the government change), local authorities have not sued against the restriction of the freedom of assembly. In Lviv, Dnipropetrovsk and Sumy oblasts such lawsuits have been rejected by courts.**

Repressions against protests on the territory of Ukraine that is controlled by Ukrainian government

According to the **Center for Social and Labor Research’s systematic monitoring of protests, repressions and concessions** in Ukraine on the territories that are controlled by the Ukrainian government, **the number of**

negative reactions to the protests (repressions) in August-December 2014 was extremely high. In the last five months of 2014, at least 1,072 negative reactions against 3,191 protest events have been reported. This means that there were 34 repressive reactions per 100 protests. Simplify put, **every third protest faced some kind of repression.** This number is much higher than it was in 2013 before the beginning of Maidan (before November 20, 2013 inclusively) - 18 repressions per 100 protests, and even higher than it was during Maidan (from November 21, 2013 until February 23, 2014) - 27 repressions per 100 protests. *This and all subsequent calculations exclude the combat actions in the Donbass, as well as all events in the regions that are controlled by separatists, the Autonomous Republic of Crimea and Sevastopol in August-December 2014.*

Importantly, the high level of repression is caused by a very high level of violence during the protests. Last year from August to December, 560 protest events (18%) were violent; that is, they directly damaged people or property. This level of violence is higher than it was both during Maidan (13%) and in 2013 before the beginning of Maidan (8%).

The majority of repressive reactions in August-December related to the protests against the government and for the federalization/separation from Ukraine. 71% of repressions took place in the South-Eastern oblasts of Ukraine. In areas of Donetsk and Luhansk oblasts that are controlled by Ukrainian government, for every 100 protests there were 261 repressive reactions, and in other Eastern regions (Kharkiv, Dnepropetrovsk, Zaporizhia oblasts) - 47. At the same time, a **relatively larger ratio of protest violence also took place in the South-Eastern regions** (47% of protests in the Donbass were violent, in other Eastern regions - 29%, in Southern regions - 23%). Protests against the government and for federalization/separation were also among the most violent. **However, a significant part of protests against the government (46%) or for federalization/separation (37%) were non-violent, while electoral and anti-Communist protest actions were very violent as well but experienced much less repressive reactions from the state.**

Most of repressive reactions against protests in August-December were carried out by the Ministry of Interior (417 repressions, excluding 'volunteer battalions' subordinated to the Ministry) and by the Security Service of Ukraine (386). The role of other law enforcement agencies in the repressions against protests is much smaller. Also, compared to 2013 and the period of Maidan, the role of groups of 'unknowns' and the courts in repressions against protests has significantly decreased.

Arrests, detention and criminal cases have been the most frequent forms of repressions against protests in recent months. These actions constituted 71% of all repressive reactions against protesters and were used much more frequently than during the reign of Yanukovich. At the same time, the authorities and law-enforcement bodies rarely entered into a physical confrontation with protesters and instead used some form of indirect pressure on activists or prohibited or prevented protest actions.

The data for August-December of the last year confirm the previous conclusion of the Center for Social and Labor Research: **the current strategy of repressions is rather preventive and aims more at neutralizing dangerous protesters than at a crackdown on protests in general. However, in many cases, police do not stop violence against protesters by their opponents, including non-state armed groups.**

Despite the fact that a large share of protests in August-November 2014 raised ideological and political issues (related primarily to patriotic mobilization and parliamentary elections), the number of socioeconomic protests gradually grew, and in December, they were the most frequent among all protest events (43%). **High readiness of the state to resort to repressions against protests, though in some ways due to objective factors, as well as the selective nature of repressions can be very dangerous due to expected deterioration of the socioeconomic situation in 2015, which will require systemic change rather than repressions of aggrieved citizens and patriotic pathos.**

The graphs and data tables on protests and repressions in August-December 2014, as well as the methodology and events typology, can be found in the report "Repressions against protests: August-December 2014": <http://cslr.org.ua/category/protesti/zviti/>.

The activities of All Ukrainian initiative "For a Peaceful Protest!" are available at: www.zmina.org.ua

REFERENCE:

Protests, repressions and concessions monitoring has been conducted since October 2009. It is a unique project for the **systematic collection of information about all (regardless of the issue or size) protests as well**



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as negative and positive reactions to the protests taking place in real time all over Ukraine based on the monitoring of more than 190 national, oblast and activist web-media.

The goal of the present project, conducted by the Center for Social and Labor Research in a partnership with the Centre for Society Research and supported by the International Renaissance Foundation and National Endowment for Democracy, is the objective study of protest activity and social movements in Ukraine and providing this information to the general public aiming to defend the right of peaceful assembly and to draw attention to grassroots socioeconomic protest initiatives.

Center for Social and Labor Research was founded in 2013 as an independent non-profit center for analysis of socioeconomic problems, collective protests, labor relations and conflicts.

Human Rights Organization “Respublika Institute” was founded in 1997 and re-registered to All Ukrainian organization in 2012. The main goal of the Institute is engagement of citizens in the process of democratic changes in Ukraine.

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