

## The “Snipers’ Massacre” on the Maidan in Ukraine<sup>1</sup>

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*“Il est défendu de tuer; tout meurtrier est puni, à moins qu’il n’ait tué en grande compagnie, et au son des trompettes; c’est la règle.” [It is forbidden to kill; therefore all murderers are punished unless they kill in large numbers and to the sound of trumpets; it is the rule].<sup>1</sup>*  
(Voltaire).

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## Abstract

The massacre of almost 50 Maidan protesters on February 20, 2014 was a turning point in Ukrainian politics and a tipping point in the conflict between the West and Russia over Ukraine. This mass killing of the protesters and the mass shooting of the police that preceded it led to the overthrow of the pro-Russian government of Viktor Yanukovich and gave a start to a civil war in Donbas in Eastern Ukraine, Russian military intervention in Crimea and Donbas, and an international conflict between the West and Russia over Ukraine. A conclusion promoted by the post-Yanukovich governments and the media in Ukraine that the massacre was perpetrated by government snipers and special police units on a Yanukovich order has been nearly universally accepted by the Western governments, the media, and many scholars. The Ukrainian government investigation identified members of the special company of Berkut as responsible for killings of the absolute majority of the protesters, but did not release any evidence in support, with the exception of videos of the massacre.

The question is which side organized the “snipers’ massacre.” This paper is the first academic study of this crucial case of the mass killing. It uses a theory of rational choice and a Weberian theory of instrumental rationality to examine actions of major actors both from the Yanukovich government, specifically various police and security forces, and the Maidan opposition, specifically its far right and oligarchic elements, during the massacre.

The paper analyzes a large amount of evidence from different publicly available sources concerning this massacre and killings of specific protesters. Qualitative content analysis includes the following data: about 1,500 (150 Gigabytes) of videos and recordings of live internet and TV broadcasts by mass media and social media in different countries, news reports and social media posts by more than 100 journalists covering the massacre from Kyiv, some 5,000 photos, and nearly 30 gigabytes of publicly available radio intercepts of snipers and commanders from the special Alfa unit of the Security Service of Ukraine and Internal Troops, and Maidan massacre trial recordings. This study also employs field research on site of the massacre, eyewitness reports by both Maidan protesters and government special units commanders, statements by both former and current government officials, estimates of approximate ballistic trajectories, bullets and weapons used, and types of wounds among both protesters and the police. This study establishes a precise timeline for various events of the massacre, the locations of both the shooters and the government snipers, and the specific timeline and locations of nearly 50 protesters’ deaths. It also briefly analyzes other major cases of violence during and after the “Euromaidan.”

This academic investigation concludes that the massacre was a false flag operation, which was rationally planned and carried out with a goal of the overthrow of the government and seizure of power. It found various evidence of the involvement of an alliance of the far right organizations, specifically the Right Sector and Svoboda, and oligarchic parties, such as Fatherland. Concealed shooters and spotters were located in at least 20 Maidan-controlled buildings or areas. The various evidence that the protesters were killed from these locations include some 70 testimonies, primarily by Maidan protesters, several videos of “snipers” targeting protesters from these buildings, comparisons of positions of the specific protesters at the time of their killing and their entry wounds, and bullet impact signs. The study uncovered various videos and photos of armed Maidan “snipers” and spotters in many of these buildings. The paper presents implications of these findings for understanding the nature of the change of the government in Ukraine, the civil war in Donbas, Russian military intervention in Crimea and Donbas, and an international conflict between the West and Russia over Ukraine.

## The “Snipers” Massacre Question

The massacre of several dozen Maidan protesters on February 20, 2014 represented a turning point in Ukrainian politics and a tipping point in the escalating conflict between the West and Russia over Ukraine. In particular, the mass killing of the protesters and mass shooting of the police that preceded it led to the violent overthrow of the semi-democratic government of Viktor Yanukovich, who was backed by the Russian government, by a Maidan alliance of oligarchic and far right parties, supported by the Western governments. This massacre also gave a start to a large-scale violent conflict that escalated into a civil war in Donbas and to and Russian military intervention in Crimea and Donbas. The conclusion promoted by the post-Yanukovich governments and the Ukrainian media that the massacre was carried out by government snipers on a Yanukovich order has been nearly universally shared, at least publicly, by the US and other Western governments, as well as the media in Ukraine and the West before any investigation conducted and all evidence considered.<sup>2</sup> For instance, Ukrainian President Petro Poroshenko, in his speech to the US Congress on September 18, 2014, stated that the Yanukovich government’s overthrow resulted from mass peaceful protests against police violence, in particular the killings of more than 100 protesters by snipers on February 20, 2014.<sup>3</sup>

The research question is which side was involved in the “snipers’ massacre.” Related questions include which side broke the truce agreement and killed and wounded protesters and police, and whether this was this was a spontaneous or organized massacre. This paper is the first academic study of this crucial case of the mass killing that led to the escalation of the violent conflict in Ukraine, an overthrow of the government and ultimately a civil war in Donbas, Russian military intervention in Donbas and Crimea, and the annexation of Crimea.<sup>4</sup>

The next section of this paper reviews different narratives concerning the Maidan massacre by the governments and the media in Ukraine, the West, and Russia, results of the official investigation and a trial, and representations of this mass killing in previous academic studies. The second section presents a theoretical framework used in this study and evidence and research methods that it employs. The next two sections analyze, respectively, the mass shootings of the police and Maidan protesters. A brief analysis of other major cases of violence during and after the “Euromaidan” is followed by conclusion, summarizing main findings of this paper and their implications.

### **Narratives, Investigations, and Previous Studies of the Maidan Massacre**

The governments and mainstream media in the West generally accepted the Maidan narrative of the “snipers’ massacre” as being perpetrated by the government forces on Yanukovich’s order, with a possible Russian government involvement, but did not provide evidence of such involvement. These conclusions were mainly based on the manifest content of videos and media reports on the Berkut special company firing live ammunition at unarmed protesters and the absence of similar evidence for armed groups of protesters. The dominant representation of the massacre by governments and the media in the West and Ukraine is a part of the narrative presenting “Euromaidan” as a democratic, peaceful mass-protest movement and a revolution led by pro-Western parties. The role of far-right parties and organizations, such as Svoboda and the Right Sector, is regarded as marginal. The same concerns violence by the Maidan side. Such violence and the presence of arms were represented as marginal, or as in the case of the December 1, 2013, attack of the presidential administration, which was often attributed to provocateurs. In a leaked intercepted telephone call with the EU foreign affairs chief, the Estonian minister of foreign affairs referred to one of the Maidan doctors, in particular

Olha Bohomolets, pointing to similarity of the wounds among the protesters and policemen, which served as an indication that the massacre was organized by some elements of the Maidan opposition.<sup>5</sup> However, EU states and the US government showed little interest in an international investigation of this mass killing and did not release their intelligence assessments and other information that they reportedly have concerning this case.

In contrast, the Russian government and media, as well as ex-president Yanukovich and his top officials, who fled to Russia following the massacre, generally presented the mass killing of the police and protesters as a part of fascist coup organized by radical elements of the Maidan opposition and the US government, with help from the Central Intelligence Agency. However, they have not offered any evidence in support of such claims. But the Russian security services likely intercepted a telephone call between the EU foreign affairs chief and the Estonian foreign affairs minister who discussed evidence that this massacre was staged by some elements of the Maidan opposition.

Previous academic studies only briefly examined the Maidan massacre. A book-length study of “Euromaidan” offered a generally standard narrative of the massacre and attributes the killings to the government police and security forces, but it also cites a leader of Spilna sprava, a Maidan organization, as saying that one of the snipers was killed at the Hotel Ukraina (Wilson, 2104, 88-90). Many scholars, like the governments and mass media in Ukraine and the West, dismissed as “conspiracy theories” that do not require specific research various accounts of the Maidan massacre as a false flag operation (see, for example, Yekelchuk, 2015, 108-113). In contrast, some scholars suggested that a theory of the massacre as a false flag operation carried out by elements of the Maidan opposition cannot be dismissed and needs to be researched (see, for instance, Sakwa, 2015, 90-92). Some scholars concluded that the far right, specifically, the Right Sector, was involved in the Maidan massacre or that the Maidan opposition was involved in this massacre (Katchanovski, 2015, 2016; Hahn, 2015; Wade, 2015, 365).

The “Euromaidan” and the change of the government were generally represented in academic studies as a popular movement, which turned into a revolution, and which was motivated political protest against the authoritarian government, specially its reliance on violence, and by support of integration of Ukraine into the European Union. Many scholars also attributed violent attacks of the presidential administration and the parliament as response to the government violence and political repressions or as provocations by the Yanukovich government or Russia. They regarded the role of the far right organizations during the Maidan as insignificant or marginal. (See, for example, Marples and Mills, 2015; Popova, 2014; Wilson, 2014). Killings of Armenian, Georgian, Jewish, and Polish protesters and the presence of the Right Sector during funeral of Oleksander Shcherbaniuk, a Jewish protester, were mentioned in about dozen stories in major US, Israeli, and Scandinavian media as an evidence of the diversity of the protesters, their massacre by the government snipers, and tolerant or moderate nature of Right Sector, an alliance of radical nationalist and neo-Nazi organizations.<sup>6</sup>

The Maidan-led government used the Maidan massacre as a source of its legitimacy and widely commemorated this mass killing and its victims among the protesters. The killed protesters were posthumously awarded Hero of Ukraine titles by President Petro Poroshenko, and the government established February 20 as a day in their honor. A large group of investigators was specifically tasked with solving this massacre case, and their investigation involved the interrogations of more than 2,000 people and more than 1,000 ballistic, medical and other expert reports. Therefore, it appeared irrational that the official government investigation—

for a year and a half since the massacre—failed to reveal much of basic evidence and to bring any convictions in such a crucial case.

The investigation of the “snipers’ massacre” by the Prosecutor General Office in Ukraine and by other government agencies, such as the Ministry of Internal Affairs and the Security Service of Ukraine, concluded that commanders and members of a special Berkut company killed 39 out of the 49 protesters who died on February 20. The investigators announced that this was done by this police unit primarily with AKM assault rifles and with hunting ammunition used in their pump rifles, even though it would have been irrational to use such ammunition because it was unfamiliar and less powerful and precise than their standard Kalashnikov rifles of 7.62mm caliber. The head of the special parliamentary commission reported that out of 76 protesters killed on February 18-20, at least 25 were killed with 7.62mm caliber bullets and at least 17 protesters were killed with pellets, while one was shot dead by a 9mm bullet from a Makarov handgun.<sup>7</sup> However, the Prosecutor General Office found that 67 out of 77 protesters were killed with firearms and 181 wounded with firearms during the entire “Euromaidan,” including 49 shot dead on February 20, 2014. It reported that one out of 39 protesters that the prosecution charged the special Berkut police unit with killing on February 20 was shot with pellets, while 7.62mm bullets of AKM caliber were extracted from bodies of 16 protesters. The prosecution also reported that there were protesters killed with hunting bullets, but not specified their number. It has not been revealed publicly which ammunition killed which protesters, with some exceptions during the trial of two Berkut policemen.<sup>8</sup>

While many Maidan politicians and the Ukrainian media initially claimed that government snipers from the Alfa unit of the Security Service of Ukraine (SBU) massacred many protesters, the Maidan government investigation produced no evidence that they had shot protesters. In the beginning of April 2013, the Prosecutor General Office issued a statement that a Simonov “sniper rifle” was used in the Hotel Ukraina to shoot protesters, even though the Simonov rifle is not a sniper rifle but a semi-automatic carbine that uses the same caliber bullets as the AKM; the Simonov was generally removed from military and police service in Ukraine and was available as a hunting rifle. However, during the first press conference presenting the investigation’s results in April 2014 the Prosecutor General, from the far-right Svoboda party, did not mention that the Simonov carbine was used and that any “snipers” were in this hotel. The same was done in November 2014 at the subsequent press conference by the Prosecutor General Office when it was headed by a Fatherland member.<sup>9</sup> A new head of the investigation, reported the same findings concerning the Berkut involvement but admitted that there might have been unknown non-governmental snipers who shot some protesters from the Hotel Ukraina.<sup>10</sup>

The Berkut special company’s commander and two members of his unit were arrested in 2014 and the deputy commander of the Berkut regiment in 2015, and they were charged with killing 39 protesters. It appeared irrational that the purported killers would remain in Kyiv and not hide from the prosecution. It was similarly puzzling that the Berkut special company commander was then released and he disappeared. A trial of two policemen from a Berkut special company began in January 2015. The trial proceedings and statements by lawyers of the two arrested Berkut members revealed that the 71-volume investigative file did not identify specific protesters killed by specific Berkut members. The evidence against the policemen relied on their presence in the area of the massacre based on mobile phones records and on videos of masked Berkut members shooting during the massacre. The investigation established the place of the shooting for only half of these 39 protesters.<sup>11</sup>

The list of the 39 protesters whose killing the prosecution attributed to Berkut was only made public during the trial of the two Berkut members almost 1 year and a half after the massacre. Official results from the ballistic, weapons, and medical examinations and other evidence collected during the government's investigation of this massacre have not been made public until the trial proceedings started in July 2015.

The top Maidan government leaders claimed that Yanukovich and his top officials in the SBU and Ministry of Internal Affairs organized the massacre. However, no such evidence was provided. Interrogations of Yanukovich government officials who did not flee, as well as of police commanders and members, produced no confessions or witness testimonies about such an order or about the involvement of the Berkut and other such formations in the massacre of the protesters. The prosecution stated during the Maidan massacre trial that after an unspecified escalation of the conflict around 8am on February 20, the Berkut commander himself ordered the commander of the special Berkut company to disperse the protesters on the Maidan and block them from advancing to the parliament and presidential administration. It would have been irrational for the Berkut commander to issue such an order on his own and use only about two dozen members of a special company to disperse the Maidan. The prosecution stated that president Viktor Yanukovich and the Minister of Internal Affairs ordered to disperse the protesters on the Maidan by force close to midnight on February 18 after the deadly clashes during a "march" of the Maidan protesters, including Maidan Self-Defense units, to the parliament on February 18. The prosecution charged that following a Berkut commander order, the Berkut special company commander ordered to use AKMs and Fort 500 pump guns with lead pellets, but no specific evidence was presented concerning these orders.<sup>12</sup>

The prosecution claimed that around 9:00am on February 20, 2014 unidentified persons of unknown allegiance started to shoot at the police, and that they killed from an unknown weapon one member of the Berkut special company and wounded another. In response to this, the accused from the Berkut company and unidentified members of this company and other law enforcement units became hostile to protesters and started to shoot in the direction of the unarmed protesters with AKMS and Fort 500 with lead pellets in order to kill them.

The head of the Security Service of Ukraine alleged in February 2015 that Vladislav Surkov, an aide of Russian President Vladimir Putin, was personally coordinating foreign "snipers" on the Maidan but presented no supporting evidence. The claims about Surkov's involvement in the Maidan massacre were also made on the first anniversary of this mass killing by President Poroshenko and Oleksander Turchynov, the Head of the National Security and Defense Council, and they were disseminated by the media in Ukraine and the West. However, a member of the Poroshenko's faction in the parliament and the former *Ukrainska pravda* journalist revealed that Surkov arrived in Kyiv by plane only in the evening of February 20 after the massacre was over.<sup>13</sup> The Prosecutor General stated in his interview in April 2015 that he did not have any information about Surkov's involvement. The head of it unit in charge of the Maidan massacre investigative stated that the investigation did not have any evidence of such involvement and that the documents submitted by the SBU head in support of his claims were in fact unrelated to the massacre.<sup>14</sup>

Similarly, Andrii Parubii, who became after the overthrow of Yanukovich the head of the National Security and Defense Council and then the first deputy head of the Ukrainian parliament, claimed that Russian and Belarusian snipers massacred the protesters and that they were located on the roofs of the presidential administration, the National Bank, but he was not certain if they were in the Hotel Ukraine.<sup>15</sup> Oleksander Yakymenko, who headed SBU under

Yanukovych, alleged that shooters in addition to the Maidan protesters included hired shooters from Ukraine and snipers from foreign countries, such as the former Yugoslavia. A retired Georgian general claimed that Georgian snipers linked to Mikheil Saakashvili, ex-president of Georgia, and senior members of his party and the government were involved in the Maidan massacre.<sup>16</sup> Janusz Korwin-Mikke, a Polish presidential candidate alleged that Maidan snipers were trained in Poland.<sup>17</sup> However, none of these politicians provided any evidence in support of their claims. And no such reliable evidence has been provided by the governments and the media in Ukraine, Western countries, and Russia.

On November 19, 2014, the Prosecutor General Office claimed during its press-conference devoted to this issue that their extensive investigation produced no evidence of “snipers” at the Hotel Ukraina, Zhovtnevyi Palace and other locations controlled by the Maidan protesters. Crucial evidence, including catalogues of Berkut’s bullets and weapons and those of other police units, as well as some 200 investigative cases of specific victims of the massacre, either disappeared or were destroyed under the post-Yanukovych government.<sup>18</sup> The Ukrainian government failed to investigate the killing and wounding of policemen on February 20 and on two previous days.

The delayed trial of two Berkut members in the Maidan massacre case in July and August 2015 produced important revelations that unraveled the prosecution case but were not reported by the Ukrainian and Western media. For example, a brother of Andrii Saienko testified that this protester was killed not from a Berkut position but from a top floor of the Hotel Ukraina. The prosecutors and relatives of some of the victims stated during the trial that expert reports in the investigative file established that Saienko and at least 9 other protesters were killed from the same exact 7.62mm caliber weapon. Saienko’s brother and his lawyer said that they in October 2014 officially handed to investigators a video showing a crucial moment of the killing, which along with directions of his wounds pointed to shooters at the hotel, but the prosecution charged two Berkut members with the killings of Saienko and other these protesters.

Lawyers representing these two Berkut policemen stated in court on August 3d, 2015 that the prosecution case was falsified and that relatives of victims should ask Andrii Parubii and Petro Poroshenko about those who gave an order to massacre protesters, Parubii was the leader of neo-Nazi Patriot of Ukraine in the 1990s and the head of the Maidan Self-Defense during the “Euromaidan,” and he is presently the first deputy head of the Ukrainian parliament. Poroshenko, who is currently president of Ukraine, was one of “Euromaidan” leaders. As an example, a defense lawyer said that the prosecution case mentioned an eyewitness, who repeatedly stated that he saw a sniper shooting from the second floor of the Hotel Ukraina and killing Serhii Kemsy a few meters away from this protester. But the prosecution and its on-site reconstruction report ignored this testimony and a medical expert report in the case and stated that Kemsy was killed by Berkut without any justification or any other witnesses provided.<sup>19</sup>

A report of the International Advisory Panel, set up by the Council of Europe, presented in 2015 evidence that the investigation of the “snipers' massacre” on the Maidan has been stalled, in particular by the Ministry of Internal Affairs and the Prosecutor General office. The report revealed that contrary to the public statements, the official investigation had evidence of “shooters” killing at least three protesters from the Maidan-controlled Hotel Ukraina or the Music Conservatory and that at least other 10 protesters were killed by unidentified “snipers” from rooftops. The prosecution charges against the Berkut policemen for killing 39 protesters simply omitted the killings of the other 10 protesters, even though at least 8 of them they were shot dead at the same time and place. However, the Council of Europe commission, which did

not conduct its own investigation, repeated the official investigation conclusions that Berkut policemen were responsible for killings of the absolute majority of the protesters.<sup>20</sup> A Reuters investigation uncovered that the prosecution case against three Berkut members primarily relied on videos and photos and that some key pieces of such evidence were misrepresented or ignored.<sup>21</sup>

A report by Euromaidan SOS, other Maidan organizations, and lawyers of the killed protesters in June 2015 also concluded that the government investigation was ineffective and was stonewalled. This report named three protesters, whom the government investigation determined as being likely killed from the Hotel Ukraina or surrounding buildings.<sup>22</sup> The government investigators did not make public the names of these protesters, and stated that they were killed by unidentified shooters. They suggested that the investigation only considers government forces or the “third force” as these unidentified shooters and excludes any possibility that they were Maidan “snipers.” Similarly, the prosecution charges announced during the Massacre trial referred to all Maidan protesters as unarmed and peaceful, and to shooters of the police as unidentified persons of unknown affiliation.<sup>23</sup>

Monitor, a German TV program, presented in 2014 evidence of its investigation showing that shooters were based in the Hotel Ukraina and that the government investigation was manipulated.<sup>24</sup> Investigative reports by the BBC and Frankfurter Allgemeine Zeitung almost a year after the massacre confirmed the presence of armed protesters at the Music Conservatory and their shooting of the police at Maidan.<sup>25</sup> A New York Times investigation concluded that the police forces and Yanukovych himself fled because of their fear that protesters could use weapons that were seized during the attacks on the police and SBU headquarters in several regions of Western Ukraine.<sup>26</sup> However, they did not produce similar investigations into the killings of the protesters and assumed that the police massacred the protesters in reaction to the killing of the policemen. Similarly, the Daily Beast reports that presented videos and photos of the armed SBU Alfa unit are proof that the Alfa snipers killed the protesters, even though the photos and videos were made at the SBU headquarters after the massacre had already unfolded.<sup>27</sup> A book by a pro-Maidan Ukrainian journalist concluded that the Maidan massacre was organized by Yanukovych aides and carried out by the government units, but it mostly relied on results of government investigation and interviews with Maidan politicians (See Koshkina, 2015).

Interpol rejected the Ukrainian government’s requests to put ex-president Viktor Yanukovych, a number of his ministers, and the commander and members of the Berkut special company on its wanted list on murder-related charges for the Maidan massacre because these charges were deemed to be political.<sup>28</sup> While the Ukrainian Parliament asked the International Criminal Court (ICC) to investigate the massacre and other cases of violence during “Euromaidan” following the overthrow of Yanukovych, the Ukrainian Prosecutor General Office reportedly informed the court representatives in the fall of 2014 that Ukraine was not interested in assisting such an investigation. Based on its statutes—which are limited to genocide, war crimes, and crimes against humanity—and the previous cases pursued or not pursued by the ICC, it is unlikely that the ICC would pursue this case and prosecute those responsible for the “snipers’ massacre.”

An edited version of a BBC interview with Yanukovych was misrepresented by BBC and the Ukrainian media as an admission of his and his police forces responsibility for carrying out the Maidan massacre. However, the transcript of the full Yanukovych interview published on the BBC Russian website shows that he did not admit his and his police forces responsibility for



carrying the Maidan massacre and repeated his previous statements about a “coup” by "radicals" but regretted his failure to prevent the massacre.<sup>29</sup>

One of the main reasons that the Maidan massacre was attributed to snipers is because protesters with firearms experience distinguished “whip-like” rifle shots from Kalashnikov shots by their sound. But the Council of Europe report noted that the Ukrainian government investigation failed even with help of specialized equipment to distinguish rifle and AK shots heard in videos. The government investigation claimed that the problem was poor sound quality in videos of the massacre. The Prosecutor General of Ukraine from the far right Svoboda party stated in June 2014 that he gave videos of the Maidan massacre to the FBI to enhance their quality.<sup>30</sup> But that results of such an involvement of the FBI in the Maidan massacre investigation have not been made public.

But the version of Maidan shooters was not pursued by the official investigation, and top Maidan leaders were not interrogated concerning the Maidan massacre. For instance, this concerned Andrii Parubii.<sup>31</sup> The Maidan leaders, in particular Parubii, denied that the killed and wounded protesters received any orders to advance or that any Maidan formations were armed and shot at the police, with the exceptions of some who were openly carrying pellet guns and hunting rifles. Moreover, they denied or questioned that that any “snipers” were in the Hotel Ukraina, Music Conservatory, or the Trade Union headquarters, or that these buildings were controlled by Maidan during the massacre. Ukrainian Maidan politicians and the Ukrainian media have often inflated the number of victims of the Maidan massacre on February 20 and referred to the “heavenly hundred” of killed protesters, even after the official investigation confirmed that 49 protesters died on that day.

### **Theoretical Framework**

This study relies on the rational choice theoretical framework and the Weberian theory of rational action, and it employs interpretative and content analyses of a variety of sources. The rational choice theory views people as acting in a calculated and self-interested manner, and this theory was applied for various specific political events (See, for example, Bates, Greif, Levi, Rosenthal, and Weingas, 1998). However, rational choice assumes that people have perfect information to make such decisions and that all of their actions are rational. In contrast, the Weberian theory of social action regards instrumentally-rational type of action as one ideal type of action alongside value-rational, traditional and affectual types of action, and that such actions can be interpreted and understood by scholars. The instrumentally rational type of action involves “the attainment of the actor’s own rationally pursued and calculated ends.” (Weber, 1978, 24-25).

However, the widely accepted narrative of the massacre appears irrational from both rational choice and Weberian instrumentally rational action perspectives. Yanukovych and his associates lost all of their power and much of their wealth, and fled from Ukraine as a result of this mass killing, since this massacre of protesters undermined his and his government’s legitimacy, even among the many deputies of his Party of Regions who joined the opposition and voted to remove him from the presidency. The same problem concerns the irrational retreat of the police from their position at Maidan and the mass killing of the protesters by the police, since Berkut and the internal troop units had nonlethal weapons to stop unarmed protesters and it was more rational to use live ammunition or snipers to deliver warning shots or target armed protesters and the Maidan leaders, rather than to kill advancing protesters. Similarly, the repeated attempts by protesters to advance on the very small and relatively unimportant part of Instytutska

Street also seems irrational and hard to explain from these theoretical perspectives, because a large number of people going under constant fire would amount to a collective mass suicidal action. While some of the government leaders, policemen and protesters might have been driven by value-rational actions, such as being motivated by ideology; affectual actions, based on emotions; or miscalculations in their instrumentally rational actions, it would be anomalous for all different actors to do this at the same time.

There are numerous “conspiracy theories” of false flag operations which are generally promoted by political activists and amateur researchers. For example, they dismiss the overwhelming evidence that 9/11 attacks in the US were organized and carried out by Islamic terrorists and claim without sufficient evidence that these attacks were a false flag operation. However, there is a documented history of such false flag operations in politics and conflicts in Ukraine and other countries, specifically during World War II, the Cold War, and since the Cold War. In various cases, especially relatively recent, it is difficult to come to definite conclusions if certain events constituted false flag operations or not, because of lack of publicly available data to answer research questions or test various research hypotheses.

For instance, the Ukrainian Insurgent Army units often used disguises of Soviet partisans or Soviet military and security forces to carry their killings of Polish and Ukrainian civilians in order to hide the UPA responsibility and impute these killings on their adversaries. The Soviet secret police created many fake UPA units to locate and neutralize actual UPA units and their sympathizers among the local population after in Western Ukraine after the Soviet Union regained its control of this region at the end of World War II. (See Statiev, 2010). Attacks in the German territory, for instance, Gleiwitz, were staged and disguised as Polish attacks by Nazi Germany and used as a pretext to invade Poland and start World War II and for propaganda purposes to justify this invasion (See, for instance, Davies, 2006, 152).

The Soviet KGB created fake underground organizations in Ukraine as a part of its tactic against different factions of the OUN and the US and British intelligence services that used the OUN during the Cold War. Various academic studies and documents of the Central Intelligence Agency (CIA) show that the US government was involved during the Cold War in 1953 in organizing false flag violent attacks in Iran as a part of the US-led overthrow of a democratically elected government and turning this country into a US client state run by an authoritarian government (See Abrahamian, 2013; Gasiorowski, 1991). Some researches and journalists argue that clandestine networks, which were organized during the Cold War by the governments in West European countries to form underground resistance during their potential occupation by the Soviet Union and which included many far right elements, were involved in various false flag attacks (Ganser, 2005).

The dioxin poisoning of Viktor Yushchenko helped to mobilize popular support for the “Orange Revolution” and win him the 2004 presidential elections, whose results were initially falsified in favor of Yanukovich. While the opposition and the media initially presented this as an assassination attempt by the Yanukovich side or the Russian government, the case has not been solved. After becoming president, Yushchenko indicated that politicians or oligarchs with whom he was previously allied might have been involved. (Katchanovski, 2008).

Some scholars and journalists presented the Moscow apartment bombings in 1999 as a false flag operation carried out by the Russian domestic security agency in order to create a pretext for the second Russian war in then de facto independent Chechnya and increase popular support for Vladimir Putin before the presidential elections (See, for example, Dunlop, 2012). While such hypothesis cannot be excluded, the second war in Chechnya then already started with

invasion or radical Islamist militias in Chechnya of the Dagestan region of Russia and the Islamic terrorists carried out several similar large scale attacks during the first and second Chechen wars in Budenovsk, Makhachkala, Moscow, and Beslan and later claimed responsibility for the Moscow apartment bombings (See Sakwa, 2005).

Various separatist and Russian politicians and media claimed that a downing of a Malaysian passenger plane in Donbas in 2014 was a false flag attack. While such a possibility cannot be currently ruled out completely because much of the evidence has not been released by the Ukrainian and Western governments, publicly available evidence indicates that the plane was most likely accidentally shot down by separatists with a Buk missile because it was mistaken for a Ukrainian military plane. The conclusions that separatists shot down this plane were primarily based on photos and videos of a Buk with anti-aircraft missiles near the time and estimated place of its missile launch and the location of the Buk and launch spot in the separatist controlled-areas. Such evidence was regarded as sufficient by the governments and the media in Ukraine and the West (see, for example, Sienkiewicz, 2015).

Similarly, the Ukrainian government and media claimed that's separatists in Donbas have routinely used false flag attacks by shelling cities and towns under their control. Similar allegations about false flag attacks by Ukrainian forces were often advanced by separatist and Russian media concerning shelling of cities and other areas controlled by the central government. However, studies and OSCE mission reports indicate that such claims, generally either lacked evidence or relied on fake evidence (See Katchanovski, 2014).

Similarly, while Western governments and international organizations concluded that a chemical attack near Damascus in Syria in 2013 was most likely perpetrated by the Syrian government, there were claims that this was a false flag attack by Islamic rebels in order to draw a direct US military intervention in the Syrian civil war. Various studies and the results of investigations by the Romanian government suggest that there are still important questions about "snipers" responsible for the mass killings, which resulted in an overthrow of the communist government of Nicolae Ceausescu in 1989 (see Siani-Davies, 2005).

Since the collapse of the Soviet Union, various government and opposition parties and leaders in Ukraine often used political technologies against their political opponents, including false flag political parties, newspapers, and advertisements, specifically during election campaigns (See Wilson, 2015). Ukrainian politics has been a high-stakes game because the power it gives allows rent seeking for politicians and oligarchs via the enrichment of themselves and their personal and political networks via corruption, insider dealings and advantages over political and business rivals. Power also grants de facto immunity from prosecution. In addition to the use of media to increase electoral support and gains. Ukraine has been able to avoid large-scale political violence, but contract killings of rival businessman and politicians, such as the governor of the Donetsk region, were employed to eliminate the competition.

Similarly, major cases of mass killings in modern Ukrainian history are often misrepresented by politicians and the media. This concerns, for example, the involvement of the OUN and the UPA in the mass killing of Poles in Volhynia and the Nazi-led mass murder of Jews during World War II. (Katchanovski, 2013, 2014; Rudling, 2011). For example, more than 2,000 primarily Jewish victims of Nazi-led executions whose remains were uncovered in the town of Volodymyr-Volynskyi in 2011–2014 were misrepresented by many Ukrainian politicians and the media as Poles executed by the Soviet NKVD, in spite of historical studies, eyewitness testimonies and German bullets being found and various evidence of the involvement of the OUN-controlled police in these massacres (Katchanovski, 2013).

While the “Euromaidan” opposition parties and leaders were often presented as pro-Western democrats opposing the violence of the undemocratic pro-Russian government of Yanukovich, both the “Euromaidan” coalition and the Yanukovich government and his Party of Regions expressed partly democratic and partly authoritarian political values and were allied, respectively, with the far-right Svoboda and the Communist Party. The parties on both sides included oligarchs, and there were media reports and other evidence of involvement in large-scale corruption and past links among some of their leaders to organized crime. (Katchanovski, 2012).

### **Evidence and Research Methods**

This paper employs interpretative and content analyses of various sources of evidence concerning the Maidan massacre. Qualitative content analysis includes the following publicly available data: about 1,500 (150 Gigabytes) of videos and recordings of live internet and TV broadcasts concerning the Maidan massacre by mass media and social media in many different countries and Maidan massacre trial video recordings; news reports and time-stamped Twitter, Facebook, and Instagram posts by more than 100 Western, Ukrainian, Czech, Polish, and Russian journalists personally covering this massacre from Kyiv; some 5,000 photos; almost 30 gigabytes of radio intercepts of snipers and commanders from the special Alfa unit of the Security Service of Ukraine and Internal Troops. The study identified with help of keyword searches in Ukrainian, English, French, German, Dutch, Spanish, Italian, Russian, Polish, and Czech nearly all videos of the massacre that are publicly available on the media and other websites and major social media, such as YouTube, Twitter, V Kontakte, and Odnoklassniki.

Many of these videos were unreported, misrepresented, or suppressed by the mass media. In particular, the study employs an unreported, time-stamped version of a previously widely publicized long video of the massacre on Instytutska Street and videos and reports of suspected snipers from live TV broadcasts and Internet video streams from Maidan (Independence Square). Live TV and Internet broadcast recordings of the massacre by Espresso TV, Hromadske TV, Spilno TV, Radio Liberty and Ukrstream TV were either removed from their websites immediately following the massacre or not made publicly available.<sup>32</sup> These recordings were mostly made by Maidan supporters, but they received very limited attention or were removed from public access. In particular, the analysis includes unreported, suppressed or misrepresented videos of Maidan armed groups, including suspected snipers, such as recordings of Spilno TV streams from the Hotel Ukraina and videos of shooters and spotters in the Hotel Ukraina, Zhovtnevyi Palace, and several other locations. It analyzes not only manifest content but also latent content, which is contained in various videos but has been ignored.

Other evidence includes the following: public statements by former and current government officials; information on the bullets and weapons used; locations and directions of wounds among both protesters and the police, approximate ballistic trajectories based on ammunition impact points; eyewitness reports by both Maidan protesters and commanders of government units. Other cases of violence during and after “Euromaidan,” such as violent dispersals of protesters on November 30, 2013; the killings of police and protesters on February 18 and 19, 2014; the Dmytro Bulatov case; and the Odessa Massacre are briefly examined since they help to establish whether the Maidan massacre was a part of a pattern of politically motivated misrepresentations of violence.

The names of 49 protesters killed or mortally wounded on February 20 are identified in this study from various media publications and other sources, such as a presidential decree

awarding the Hero of Ukraine title to 99 protesters killed in Kyiv and other locations during and soon after “Euromaidan.” This study establishes specific time and location of killings of specific Maidan protesters and approximate direction of shots and entry wounds. It provides a timeline of various events during the massacre, as well as the locations and presence of both the shooters and the government snipers, based on the synchronization of the sound on the main Maidan stage, images and other sources of evidence that independently corroborate each other. It also, matches the identities, locations and timeline of 48 specific protesters’ killings. This analysis is based on social media sources, specifically videos posted on YouTube and similar sites; Ukrainian Facebook groups, which include many protesters who personally witnessed the killings; relatives of the killed protesters; collections of various materials concerning the massacre; and time-stamped Twitter and Facebook posts in different languages by various correspondents and observers who witnessed the massacre. The names of the killed protesters were identified based on various news reports concerning them and based on information by their relatives and fellow Maidan protesters in a Facebook group dealing with the massacre.<sup>33</sup>

The timeline of the massacre established in this study was generally corroborated by a video synchronization of various different videos of the massacre of the protesters. This timestamped video compilation released on February 20, 2015 synchronizes various videos with precision to a second with help of video editing software and sounds of gunshots and Maidan stage announcements.<sup>34</sup> Another timestamped video compilation, which has been released on August 20, 2015, generally corroborated specific names, locations, and times or time-intervals of killings of the protesters.<sup>35</sup> These two video compilations were created by pro-Maidan activists with help of Censor.net, a pro-Maidan online news portal. However, these video compilations omitted the first part of the massacre when the police was targeted, radio intercepts of Alfa commanders and units of the Ministry of Internal Affairs, videos of Maidan shooters in the Hotel Ukraina and other locations, testimonies by witnesses, information about wounds and bullet trajectories. This study includes a video appendix, which contains relevant brief excerpts from cited videos.

The paper examines almost 30 gigabytes of intercepted time-stamped radio exchanges from the Security Service of Ukraine’s Alfa unit, Berkut, the Internal Troops, Omega and other government agencies during the Maidan protests. These files were posted by a pro-Maidan Ukrainian radio amateur on a radio scanners forum, but they were never reported by the media or acknowledged by the Ukrainian government.<sup>36</sup> In addition, time-stamped radio intercepts of SBU Alfa snipers from another pro-Maidan website are used.

The study also uses live Internet and TB broadcasts on February 20, 2014 and research on the site of the Maidan massacre. In addition, brief interview requests were sent by email or via social media pages to selected journalists, who covered the massacre from the Hotel Ukraina and nearby areas. They include correspondents or photographers from BBC, Bloomberg, CNN, France 24, Itele, TVP, VTM, and a freelance Italian photographer. But responses to interview questions were only received from Bloomberg/Ukraina Today and TVP reporters.

Approximate directions of live ammunition fire and entry wounds are established on the basis of specific evidence, such as videos, photos, eyewitness and media reports, and bullet impact points in trees and poles. While such directions in each specific case are approximate or estimated on the basis of testimonies, videos, and other information and involve a certain degree of error because of incomplete or imprecise information, they provide a way to establish with sufficient certainty whether the fire came from the police or protester-controlled areas. This

study uses such analysis and evidence to answer a research question concerning which side was involved in the Maidan massacre.

### **An Academic Investigation**

#### **A) Who broke the truce agreement and fired on police, and was this a spontaneous or organized action?**

The first issue to examine is which side broke the truce agreement and first used live ammunition on the day of the massacre on February 20, 2014, and whether this was a spontaneous or organized action. This truce agreement was signed by then-President Yanukovich and leaders of the Maidan opposition parties around midnight on February 20, following clashes that transformed the mostly peaceful mass “Euromaidan” protests into a violent conflict that resulted in the killings of more than two dozen police and protesters on February 18 and 19. The “Euromaidan” leaders, such as Vitalii Klychko and Arsenii Yatseniuk, as well as most media reports in Ukraine, claimed on February 20 and afterwards that the Berkut broke the truce and tried to attack the unarmed protesters at Maidan, specifically by throwing Molotov cocktails at the Music Conservatory building in the morning.<sup>37</sup>

However, analyses of various sources of evidence indicate that the cease-fire agreement was broken by the Maidan side in the early morning, when small groups of armed protesters started to shoot from the Music Conservatory building with live ammunition at the Berkut units besieging the protesters at Maidan. In a US-made documentary investigating the Maidan Massacre, a Berkut member said that the shooting from the Music Conservatory building at their anti-riot police units began at 5:30am on February 20.<sup>38</sup> Based on medical emergency service reports, the special parliamentary commission stated that the shooting at Berkut and Internal Troops from Maidan and neighboring streets on February 20 started at 6:10am. In an interview with a Ukrainian newspaper, one of the Maidan shooters said that he was firing on police from the conservatory building for about 20 minutes around 6:00am and saw about 10 other Maidan shooters doing the same. This and other features of his interview, as well as the name he used, are the same or similar to those of a Maidan shooter in a BBC interview. He said that he used Saiga, a hunting version of Kalashnikov assault rifle.<sup>39</sup> Another anonymous protester confirmed that the armed Maidan activists shot at the police from the conservatory building.<sup>40</sup>

Andrii Shevchenko, a parliament member from the Fatherland party—one of the opposition “Euromaidan” parties—stated that he received a phone call from a Berkut commander shortly after 7:00am that 11 members of his police unit were wounded by shooters from the Music Conservatory building.<sup>41</sup> This Berkut commander soon again informed him that, within half an hour, his unit’s casualties increased to 21 wounded and three killed.

Another protester, who openly used his name, stated that he was given a Kalashnikov assault rifle and shot at the police, first from behind the shields of the protesters during the police attack and then shortly before the police started to flee. His description matches both events on February 18 and February 20 and both 5.45mm AK-74 and 7.62mm caliber AKM.<sup>42</sup> A little-known photo by an Italian journalist shows a protester using a cover from shields of other protesters and targeting advancing police on Maidan with an AK-74 type Kalashnikov assault rifle in the evening of February 18.<sup>43</sup>

Only fragmentary recordings of the live broadcasts and videos from this time period are publicly available, even though there were several such live Internet streams and TV broadcasts of this area of Maidan.<sup>44</sup> They include sounds of gunshots on Maidan during the night and in the

morning before 9:00 am, as well as Berkut throwing Molotov cocktails at the second floor of the conservatory where the shooters were based. A STB news report briefly shows an apparent shooter there around 8:00am.<sup>45</sup> The BBC investigation includes photos showing Maidan shooters armed with hunting rifles and a Kalashnikov assault rifle inside the Music Conservatory shortly after 8:00am. (See Photo 1 and 2). Videos show several members of these police units carried out and put into ambulances some time before 9:00am on February 20.<sup>46</sup> An Interior Troops officer reports being injured by pellets in the Maidan area after 8:00am. In their radio communications, the Internal Troops units, stationed at Maidan near the Trade Union building, made urgent requests for an ambulance at 8:08am, a life support vehicle at 8:21am, an ambulance at 8:29am, two ambulances at 8:39am and five ambulances at 8:46am, before issuing retreat orders at 8:49 and 8:50am.<sup>47</sup>



Photo 1. A Maidan shooter armed with a Kalashnikov assault rifle inside the Music Conservatory shortly after 8:00am around the time of mass shooting of the Berkut from this building. Source: Gabriel Gatehouse, “The untold story of the Maidan massacre,” *BBC News*, February 11, 2015, <http://www.bbc.com/news/magazine-31359021>).

One such recording of a live TV broadcast at 8:00 am refers to shooters at the conservatory.<sup>48</sup> Another live report at 8:37am states that the shooters from the conservatory wounded at least 5 policemen on the Maidan.<sup>49</sup> Both reports confirm that the Maidan shooters at the conservatory used large pellets to kill and wound the police. There was an announcement made from the Maidan stage at 8:45am about snipers on the roofs of buildings behind the stage, and protesters point to a sniper on the roof of Kozatsky Hotel. At the same time as the announcement about snipers was made, gunshots, including an apparent burst from a Kalashnikov assault rifle, were heard at 8:45-8:46 am.<sup>50</sup> Concurrently, as noted, this shooting was immediately followed by urgent requests of Internal Troops for five ambulances.



Photo 2. A reported shooter in the Music Conservatory around 8:00am during the mass shooting of the police by Maidan “snipers” from this building. (Source: “Хронологія бойового ранку: хто порушив перемир'я - Вікна-новини - 20.02.2014,” *STB*, February 20, 2014, <https://www.youtube.com/watch?v=fdbae8rZ-qw>).

The Maidan shooter in the BBC and Vesti interviews said that he was among a group of about 20 protesters who were asked at around 6:00pm on February 19 to come forward if they had shooting skills and then given a choice of weapons, which included shotguns and Saiga rifles—which is based on the Kalashnikov assault rifle—before being told to take convenient positions. He saw some 10 other protesters shooting at the police from the conservatory building in the morning of February 20. Maidan eyewitnesses among the protesters said that organized groups from the Lviv and Ivano-Frankivsk regions in Western Ukraine arrived at Maidan and moved to the Music Conservatory several hours after midnight on February 20, and that some of them were armed with rifles.<sup>51</sup> Two hotel rooms of German journalists at Hotel Ukraina were shot at from the direction of the main post office, as a Ukrainian journalist working for the German TV reported on his Facebook page, or from the direction of the conservatory.<sup>52</sup>

After Andrii Shevchenko notified Parubii at 8:18am about the first Berkut report of shooters targeting the police, “Euromaidan” tweeted at 8:21am that a “sniper” at the Music Conservatory was caught. This is consistent with BBC and Vesti interviews of the shooter, who



said that he was “captured” by the Parubii’s personal security unit and driven outside of Kyiv City. However, the Maidan leaders, including Parubii, denied later on the same day that their search had found any shooters there after this parliament member had informed Parubii and other opposition leaders about snipers there. However, the same Berkut commander again reported that his unit’s casualties increased to 21 wounded and three killed within a half an hour.

A senior Internal Troops officer stated that they had information that five “snipers” moved to the conservatory from the Trade Union building after it was burned down by the protesters during Alfa’s attempt to seize it after 11:00pm on February 18. He also confirmed that the shooters killed and wounded many policemen from the Trade Union building and Maidan tents when this building was occupied and used as the headquarters of the Maidan Self-Defense and the Right Sector.<sup>53</sup> The Maidan government investigation confirmed that the first police officer on February 20 was wounded around 6:00am, one killed around 8:00am, two killed around 9:00am, and one died later from his wounds there. But the investigation claimed that the shooters and their affiliation were not identified.<sup>54</sup>

The Berkut anti-riot police and Internal Troops units, which were besieging, storming and blocking Maidan for almost three months, hastily abandoned their positions at Maidan itself (Independence Square) and fled from these locations between 8:50am and 9:00am. These regular Berkut and Internal Troops units were then armed with and used anti-riot weapons, such as Fort-500 pump shotguns, along with rubber bullets, pellets and stun grenades. Therefore, a rational explanation supported by various sources is that the police retreated because of the use of live ammunition by small armed protestor units, who were using live ammunition against the police from concealed positions in these two buildings.

Similarly, reports in the morning of February 20 by the Internal Affairs Ministry; interviews by the former heads of the SBU and the Ministry of Internal Affairs; radio intercepts from Internal Troops; videos; and eyewitness accounts by the protesters, including a 5<sup>th</sup> Channel interview by a protester on the day of the massacre and an interview by a Swedish neo-Nazi volunteer, independently confirm that the police units at Maidan were shot with live ammunition from the conservatory and Trade Union buildings before 9:00am and that they swiftly retreated as a result of this fire and the many casualties that they suffered.<sup>55</sup> (See Map 1). The same sources indicate that Berkut and Internal Troops were killed and wounded by shooters from the second floor of the conservatory and from the Trade Union building by hunting rifles, pellets, and bullets, including 7.62mm AK-type bullets. Doctors on February 21, 2014 mentioned that they treated policemen wounded with 5.45 and 7.62 caliber bullets, pellets, and large caliber hunting bullets.<sup>56</sup>

The Council of Europe report stated that 13 police officers were killed, including four on February 20, and 79 wounded with firearms in the Maidan area. Three of them were killed by 7.62 mm caliber bullets, four by Makarov pistols, and six were killed by hunting weapons.<sup>57</sup> But the report did not specify who was killed by which weapon. Three police officers were killed in the morning of February 20 before the police started to retreat. They include Serhii Spichak, who was shot by pellets, Volodymyr Zubok, and Serhii Mykhailovych. Berkut members stated that they saw their fellow Berkut policemen on Maidan shot from the conservatory and were shot themselves with pellets and with bullets, including foreign-type bullets.<sup>58</sup> Bohdan Seliuk, a colonel lieutenant, said shortly after Berkut and Internal troops units fled that they came under attack from the shooters, likely from a 7.62mm caliber AK-type weapon, and that several policemen were wounded in the head.<sup>59</sup>



- |  |  |                                     |   |  |  |   |                   |
|--|--|-------------------------------------|---|--|--|---|-------------------|
|  |  |                                     |   |  |  |   |                   |
| Maidan-controlled before 8:50am                    | Berkut and Internal Troops positions before 8:50am | Locations of shooters and spotters  | Bullet trajectories from Maidan shooters  | Armed Berkut and directions of its shooting, 9:05-9:20am | Second Berkut and Omega barricade            | Maidan Self-Defense headquarters            | Wall              |
|  |  |                                     |   |  |  |   |                   |
| Maidan-controlled area during most of the massacre | Maidan advance since 8:50am                        | Locations of Alfa and Omega snipers | Bullet trajectories from Berkut and Omega | First Berkut and Omega barricade, 9:20-9:28am            | Major areas of sniper shooting at protesters | Right Sector headquarters/ Main Post Office | BBC crew shooting |

1 Hotel Ukraina; 2 Zhovtnevyi Palace; 3 Kinopalats; 4 & 5 Muzeiny Lane; 6 Bank Arkada; 7 Cabinet of Ministers; 9 National Bank; 10 & 11 Horodetsky Street; 12 Music Conservatory; 13 Trade Union building; 14 Kozatsky Hotel; 15 McDonalds building; 16 Finbank; 17 Ukrkoopspilka; 18 & 19 Buildings near Hotel Dnipro; 20 Building near Hotel Ukraina.

Map 1. Map of the massacre on February 20, 2014

Killed protestors (in orange) and the time of their killing:

1. Georgii Arutunian 8:59am, 2. Bohdan Vaida 9:00am, 3. Ihor Pekhenko circa 9:04am; 4. Maksym Shymko 9:07am, 5. Bohdan Solchanyk 9:08am, 6. Andrii Saienko 9:08am, 7. Vitalii Kotsuba 9:10am, 8. Oleksii Bratushko 9:10am 9. Bohdan Ilkiv 9:11am, 10. Vasyl Mojsei 9:17am, 11. **Vasyl Aksenyn 9:17/9:18am**, 12. Ivan Tarasiuk 9:18/9:19am, 13. Ihor Dmytiv 9:21am, 14. Andrii Dyhdalovych 9:22am, 15. Serhii Baidovsky 9:24am, 16. Nazar Voitovych 9:26am, 17. Andrii Movchan 9:26am, 18. Serhii Kemsyky 9:28am, 19. Mykola Dziavulsky 9:28am, 20. Valerii Opanasiuk 9:28am, 21. Anatolii Korneev 9:29am, 22. Ihor Kostenko 9:29am, 23. Serhii Bondarchuk 9:29am, 24. Oleksander Shcherbaniuk 9:29am, 25. Ivan Bliock 9:24-9:29am, 26. Eduard Hrynevych 9:41am, 27. **Oleh Ushnevych 9:43am**, 28. Anatolii Zhalovaha 9:43am, 29. Volodymyr Zherebnyi 9:44am, 30. Roman Varenysia 9:46am, 31. Roman Tochyn 9:47am, 32. Yuri Parashchuk 9:48am, 33. Ihor Tkachuk at 9:49am, 34. **Vladyslav Zubenko 9:49am**, 35. **Ustym Holodniuk 9:54am**, 36. Ivan Panteleev 9:54am, 37. Roman Huryk 9:56am, 38. **Evhen Kotliar 9:56am**, 39. Mykola-Oleh Pankiv 10:07am, 40. Oleksander Tsariok 10:21am, 41. **Volodymyr Chaplynsky 10:26am**, 42. Viktor Chmilenko 10:28am, 43. Iosyp Shylyng 10:28am, 44. Leonid Poliansky 10:31am, 45. **Oleksander Khrapachenko 11:27am**, 46. Viktor Smolensky, 47. **Volodymyr Melnychuk 4:57pm**. 48. **Davyd Kipiani**, 49. **Oleksander Baliuk** unknown.

Note: Protesters whose killings the prosecution did not ascribe to the Berkut special company members highlighted in bold.

Z. Wounding of Olesia Zhukovska, a female Maidan medic, and another protestor 11:43am.

Killed police officers (in yellow) and the time of their killing:

1-3, Volodymyr Zubok, Serhii Spychak, Serhii Mykhailovych (all circa 8:00-8.50am), 4. Mykola Symysiuk 9:16am.

Volodymyr Parasiuk, a special Maidan company commander, confirmed that his unit—which included armed protesters with experience fighting in armed conflicts—was based in the conservatory building at the time of the massacre.<sup>60</sup> He de facto admitted in his various that his unit shot at the police.<sup>61</sup> Parasiuk denied any political or organizational affiliation by himself or his unit and said that he was a member of the Congress of Ukrainian Nationalists in the past, a successor party of the Stepan Bandera faction of the Organization of Ukrainian Nationalists. However, the presence of such a large armed unit at Maidan could not be possible without its subordination to the Maidan Self-Defense or one of the political organizations of the Maidan opposition, and there is varied evidence of such links. Parasiuk admitted that his company was formed following negotiations with the Right Sector and that he later talked with representatives of Klychko's UDAR party. After playing a key role in the overthrow of the Yanukovych government, he served as a company commander in the Dnipro battalion, which was organized with the direct involvement of the Right Sector. Another above-mentioned shooter, who identified himself by name, also joined this battalion.

The Right Sector, an alliance of radical nationalist and neo-Nazi organizations and football ultras groups, took active part in the violent attacks on the presidential administration on December 1, 2013, and on the parliament in the end of January and on February 18, 2014. Shortly after midnight on February 20, Dmytro Yarosh, the leader of the Right Sector, announced that his organization did not accept a truce agreement with Yanukovych and would undertake decisive actions against the government forces.<sup>62</sup> One of leaders of UNA-UNSO, which was a part of the Right Sector, admitted that he saw some 50 armed protesters in the underground area of Maidan in the morning of February 20 and also saw protesters shooting then in the police on the Maidan.<sup>63</sup>

Police officers said that they noticed protesters with the Right Sector insignia in the Music Conservatory building on February 19 and that armed protesters took positions there.<sup>64</sup> In a BBC interview, one of the Maidan shooters based in the conservatory said that he was recruited for such a mission at the end of January 2014. This anonymous shooter matches both the name and some key features of a shooter interviewed by a Ukrainian newspaper last fall. In both interviews, he stated that their guns were hidden at the main post office. This building was located directly across the street from the Music Conservatory, which was occupied by the Right Sector at the time of the February 20th shootings. His political leanings might be indicated by his service in the summer of 2014 in a volunteer battalion in a town near a sea, which was most likely "Azov," a Mariupol-based special police battalion. This unit was organized and led in May 2014 by the Social National Assembly (SNA), a neo-Nazi organization that was one of the founding members of the Right Sector during "Euromaidan." Various videos show that the Maidan side controlled the Kozatsky Hotel area the entire day on February 20. An undated police report stated that this hotel was used as one of its bases by the Right Sector, specifically by its neo-Nazi wing from the White Hammer and Patriot of Ukraine, a paramilitary wing of the SNA.<sup>65</sup>

A Maidan activist said that the Right Sector had its own armed group among several Maidan groups of the armed protesters, primarily with hunting rifles. On February 18-20, 2014, one of these groups shot 8 Berkut and Internal Troops members, and another 12, in particular, from the Trade Union building and then from the conservatory.<sup>66</sup> A member of the "Vikings" neo-Nazi group in the Right Sector during the "Euromaidan" admitted on the *Ukrainska pravda* forum and on his VK page that he killed two policemen on February 18, 2014 and that his associate, who was deputy leader of the "Vikings," also killed two policemen on the same day

from a revolver. They both served in the Ukrainian Voluntary Corps of the Right Sector during the war in Donbas.<sup>67</sup>

There is also evidence that there were armed Maidan shooters linked to the oligarchic Fatherland Party. The violent clashes of protesters with police and “titushki” and first mass killings started when the protesters tried to break the police lines and attack the parliament on February 18, 2014. This unsuccessful attack happened during a rally, which was organized by the Maidan opposition leaders, specifically Oleksander Turchynov, a leader of the Fatherland party, Andrii Parubii, the commander of the Maidan Self-Defense and a leading member of Fatherland, and Dmytro Yarosh, the leader of the Right Sector. They called it a “peaceful march,” but the Maidan Self-Defense companies, including the Right Sector Company, were protesters.<sup>68</sup>

The evacuation by Serhii Pashynsky, a member of the parliament from the Fatherland party, of a masked protestor and his rifle with scopes during the deadly clashes on February 18 might also indicate certain kind of involvement and knowledge that the protesters were using arms. A person who helped Pashynsky to evacuate them became an aide to Arsen Avakov, who was one of leading members of Fatherland and became the Minister of Internal Affairs after the “Euromaidan,” and whose ministry was involved in investigations of killings of the protesters and the police on the Maidan.<sup>69</sup> They did this after the car of this masked protestor with his rifle in the car’s trunk was stopped by Maidan protesters. There are statements by some protesters that Pashynsky did this after the owner of this rifle was identified as on the “snipers” and seized by a group of the protesters from a roof of a building on Instytutska Street.<sup>70</sup> The owner of this hunting rifle said in his interview that he participated in the violent clashes with police in that area on February 18, 2014, was wounded there, and that he arrived on the Maidan with other hunters after hunting with his group of a few dozen “hunters” in Western Ukraine.<sup>71</sup>

This incident reportedly took place near intersections of Kriposnyi Lane and Instytutska Street after a deadly attack and burning by a large group of the protesters, including Tatiana Chornovol, of a nearby Party of Regions headquarters, which resulted in killing of a computer specialist in this office. The official investigation determined that out of five protesters killed in the same area near the parliament and near Kriposnyi Lane three were shot with pellets, one driven over by a car, and another was severely beaten or died as a result of a heart attack.<sup>72</sup> In his interview, Anatolii Strelchenko, the commander of the Omega unit of the Internal Troops, stated that they knew on February 18, 2014 before the attempted attack of the parliament and that the Maidan shooters started to use live ammunition on that day. Specifically, he said that a member of his unit was wounded from a Makarov handgun, three Internal Troops soldiers were wounded by pellets from a hunting rifle shot, and seriously wounded a Berkut officer by a gunshot around the time and place of the incident involving Pashynsky and the armed protestor.<sup>73</sup>

It would be irrational for a leading member of this main Maidan party to evacuate without checking an armed masked person, who was reportedly identified as a “sniper” by Maidan protesters and was then stopped by them in area of deadly clashes. A rational explanation suggests a link of the Fatherland party to this armed protestor, who de facto confirmed that he was a part of a larger group armed with hunting rifles. This would also explain why this incident was not investigated by the Maidan-led government. Pashynsky became the head of the presidential administration under interim president Oleksander Turchynov from the oligarchic Fatherland party, which was founded and led by Yulia Tymoshenko.

## **B) Who killed the protesters, and was it organized mass murder?**

Following the retreat of the police units around 8:50am on February 20, 2014, crowds of protesters—the absolute majority of whom were unarmed—started to advance from their stronghold at Maidan up Instytutska and Hrushevsky streets. Their advance was guided by commands announced from the Maidan stage over loudspeakers, which were issued by Maidan leaders and company commanders of the Maidan Self-Defense. (See Video Appendix 1<sup>74</sup>). Specifically, a Maidan announcer in the beginning of the attack relayed an order for unarmed protesters to advance to Zhovtnevyi Palace heights and stay at these positions at 9:01am.<sup>75</sup> This was around the time when the massacre of the protesters started in this general area.

Volodymyr Arieu, an investigative journalist and a member of the parliament from the Fatherland party, concluded that “snipers” came to the Hotel Ukraina from the Music Conservatory side and that they blocked the Ruptly TV crew on the 14<sup>th</sup> floor of the hotel.<sup>76</sup> A RT report and videos indicate that they were armed Maidan protesters.<sup>77</sup> Arieu claimed without providing any evidence that these “snipers” were working for the Russian government, but the previous sections presented various evidence that there were Maidan snipers at the Music Conservatory shooting the police and forcing it to retreat. This is consistent with an interview of the former SBU head, who said that one half of about 20 “snipers” with concealed AKMs in bags moved from the neighboring Music Conservatory, which was held by the Maidan, to the Hotel Ukraina, while another half moved in the direction of the Dnipro Hotel, located on the European Square near Hrushevsky Street and Muzeinyi Lane.<sup>78</sup>

A previously unreported intercept of radio communications by the SBU Alfa commanders, contains specific information by the head of this Security Service unit (“Suddia”) and his deputy (“Indeiets”) that “shooters” or “snipers” were moving to the Hotel Ukraina and that they were from the Maidan side.<sup>79</sup> The most complete time-stamped version of the Alfa commanders’ radio intercept synchronized with the local time indicates that their report of shooters moving to the Hotel Ukraina was made at 9:23am.<sup>80</sup> It is contained among the intercepted radio exchanges of Alfa, Berkut, the Internal Troops, Omega, and other government agencies during the entire Maidan protests.<sup>81</sup>

The Alfa commanders’ intercept demonstrates that snipers from this SBU unit were given an order to deploy to the Presidential Administration soon after a full combat readiness was reported by them at 7:24am, i.e., after the reported shooting of the police from the Conservatory building. It also contains similar orders to get arms and deploy to these and other government locations to other SBU units around the same time. Publicly available versions of these intercepts came from several different pro-Maidan sources. One version with omitted parts was posted by a news website run by an advisor to the current Minister of Internal Affairs of Ukraine, but it was also not acknowledged by the government.<sup>82</sup>

An unedited and time-stamped intercept of a radio communication by this SBU sniper team, led by “Miron,” demonstrates that they were tasked with and were monitoring the Hotel Ukraina, specifically its top floors, and other neighboring buildings for snipers and their spotters, who helped to direct the fire, after the massacre was already underway.<sup>83</sup> These snipers detected armed people, who shot from the tops of the buildings or were lying there, and then swiftly moved away after their location was communicated via radio among the SBU snipers.<sup>84</sup> The Alfa snipers were based then the Cabinet of Ministers building (See Map 1). There are no sounds of gunshots by these SBU Alfa snipers or other indications that they fired in the audio clips, which span the most intense phase of the killings from 9:35am till 11:13am. Similarly, no evidence was produced that the protesters were killed with German sniper rifles used by this group of snipers.

This is consistent with information provided by three SBU Alfa commanders during the parliamentary investigation and in their statements to Ukrainian TV networks.<sup>85</sup>

However, an edited version of this SBU sniper team's radio communications intercept was posted on YouTube on the day of the massacre with its content and added photos of the massacre misrepresented to claim that these were the killers.<sup>86</sup> It was swiftly used by Ukrainian politicians, including the head of the parliamentary commission, and the media as key evidence that these SBU snipers killed the protesters. "Miron" stated that this highly publicized version was also cut and did not include their reports of civilians carrying weapons in bags in the European Square.<sup>87</sup> The time-stamped version includes such cut-out parts in the beginning and the end, but some key time periods during the massacre are missing there also.

The Omega commander and an Internal Troops commander in charge of such special units stated that they received orders to target snipers at the Hotel Ukraina and other locations and had permission to shoot at armed protesters.<sup>88</sup> A former Berkut officer said that a sniper that accompanied the Berkut special company had a task to look for a Right Sector sniper in the Hotel Ukraina.<sup>89</sup>

There are various videos showing that the entrance, stairways, and elevators in the Hotel Ukraina during the entire massacre since about 9:00am were controlled by the Maidan side.<sup>90</sup> Mykola Romaniuk, a Maidan Self-Defense unit commander confirms that the Hotel Ukraina was under control of the Maidan during the massacre on February 20, but he denied that any shooters were in the hotel. He states that he personally and his unit members guarded the Hotel Ukraina and checked bags of those who entered the hotel since the end of January 2014.<sup>91</sup> Since the beginning of the massacre, this unit commander, Maidan Self-Defense members, and Svoboda leaders and activists were seen in various videos in the lobby and at the entrances to the hotel and hotel elevators and stairs. Similarly, a senior Hotel Ukraina staff member stated that the Maidan protesters controlled this hotel before and during the massacre and that no police entered the hotel. She also denied that any snipers were there but said that there are bullet holes in windows in some 20 hotel rooms.<sup>92</sup> This is another indication that the Berkut and Omega targeted Maidan shooters at this hotel and that these shooters and their spotters and security were able to move freely to different floors and rooms.

A little-known video shows Parasiuk and some armed members of his special company walking past the Maidan stage from the Trade Union building direction during the Maidan massacre at 9:10am. One of them openly carries an AK or its hunting version.<sup>93</sup> (See Photo 3). Various sources of evidence indicate that Maidan snipers shot at the police from the Trade Union building shortly before the police units fled around 8:50am and that this building remained one of the locations of the Maidan "snipers" or their coordinators during the massacre of the protesters. In 9:07-9:11am, six protesters were killed within less than 150 meters from the Parasiuk-led group, in particular from the Hotel Ukraina and Ukrkoopspilka building; and at 9:10am there was a public announcement from the Maidan stage about snipers in the Hotel Ukraina. Armed Berkut was also firing live ammunition in the close distance at this very time.

But this group of the Maidan "snipers" showed no visible concern about being in a shooting range of the Hotel Ukraina and Ukrkoopspilka "snipers" and the Berkut special company or attempts to locate and stop the snipers. Conversely, these "snipers" did not target these and other armed Maidan shooters. Such seemingly irrational actions become rational if the Parasiuk special Maidan company "snipers" and the initial Hotel Ukraina "snipers" were from the same side. Many Maidan activists and leaders and journalists near and on the stage saw this group of the Maidan "snipers" walking past them, but none of them reported this. Parasiuk and

this group of the armed Maidan "snipers" were not seen in videos and photos from 9:10am till 10:19am, when Parasiuk along with a group of armed protesters were filmed running into the Hotel Ukraina. Theirs and other Maidan armed groups absence during the time when the absolute majority of the 49 protesters were killed is a "dog that did not bark" evidence indicating that they were the actual snipers.



Photo 3. Volodymyr Parasiuk in black balaklava (on the left) and his special Maidan company members, one of whom carries a Kalashnikov assault rifle or its hunting version (on the right), walk past the Maidan stage during the massacre at 9:10am from the Trade Union building direction shortly after the Internal Troops were targeted by “snipers: from this building Source: “Майдан.20.02.14,” Igor Teslenko, 2014, <https://www.youtube.com/watch?v=KCrl2lAvmlw>).

At 10:18/10:19am members of this group and the first group, including Parasiuk, were filmed by several British and French TV channels and Ukraine TV channel entering the Hotel Ukraina along with some other armed protesters.<sup>94</sup> But this Ukraine TV video has not been reported by the Ukrainian media. The Ukrainian investigation and the media either deny existence of these Maidan "snipers" or claim that they are unknown snipers from the government or the “third side.”



The first two identified killing of protesters were during the protestors' advance and the retreat of the police units near the pedestrian bridge on Instytutska Street (See Map 1). Heorhii Arutunian was killed at 8:59am.<sup>95</sup> The prosecution stated during the trial that he was shot with pellets in his neck and chest, but did not confirm a specific direction or specific position of the wounds. A French TV captured a moment when Bohdan Vaida was killed in the head at 9:00am.<sup>96</sup> The prosecution and the media did not release specific information about direction of his wounds and ammunition used. But lawyers stated during the trial that the investigative file referred to pellets extracted from his body.

An announcement from the Maidan stage at 9:05am that medic was urgently needed near the Trade Union building and videos showing at 9:07/08am a motionless protester carried from that direction and being administered a CPR might refer to a possible killing of Ihor Pekhenko shortly before.<sup>97</sup> The exact time and place of his shooting have not been made public. His mother and unidentified witnesses among the protesters reported that he was shot dead in the early morning near this building and had four wounds, a likely indication of pellets.

These killings took place several minutes before the Berkut special company was first filmed advancing in that area and using live ammunition there. They coincided with the place and time when protesters fired live ammunition at the police water cannon trucks, which tried to stop this advance and allow the police units to flee from Maidan.<sup>98</sup> Holes from pellets, 7.62mm AKM type bullets, and 12mm and larger hunting bullets were identified in the grey and blue water cannon tracks. A few minutes, after the Vaida killing, there was a warning from the Maidan stage to advancing protesters not to shoot their fellow protesters in the back.<sup>99</sup> This evidence suggests that the first two protesters were most likely killed from the Maidan side.

The time-stamped video compilation and a time-stamped version of an over 40-minute-long video, which was filmed at a close distance on Instytutska Street, and other videos show members of the special elite unit of the Berkut anti-riot police and two snipers from the "Omega" Internal Troops elite unit temporarily halting the advance of protesters near Zhovtnevyi Palace starting at 9:05am. Members of the Berkut unit were shooting with both live ammunition from the Kalashnikov assault rifles (AKMS) and with rubber bullets from Fort rifles in the direction of the protesters.<sup>100</sup> Snipers were also pointing sniper rifles in the direction of the protesters.<sup>101</sup> These Berkut members then were seen retreating and firing live ammunition rounds at the direction of the advancing protesters. This was presented by the Maidan leaders and activists, the government investigation, and the media in Ukraine and in the West as the primary prove that the Berkut members killed and wounded a large number of the unarmed protesters. For example, Arsen Avakov, the Minister of Internal Affairs stated that 17 protesters were killed by the Berkut from the area near Zhovtnevyi Palace, including eight from the same weapon.<sup>102</sup> In contrast, the Russian NTV wrongly claimed that these were Right Sector provocateurs because they used yellow armbands.<sup>103</sup> Other Russian media, such as RT and Komsomolskaya Pravda, incorrectly described advancing protesters as the Right Sector.

But an apparent purpose of the Berkut company's brief advance was to enable a retreat of Internal Troops soldiers remaining in Zhovtnevyi Palace, whose main entrance was seized by the protesters a few minutes after 9:00am. The limited advance of two dozen members of the Berkut special company to Zhovtnevyi Palace and their swift retreat along with a large number of policemen and a car of a senior officer are seen in various videos. Radio intercepts of Internal Troops contain a general order to the police units in the area to retreat, and this order was transmitted at 9:12am.

A rational way to fulfil such orders for Berkut members was not to kill the unarmed protesters but to use live ammunition as warning shots or to shoot armed protesters. The videos show these Berkut members during their advance shooting in the direction of the protesters, but analysis of the video compilation and specific videos indicates that their specific AKM shots seen in videos do not coincide with specific moments and different sounds of whip-like gunshots, which are one of signs of rifles, that killed protesters.<sup>104</sup> Bullet impact points in front of the protesters during the Berkut advance are visible in videos, and several trees and metal poles and the Hotel Ukraina walls near the area of this advance contain multiple bullet impact points within small areas. This is consistent with warning or deterrent shots by the Berkut special police unit. But such an analysis cannot be indicative in some cases, because only intervals of killings of some of the protesters are established. This means that the killing and wounding of some of the protesters by Berkut policemen during their advance and retreat there cannot be excluded.

In contrast, a lack of an order to protesters to retreat during this advance of the Berkut and an order transmitted from the Maidan stage at 9:14am for four companies of the Maidan Self-Defense, consisting with small exceptions from unarmed protesters, to advance to the hill in front of Zhovtnevyi Palace would have been irrational unless the intended instrumentally rational but unspoken goal of an unidentified Maidan leader issuing such a command was to provoke killing of the protesters either by the police or the shooters in the Hotel Ukraina. One of the companies that advanced to this hill and suffered casualties was the Volhynian Company of the Maidan Self-Defense. Similarly, a video and testimony of Serhii Trapezun shows that the Svoboda-led Khmelnytsky company of the Maidan Self-Defense also received shortly after 9:00am an order to go in the zone of live ammunition fire on Instytutska Street.<sup>105</sup> The authority to issue such orders had the leadership of the Maidan Self-Defense, the “Euromaidan” alliance, or political parties, such as Fatherland or Svoboda, which controlled individual companies.

Similar orders to guard the perimeter of the barricades, which would have also meant to protesters the barricade on Instytutska Street in the line of fire of the hotel and other snipers, were announced from the Maidan stage during the massacre, specifically, by such leading members of the Fatherland party as Andrii Senchenko, Pashynsky, and Turchynov. Such orders appeared even more irrational after reports about snipers shooting at the protesters and public displays of killed and wounded protesters. For example, an announcement from the Maidan stage at 10:59am about three snipers shooting at the protesters from the Hotel Ukraina immediately followed such an order announced by Pashynsky.<sup>106</sup>

The analysis of specific killings in this area during the Berkut’s advance and retreat and their firing near Zhovtnevyi Palace firings indicates that at least eight protesters were killed in this general area from 9:07am till 9:19am. (See Map 1). The analysis of the content of a video, which was initially filmed from the Hotel Ukraina by Radio Svoboda and then synchronized and time-stamped, and photo compilation indicates that Maksym Shymko was killed between 9:07:15am when he was last photographed alive and by 9:07:46am when he was already shot and his stick was on the pavement near a wooden shield.<sup>107</sup> Although the exact moment of his killing is missing from the video, his mother in her court testimony confirmed this location and indicated that the investigation found that he was killed from the same weapon as at least 9 other protesters. Another bullet, which was stuck in Shymko’s neck and which was publicized as evidence of government snipers, was not of 7.62mm caliber but of a larger caliber. His mother supported the prosecution charges that Berkut killed her son, but she stated that he was wounded in his neck with an exit wound below his shoulder blade.<sup>108</sup> This indicates a sharp angle, which is

points to a shooter at the nearby Hotel Ukraina, the only building with such height in this area (See Map 1).

The same video also shows the moment when Bohdan Solchanyk was killed at 9:08:16am in the same area. His apparent position, the blood on the right side of his neck and louder and different sounds of several shots in rapid succession, compared to the AKMS shots fired by Berkut at the same time indicate that Solchanyk was most likely shot dead from the Hotel Ukraina. At that time, the Berkut policemen were in front and somewhat to the left from Solchanyk and the other protesters; and a specific shot, which was presented in this video synchronization, made by his acquaintance, as the evidence of his killing by Berkut, was from a 12mm caliber Fort pump rifle. One of his fellow protesters concluded that Solchanyk could not have been killed from the Hotel Ukraine, because a medical expert determined that a 7.62mm bullet had entered Solchanyk from a relatively flat angle. However, Maidan protesters testimonies and ballistic trajectories estimated with the help of laser beams from bullet impact marks indicate that there were also shooters on the lower floors of the hotel.<sup>109</sup>

In the same video, Ihor Zastavny is seen in a yellow helmet falling nearby several seconds after Solchanyk was killed. Zastavny said in various interviews, in particular to the Associated Press, that he felt to the ground after he was wounded there third time and his leg was severed. He claimed in some of these interviews that he was shot from the Berkut positions on the left. While it is not possible to determine a direction of these shots because information about direction of his wounds is lacking, the evidence about killings of three protesters from the Hotel Ukraina in the same general spot shortly before and after him raises questions.<sup>110</sup> Zastavny stated that the prosecution informed him earlier this year that they lost a bullet extracted from his body.<sup>111</sup>

His brother identified during his testimony in the Maidan massacre trial the time when Andrii Saienko was killed in the same area on Instytutska Street as 9:08:34am in the same video, or less than 20 seconds after Solchanyk.<sup>112</sup> During his questioning by the prosecutors in court, he stated that Andrii Saienko was killed not from Berkut positions but from a top floor of the Maidan-controlled Hotel Ukraina.<sup>113</sup> He made this conclusion on the basis of his brother's position in a video at the moment of his killing and an entry wound location in upper right chest area and a steep wound channel. The prosecutors and relatives of some of the victims reported during the trial that technical expert reports in the investigative file established that Saienko and at least 9 other protesters, including Shymko, were killed from the same exact 7.62mm caliber weapon. This revelation alone means that that a significant proportion of the protesters were shot from this Maidan-controlled hotel, since this caliber bullets were extracted from bodies of 16 protesters. But the prosecution charged two Berkut members with their killings, even though Saienko's brother and his lawyer officially handed to investigators this video file in October 2014.

Similarly, they generally omitted reports by the Maidan protesters witnesses concerning shooters in the Hotel Ukraina at the time of these killings. At 9:10-9:11am, a few minutes after the killing of Solchanyk and shootings of other protesters, an announcer on the Maidan stage publicly warned the protesters about two to three snipers on the pendulum floor (11 or 13<sup>th</sup> floor depending on specific part) of the Hotel Ukraina.<sup>114</sup> Such warnings were generally transmitted from the Maidan stage after Maidan protesters witnessed the shooters and reported this information to the announcers on the stage. This announcement relayed reports of Maidan protesters concerning killings of Shymko, Solchanyk, and Saienko, since such time lag after

these and other protesters came under live ammunition fire near the hotel is consistent with the distance to the stage and the time when Solchanyk's body was brought to the Maidan.

A live broadcast by Radio Svoboda contained this Maidan stage announcement about two or three snipers on the pendulum floor of the Hotel Ukraina after the Maidan protesters conveyed this information following killings of Shymko, Solchanyk, and Saienko. Recordings of these live broadcasts, containing this announcement, were not made public and not reported by Radio Svoboda.<sup>115</sup> The Ministry of Internal Affairs released a part of this Radio Svoboda live broadcast during widely publicized press conference by Minister of Internal Affairs, the SBU head, and the Prosecutor General about Maidan massacre investigation on April 3, 2014 as evidence that the Berkut massacred the protestors. But the ministry omitted the preceding minute containing this announcement about Hotel Ukraina snipers, and its released recording started seconds after the announcement about snipers was made.<sup>116</sup> The "Maidan" documentary, which was made by Sergei Loznitsa and shown at the Cannes film festival, included the above-mentioned excerpts of the Radio Svoboda live Internet video stream showing the killings of Solchanyk and Saienko. But film cut short this recording a few seconds before the announcement about the snipers at the Hotel Ukraina was heard in the broadcast.<sup>117</sup>

The same Radio Svoboda stream videos and the timestamped compilation shows that Vasyl Kotsuba was shot near the Maidan side of Zhovtnevyi Palace at 9:10am. Eyewitnesses and photos indicate that he was shot in the head, but direction of his wounds have not been publicly disclosed. The video compilation identifies Oleksander Bratushko as the protester shot at 9:10am a few meters away and less than 30 second after the killing of Kotsuba.<sup>118</sup> His position at the moment of his shooting when he was standing back to the advancing Berkut and his wound to the chest that was confirmed by the prosecution during the trial and visible in photos, indicate that this protester was shot from a direction of the Maidan-controlled area, possibly a nearby Ukrkoopspilka building located on Khreshchatyk. This would explain a seemingly irrational event when a Molotov cocktail was thrown by protesters into a large balcony of this building within seconds of his shooting. (See Map 1).

The video compilation shows that Bohdan Ilkiv was fatally wounded in the same general area at 9:11am. While Berkut policemen were advancing and shooting at that time, it appears based on the video images enhancement that he was retreating from them with his back towards them at the moment of his shooting, reportedly in his abdomen. Similarly, a whip-like sound of the gunshot in the moment of his killing and a reported 7.62mm bullet and large entry wound consistent with an expanding bullet indicate that he was shot not by a Berkut policeman with an AKM but by a shooter with a rifle from one of the Maidan-controlled positions.<sup>119</sup> Moreover, videos show that one of the two protesters shot a few meters from Ilkiv near the flower clock at 9:14am was hit in his backside from a direction of the Maidan or the Hotel Ukraina.<sup>120</sup>

There was also shooting of a member of the special Berkut company in the same area and time period. Mykola Symysiuk was killed in front of Zhovtnevyi Palace by pellets at 9:16am.<sup>121</sup> He was shot in his face near spots of killings of several protesters minutes prior or after his shooting. The pellets and two nearly simultaneous similar shots heard in the video at the moment of his killing indicate that he was killed from a hunting rifle. As noted, the prosecution charges in the Maidan massacre trial stated that he was killed and other policemen wounded by unidentified persons of unknown allegiance, even though Symysiuk was facing the protesters-occupied or controlled areas at the moment of his shooting, and the use of pellets indicates a shooting distance of less than several dozen meters.

Vasyl Mojsei from the Volhynian company of the Maidan Self-Defense was shot dead at 9:17am in the same spot as Bratushko and Kotsuba seven minutes before. A 2-2.5cm entry wound size in the middle of his chest and exiting below his right shoulder blade was reported by another member of the Volyn company of the Maidan Self-Defense.<sup>122</sup> This large entry wound size indicates an expanding bullet or other large caliber bullet used in hunting. Whip-like sounds of several rifle shots are heard during the brief interval of his killing in a video filmed by an American. Mojsei's apparent positions in the new photos in the video compilation seconds before and after his killing is also consistent with a shot from Maidan-controlled positions, such as a Hrushevsky Street building near the Dnipro hotel. Two fellow members of his company suggested that the Berkut police killed him from a Kalashnikov based on Berkut open shooting around that time. But one of these eyewitnesses, Serhii Merchuk, also confirmed that there was a sniper at the same time in a building under reconstruction on Hrushevsky Street.<sup>123</sup> Serhii Asavaliuk, who had overall command over special police units, also pointed to this building as a location of snipers.<sup>124</sup> He also said that A photo showed a group Maidan protesters

The content analysis and two video compilations compilation show that Ivan Tarasiuk was shot dead near a bridge between Zhovtnevyi Palace and the Hotel Ukraine at 9:18/9:19am. His reported entry wound in the neck and an exit wound in the chest point towards a shot from a steep upper position, which matches the Hotel Ukraine. Two protesters said when the massacre was ongoing in their interview to the 5th TV channel that they had witnessed a sniper killing protesters from the Hotel Ukraine, including one killed in the neck near Zhovtnevyi Palace. This description and location matches the killing of Tarasiuk. Their testimony was removed from the publicly available videos made by this Poroshenko-owned TV channel, but it is available in this little-known recording of the TV broadcast.<sup>125</sup>

Four other protesters were filmed lying on the ground near the middle section of Zhovtnevyi Palace around the same time.<sup>126</sup> One of them was Vasyl Aksenyn, who died later as result of this shooting. He reported that he was wounded in a side of his torso and the bullet exited in his lower back area. This sideways and upward direction points towards the Hotel Ukraine, while Berkut officers were at that time retreating in the front of these protesters. The prosecution charges announced during the Maidan massacre trial confirmed that he was not killed by the Berkut special company members.

There are three bullet impacts noticeable in various videos, such as a report by British Channel 4, from the direction of the hotel near this spot and the time of the shooting of these protesters.<sup>127</sup> However, the direction of these bullet strikes from the hotel was not reported by any media. Photos show bullet impact traces or holes from the direction of the hotel in a metal pole, a tree, and Zhovtnevyi Palace near spots of the killings of Kotzuba, Ilkiv, Tarasiuk, and Aksenyn.<sup>128</sup> A video shows protesters taking cover under a pedestrian bridge on Instytutska Street between the hotel and Zhovtnevyi Palace and pointing out at 9:23am live ammunition fire at them and other protesters from a top floor of the hotel.<sup>129</sup> The government investigation and the media, with a few exceptions, omitted these videos, specific warnings about “snipers” in the Hotel Ukraine, and other indications of the deadly fire from the Hotel Ukraine, such as bullet impact traces in trees, poles, and Zhovtnevyi Palace facade within meters of these spots of the killings.

Several other Maidan protesters, who witnessed these killings during this time period in these areas, confirm that the protesters were shot dead from the hotel. A Maidan medic, who was there at that time, said in a 5th channel documentary that the protesters were killed there by several snipers from the roof of the Hotel Ukraine. He also stated that the protesters were shot by

expanding bullets.<sup>130</sup> Volodymyr Shulhan says that before Dmytriv was shot, a protester was killed in the head near stairs to Zhovtnevyi Palace, and another wounded in his right shoulder, and that they knew that a sniper was shooting from a top of the Hotel Ukraina.<sup>131</sup> Oleksii Butorin said in a 1+1 interview at the time of the massacre that eight protesters were killed from the Hotel Ukraina in half-an-hour.<sup>132</sup> He specifically witnessed one of them shot from the hotel.<sup>133</sup> Since Butorin was seen approaching the Maidan stage at 9:30am, he referred to killings before that time.

Belgian VTM TV and BBC videos shows Ihor Dmytiv being shot dead on the right side of Instytutska Street at 9:21am and Andrii Dyhdalovych being hit and killed on the same spot one minute later.<sup>134</sup> Reported entry wounds and an analysis of testimony by two protesters who witnessed these shooting indicate that in both cases they were shot from the Hotel Ukraina. Dmytriv reported four wounds included one in his shoulder, and he was positioned with his back towards the hotel at the moment of his shooting.<sup>135</sup> Mykhailo Khomik, who is seen in the videos at that place and time in a white helmeted stated that Dmytiv was shot from the hotel.<sup>136</sup> A protester in his interview to a Dutch television soon after this happened said that Dyhdalovych was killed from the hotel, but the Maidan leaders and the media claimed that he was killed by the government snipers.<sup>137</sup> Similarly, videos showing the Omega sniper lying on the ground and then pointing his rifle into the direction of the Hotel Ukraina exactly when Dyhdalovych was shot dead in front of the barricade were misrepresented as a definite proof of government snipers killing him and other protesters.<sup>138</sup> It is noteworthy that an armed protestor in a Berkut-style uniform was wounded in his arm on the same spot, but a direction of the shot is more difficult to determine in this case.<sup>139</sup>

The analysis of various sources, such as a 55 minute long video, which was filmed from the Hotel Ukraina, Zelenyi Front long video filmed from the Instytutska Street, the video compilation, and various pictures, shows that 11 Maidan protesters were killed and many wounded between 9:24-9:32am in the area of Instytutska Street near Zhovtnevyi and Kinopalats.<sup>140</sup> The prosecution charged the Berkut special company. The armed Berkut policemen and Omega snipers retreated at 9:20am to the first barricade near the entrance to the metro Khreshchatyk on Instytutska Street and then at 9:28am to the second barricade made of Kamaz trucks. However, analysis of the manifest and the latent content of these and other videos and their comparison with other sources reveal that shooters targeting this group of the protesters were based at the Hotel Ukraina.

The video compilation and other evidence indicate that Serhii Baidovsky was killed from the Hotel Ukraina at 9:24am. At the moment of his shooting he faced the Hotel Ukraina, and the prosecution stated during the trial that he was shot in his abdomen.<sup>141</sup> Oleh Sukhinsky, a protester in a lilac cover who is seen in the 55 minute video shortly before and shortly after his wounding, said in his interview that he saw that he was shot from the Hotel Ukraina.<sup>142</sup> His wound on the right leg coincided with the position of advancing protesters and the shot from the direction of the hotel. However, he was then carried out at 9:27am to the make-shift hospital, which was organized with direct involvement of Svoboda deputies on the ground floor of the same Hotel Ukraina from which he was shot at.<sup>143</sup> Later many other killed and wounded protesters were carried out to this hotel and Zhovtnevyi Palace. These seemingly irrational decisions from a point of a view of personal safety turn to be rational if both buildings were controlled by the Maidan protesters and the concealed shooters there were from the Maidan side.

Synchronization of the videos and photos show that as protester in blue clothing was also wounded in the same area on the right side of torso later at 9:24 when a second before he was

filmed with his right side to the Hotel Ukraina.<sup>144</sup> Nazar Voitovych, who was 17 years old, was killed there around 9:26am. Reported direction of his entry wound in his face and an exit wound in the back of his torso points to a shooter from a high position. This indicates the Hotel Ukraina.

A description by an eyewitness about a protester killed in his head from the Hotel Ukraina matches the circumstances, place, and time of the Voitovych killing. The same eyewitness, who was filmed in various videos during the massacre in those areas with a candle in his hand, said that he saw four protesters killed in that area of Instytutska Street and two others killed near a stairway leading to Zhovtnevyi Palace.<sup>145</sup> In another interview, he stated that the protesters were mostly shot from high positions, such as the Hotel Ukraina.<sup>146</sup>

Synchronization of a Belgian TV video with a time-stamped video compilation and other videos shows that Serhii Kemsy was shot dead at 9:28am. As noted, the Maidan massacre trial revealed that the prosecution case contains testimonies by a Maidan protestor, who stated that he saw a sniper shooting from the second floor of the Hotel Ukraina and killing Kemsy a few meters away from him. But the prosecution and its on-site reconstruction report simply ignored his testimony and a medical expert report in the case and stated without any justification or any other witnesses provided that Kemsy was killed by the Berkut police. This medical expert report found that Kemsy was shot in an upper right side of his body and that this bullet exited on a lower left side of his body.<sup>147</sup> A Belgian TV video, which was filmed from the Hotel Ukraina, shows that Kemsy at the moment of his killing had the right side of his body facing the hotel.<sup>148</sup> This video corroborates the eyewitness testimony and the direction of the wounds which all point to shooters from this Maidan-controlled hotel and not from Berkut barricades in front of the advancing protesters on the Instytutska Street.

The Maidan massacre trial revealed that a ballistic expert examination of a bullet found in his body did not determine a precise weapon used to kill Kemsy. It concluded that he could have been shot from some twenty different types of weapons, including rifles and Kalashnikov assault rifles. However, the sounds of gunshots in the specific moments when Kemsy and other protesters in the area were killed indicate use of rifles or shotguns, because these shots resembled sounds of whips and not shorter sounds of AK assault rifles that the special company of the Berkut was shooting from.

Mykola Dziavulsky was shot in his heart a meter away several seconds after Kemsy.<sup>149</sup> A Ukrainian TV report a day after the massacre showed the Dziavulsky's passport punctured with a bullet hole. The bullet hole angle indicated that he was shot from a top right direction from the Hotel Ukraina; and a protester in the video stated this.<sup>150</sup> The video compilation includes previously withheld extracts from a highly publicized video, which was filmed by a Svoboda activist from the Hotel Ukraina. This previously edited out part shows that Anatolii Korneev in a green helmet was killed near the same spot at 9:29am when he tried to back away.<sup>151</sup> His wife in her testimony during the trial on August 3d revealed that based on a medical expert report of his wounds he was also shot from a right to the left direction.<sup>152</sup> This direction and his apparent position at the moment of shooting also point towards the Hotel Ukraina.

The previously edited out part of the same video shows Oleksander Shcherbaniuk being shot a few meters away in 6 seconds after Korneev. His apparent positions when he was shot twice and his wounds, which based on their description during the trial and in photos were first to the upper right chest area and then to his heart, are also consistent with "snipers" at the Hotel Ukraina.<sup>153</sup>

The same edited video part also shows that Valerii Opanasiuk was killed at about the same time (9:28am) in the same spot as these four protesters, but his specific wound direction in

his chest has not been made public. Andrii Movchan was also shot dead in the same place at 9:26am in his thigh and Ivan Bliock was killed there between 9:24-9:29am.<sup>154</sup> Their specific positions at the moment of their shooting and the direction of their wounds are not revealed, but the evidence that many other protesters in their group were killed at about the same time and place from the Hotel Ukraina suggests that they were also most likely shot dead from this Maidan-controlled hotel. The Svoboda-activist video, filmed from the Hotel Ukraina shows a tree branch being hit by a live ammunition and barely missing another protestor several meter from the spot of the Movchan killing. This impact direction points to the hotel.<sup>155</sup>

A video, made public more than a year after the massacre, provides a direct evidence of shooters killing this entire group of Maidan protesters from the Hotel Ukraina. The video shows that its maker and some other protesters noticed the shots from the hotel at the direction of the protesters. He zoomed to specific open windows on the 12th and 9th floor of the hotel, but then had to flee under a cover of threes after a bullet hit a metal pole near him. First references to the shots from the hotel in the video were made several seconds after Kemsy and Dziavulsky were killed. During this video, which was filmed from 9:28am till 9:32am, at least five protesters were killed and many other wounded in the same area near Zhovtnevyi Palace.<sup>156</sup>

The reference to gunshots from the hotel and the need to go to the hotel with an AK and check for snipers there were made a few more times when other protesters, specifically Kostenko, were shot dead in this area. This video shows that Ihor Kostenko was killed behind the advancing protesters when he was standing at 9:29am, and it zooms on large caliber pellets near the place of his killing a minute afterwards. He reportedly had more than one entry wound. His father during the trial stated that he saw many pellet-sized holes in the photos of the clothing of Kostenko after his shooting. But the prosecution stated what he was killed by a 7.62mm bullet in left shoulder and exiting from his right shoulder although the wound there is not visible in his photos.<sup>157</sup>

Serhii Bondarchuk was killed in his back in the rear area of the advancing group of the protesters within seconds of Kostenko's killing at 9:29am when he carried one of the shot protesters near the main entrance to Zhovtnevyi Palace.<sup>158</sup> His son stated based on evidence that he collected that his father might have been killed in the back from the Hotel Ukraina, and that the investigation, which concluded that he was shot with a 7.62mm caliber bullet, did not want to consider this location of the shooters.<sup>159</sup> His story was featured in the Reuters report concerning the government investigation of the massacre, but the location of the shooters in the hotel was not mentioned in the Reuters story.<sup>160</sup>

The video shows a live ammunition impact in a wall of Zhovtnevyi Palace at about the same time as Kostenko and Bondarchuk were killed nearby. A laser trajectory from this impact points approximately towards the 12<sup>th</sup> or 11<sup>th</sup> floor of the hotel. This trajectory indicates the same approximate area of the hotel as the zoomed in window on the 12<sup>th</sup> floor in the same video because of shooters there.<sup>161</sup>

The analysis of videos and other evidence shows that these protesters were killed on Instytutska Street between the Hotel Ukraina and Kinopalats after Berkut members and Omega snipers retreated at 9:20am to the first barricade near the entrance to the metro Khreshchatyk on Instytutska Street and then at 9:28am to the second barricade made of Kamaz trucks. These videos and bullet marks on poles, trees, and the Hotel Ukraina walls and windows on several different floors at the top, middle, and lower parts confirm that the police fired live ammunition from these barricades. Reported ballistic trajectories also point to similar shots fired from the Cabinet of Ministers Club and the National Bank building, both of which were in the area



controlled by the Berkut and Omega.<sup>162</sup> But a rational reason for such shooting could have been not to kill the unarmed protesters but to fire warning shots at advancing protesters and target shooters firing at both the police and protesters from the Hotel Ukraina and Zhovtnevyi Palace. For example, the recording of Spilno TV live broadcast from the Hotel Ukraina shows that the police at the first and then the second barricade came under live ammunition fire, in particular automatic fire, from that general direction. (See Video Appendix 1).<sup>163</sup> There is no such evidence that SBU snipers located in the Cabinet of Ministers, the Presidential Administration, and neighboring buildings fired any shots into this area during the massacre.

There is also evidence that groups of protesters were lured into the killing zones near the Berkut barricade by several protesters who led the way and called others to follow them. The majority of the victims (20 protesters) was in these two areas. It would be extremely irrational from the perspective of their personal safety to go there after witnessing other groups of the protesters massacred nearby. An AFP video shows that an unidentified protester walking ahead of the first group but not being there when its three members were shot within minutes.<sup>164</sup> A similar prompting seen in videos with two large groups of the protesters on both sides of Instytutska Street.<sup>165</sup> For instance, two masked protesters did not go themselves but push other protesters ahead near Zhovtnevyi Palace and Kinopalats at 9:25am to go when the killing of 11 protesters in that area and wounding many others already started.<sup>166</sup>

There is evidence that such luring was intentional. Videos show that a protester in black was leading one of these groups even after the group members noticed that a bullet barely missed them and hit a tree at 9:38am. The video filmed from the hotel and the bullet hole in that tree indicate that this shot came from the direction of the Hotel, specifically from a middle or upper floor on the opposite side of the hotel from the one used by shooters 10 minutes before.<sup>167</sup> They were then heard shouting that the gunshots came from the Hotel Ukraina.<sup>168</sup> But the black-clad protester in a gas mask continued to proceed along with another protestor, and he hid beyond the wall in the bushes as if he was expecting that this group would be massacred within minutes from other directions than from the police positions in front. This protestor was one of the few in this group who survived the massacre, and he was filmed in various videos dragging wounded Roman Kachan to the hotel around 10:00am.<sup>169</sup>

Roman Tityk who was in that group that was massacred there said in his interview that some suspicious people among the protesters, specifically the person in black, who tried to lure them to the place where they were killed and wounded.<sup>170</sup> The same protester in black and with the gas mask was seen in 10:18-10:19am while running with members of the Parasiuk-led armed group into the Hotel Ukraina.<sup>171</sup> In a documentary and his interview, a protester from the Lviv Region identified himself as that person. But he claimed that he went first ahead because he wanted to see positions from which the fire was coming after many protesters were massacred in the same area and on the opposite side of the street, and he denied that there were any shooters at the hotel in spite that many protesters in that group stated the opposite.<sup>172</sup> The insider knowledge of actual snipers and the knowledge of snipers in the Maidan positions about this luring make this seemingly irrational behavior rational.

While the Maidan leaders and the Ukrainian media tried to cast the protesters as heroes who sacrificed their lives for the cause of the “Euromaidan” protest movement, the Maidan protesters also acted rationally by trying to hide beyond the wall, trees, the barricade, and use shield to obscure their visibility from the Berkut and Omega positions directly in their front, but they were shot from directions that they did not expect.<sup>173</sup> The absolute majority of those killed came to the Maidan a couple of days before February 20<sup>th</sup> massacre, in particular during the

night on the same day. The analysis of various evidence indicates that these two groups of the protesters came under fire nearly simultaneously from the back, right, and left directions. Specifically, some of the protesters were shot behind the wall, which as the Google Earth-based map shows is located beyond any direct fire from the Berkut barricade and other buildings controlled by the Omega and SBU snipers. (See Map 1).

The evidence indicates that the massacre was organized and planned since the shooters and spotters were at the time of the shootings of these two groups of the protesters already positioned at the Hotel Ukraina, Zhovtnevyi Palace, Kinopalats, bank Arkada building, and Muzeiny Lane and Horodestsky Street buildings. Shootings of the protestors from these buildings started only after they came under the Maidan control or were within the area occupied by the Maidan during their advance. Such an operation required advance planning and coordination and knowledge of the timing of the Maidan snipers shooting the police en mass, making them flee and de facto launching the attack by the unarmed protesters. Such information was available to the elements of the Maidan leadership and to the Maidan snipers who launched shooting of the police in the morning of February 20. In addition, the Maidan leaders and the armed groups of Maidan shooters had live information about the moves of the Berkut, the Internal Troops, and the SBU units, specifically Alfa commanders and snipers because of interception of their radio communications, including encrypted ones.

The video compilation shows that Eduard Hrynevych was killed near Instytutska and Metro Khreshchatyk barricade at 9:41am. Seconds before his killing, a group of the protesters on another side of Instytutska were loudly shouting about shooters firing from the hotel.<sup>174</sup> The same video contains whip-like loud sounds of rifle shots when a protester behind Hrynevych was struck and wounded three seconds before Hrynevych was killed.<sup>175</sup> His apparent position after the deadly gunshot and testimony of his mother during the trial that a bullet entered a left temple area of his head above an eye and exited in the back of the head point towards the Hotel Ukraina as most likely locations of his shooters. The video compilation and a photo immediately after his killing show him positioned with his back towards the Berkut barricade and his face and his shield towards the hotel.<sup>176</sup> The wound in the back of his head in this photo and a bullet hole in a similar lower part of his helmet in the 5th channel documentary also indicate that he was killed from a steep angle position, such as the Hotel Ukraina and not from a nearly straight Berkut barricade position.<sup>177</sup>

A second later, there is a sound and a smoke from a Kalashnikov shot by a Berkut policeman. Videos and timestamped twitter posts by Ukrainian and foreign journalists show that the Berkut policemen were shooting at the 13th/14th floor stairways shortly before 9:43am and the first and second floor stairways around the same time. Snipers were filmed and reported by Maidan protesters on these floors of the Maidan-controlled Hotel Ukraina. For instance, a Facebook post by an Ukrstream journalist at 9:43am local time states that journalist was shot at Ukraine hotel. Based on the content analysis of the videos and photos, this was a Ruptly reporter hit by a ricochet bullet in his bulletproof vest on the 14<sup>th</sup> floor of this hotel. While the Ruptly video claimed that he was shot by a Maidan sniper, the bullet holes in the window point to a Berkut barricade.<sup>178</sup> Similarly, timestamped tweets by a France 2 TV and Komsomolska Pravda journalists show that Berkut was shooting with Kalashnikovs at the direction of the Hotel Ukraina, specifically at a window on stairways between the first and the second floors, shortly before 9:45am and 9:52am, when the protesters were shot by snipers from the Hotel Ukraina.<sup>179</sup>

Apparent positions of Anatolii Zhalovaha in the videos seconds before a deadly gunshot in 9:43am and in a photo immediately after his killing and whip-like sound of gunshots during

his killing indicate that he was shot dead from a rifle from the Maidan-controlled Hotel Ukraina and not from an AKM by the Berkut from a barricade in front of him. An exit bullet hole in the back of his helmet and a testimony of another Maidan protester show that Zhalovaha was killed in the back, i.e., which is consistent with the location of this hotel. A Maidan witness also disclosed a finding of official investigation that Zhalovaha was shot from the same exact weapon as 10 other protesters were killed.<sup>180</sup> This likely refers to the same findings revealed during the Maidan trial that at least ten protesters, specifically Andrii Saienko and Maksym Shymko, were killed from a single weapon from the Hotel Ukraina.

The group of the protesters, who were shouting about snipers at the Hotel Ukraina, were massacred, in particular from this hotel and other Maidan-controlled buildings and areas, starting at about the same time as the protesters near the barricade on the other side of Instytutska Street. The timestamped video compilation shows that Oleh Ushnevych was shot less than 45 seconds before Zhalovaha. He was shot at 9:43am when he was already beyond a wall, which completely shielded him and several other protesters from lines of fire the government positions. It was physically impossible to kill him from the Berkut barricade or Alfa snipers positions. Serhii Trapezun, who was hiding behind the same wall and tried to carry Ushnevych, said in a little-known video that Ushnevych was rumored among the protestors of having been shot from a handgun from some 10 meter distance behind the bushes.<sup>181</sup> The official investigation found that one of the protesters was killed from a handgun, but crucial information about his identity is not disclosed. A report by Euromaidan SOS and the prosecution charges announced during the Maidan massacre trial revealed that the investigation determined that Ushnevych was not killed by the Berkut but likely from the Hotel Ukraina and his killing was simply omitted from the trial of the Berkut policemen.<sup>182</sup>

Tityk stated that he and some of his fellow protesters knew that there were “snipers” at the hotel, specifically after two protesters were wounded there near the wall. He himself was wounded at 9:44am in the back and in his right leg when he was running from behind the wall along with a few other protesters, including Trapezun, who tried to carry Ushnevych. Tityk’s position in the moment of his shooting points to live ammunition fire from the Hotel Ukraina. He can be identified by his red jacket in a famous video which captured his wounding and shooting of other members of his group and was broadcast around the world by various TV networks.<sup>183</sup>

Serhii Trapezun stated that shots that killed and wounded most members of his group came from the sides and from the back.<sup>184</sup> He said that he was wounded from the Hotel Ukraina or possibly two-story building on the left (Horodetskoho Street).<sup>185</sup> He is seen falling to the ground during a gunfire at 9:44am while trying to run away from live ammunition fire with a few other protesters, including Tityk. Trapezun was filmed in the famous video of the massacre lying on the ground after he was wounded with his hand extended towards the hotel. In his interview during medical treatment in Israel, Trapezun said that he saw snipers shooting at the protesters from the hotel roof and from a hotel room.<sup>186</sup> This video showing massacre of his group of the protesters was broadcast by numerous Western and Ukrainian TV channels and social media. It was filmed by the Belgian VRT TV from the Hotel Ukraina.<sup>187</sup> This video was broadcast on major TV channels in Ukraine and many Western countries, such as the US, the UK, Germany, France, Italy, Spain, and it was presented as the evidence that government snipers or the police killed these protesters. (See Photo 4).



Photo 4. Oleh Ushnevych (last from the top), Volodymyr Zherebnyi (bottom right corner) on the ground at 9:44am shortly after they were killed, Roman Varenysia (the last from the right) shortly before he would be killed there, and Serhii Trapezun (top left corner) shortly after he was wounded by snipers shooting at the protesters from the Hotel Ukraina and other Maidan-controlled locations. (Source: Het journaal 1 - 20/02/14," *VRT Nieuws*, February 20, 2014, <http://deredactie.be/cm/vrtnieuws/videozone/programmas/journaal/2.32091>).

His TV interview and directions of his wounds indicate that Borys Aseev, whose shooting was presented in a Daily Beast report as the evidence that the Alfa snipers massacred the protesters, was shot in his feet when he along with other members of the same group was approaching the wall, tried to hide there, and then run away because of the live ammunition fire. He was seen in various videos during this shooting with a black backpack. His wound location in his foot indicates a gunshot from a top direction, which is consistent with the Hotel Ukraina.<sup>188</sup>

The analysis shows that several protesters were killed near Trapezun when he was lying on the ground and saw snipers targeting his group from the Hotel Ukraina. Volodymyr Zherebnyi was killed at 9:44am a few seconds after the Trapezun wounding. Zherebnyi was filmed behind a large wooden shield a second before he was shot.<sup>189</sup> A single whip-like gunshot in this video at that time and at least two wounds in the neck and the head that were reported by his mother indicate that he was likely killed from a hunting rifle, either by pellets or by simultaneous shots from a twin-barrel hunting rifle from one of the Maidan-controlled positions. The approximate direction of the gunshot is difficult to determine with sufficient certainty because results of criminal medical expert reports in his are not released by the government.

The first video and his testimonies in several interviews suggest that Oleksander Abaiev was shot while he was taking cover from the Berkut side behind a yellow shield two seconds after Zherebnyi was killed immediately next to him. Abaiev then was shot again when he was running away a second later. He claimed in his various interviews, including in 1+1 TV channel

special, Shuster Live, and the “Maidan massacre” documentary, that he was shot two or three times, first in the neck and then in his lower back, from the Berkut positions in front and slightly to the left. However, his position shown in the first video at the moments when he was shot and the entrance wound to the left lower back side shown in the same documentary are consistent with a gunshot from a Maidan-controlled location in the back, such as the Hotel Ukraina.<sup>190</sup>

Roman Varenysia, who was wearing a blue helmet, was killed at 9:46am while hiding behind a tree from the Berkut line of fire. His position and visible bullet impact signs at the moment of his shooting in his shield, the tree, his two reported wounds, one of which in the heart, two bullet holes on the right side in the back of his jacket, indicate that he was killed from the Hotel Ukraina. About 2cm size of one of his wounds reported by his mother suggests a large caliber hunting ammunition or an expanding bullet.<sup>191</sup> (See Photo 5).

A Zelenyi Front video shows a bullet striking the same tree near a group of protesters 10 seconds after Varenysia was shot. The bullet impact position indicates that it came from the direction of Zhovtnevyi Palace/Kinopalats or Muzeiny Lane.<sup>192</sup> (See Photo 5).

A previously withheld part of the VRT TV video, filmed from the Hotel Ukraina, shows that Roman Tochyn at the moment of his killing at 9:47am in the head, reportedly in a temple area, was near Varenysia behind a tree shielding him from the Berkut. Maidan protesters said that Tochyn and Zherebnyi, who was killed within a meter from him at 9:44am, were shot by snipers from the hotel, and that two snipers in the hotel and Zhovtnevyi Palace were later caught by the protesters.<sup>193</sup>

The same concerns other groups of the protesters who came to retrieve the wounded and killed members of the first group. A previously edited out part of the VRT TV video shows that Yuri Parashchuk was positioned with his back towards Zhovtnevyi Palace/Kinopalats and the Hotel Ukraina when he was killed in the back of his head at 9:48am.<sup>194</sup> The government investigation also determined that he was shot in the back of his head, but in spite of this it charged the special Berkut police unit, which had the opposite position, with his killing.<sup>195</sup>

Ihor Tkachuk’s position and his through and through wound location in various videos and picture indicate that he was most likely shot in the head from a direction of Zhovtnevyi, the Bank Arkada or a neighboring building on Horodetskoho Street at 9:49.<sup>196</sup> Suspected shooters on the green Arkada Bank building were pointed out by fleeing protesters after many shots fired at their group at 9:43am.

Vladyslav Zubenko was last filmed alive at 9:49:10am and a dozen of seconds later he was filmed already on the ground in the previously edited out VRT TV video. He was positioned with his left side to the Berkut barricade seconds before his shooting and seconds after he was fatally wounded, while had an entry wound in the right side of his chest and an exit wound in the spine area.<sup>197</sup> Such a position and the wound direction point to a shooter in one of the Maidan-controlled buildings or areas, such as the hotel or Horodetskoho street building. He was reportedly wounded with a special 5.45 caliber bullet used in AK-74 and hunting rifles. The official investigation also determined that he was not shot by the Berkut.



Photo 5. Gunshot impact marks from the directions of the Hotel Ukraina, Zhovtnevyi Palace/Kinopalats and Muzeiny Lane on a tree at the site of the massacre. (Source: Photo by the author).

At 9:50am, a protester was wounded, and the BBC Russian video later shows and reports that he was shot in his right side.<sup>198</sup> This indicates an Arkada or Horodetskoho direction. Volodymyr Honcharovsky, who was wounded in the same area in his back at 9:50am stated in his interview from a German hospital that the protesters there were shot from behind and that he himself was wounded in the back, i.e. from Maidan controlled areas, such as the Hotel Ukraina and Zhovtnevyi/Kinopalats. He was filmed lying on the ground wearing a Berkut helmet.<sup>199</sup> Anton Lubianytsky, who was filmed being shot when he was running to the wall at 9:50am, said that one of the shots that wounded him there came from the Hotel Ukraina, while another from the opposite direction, such as the Arkada bank.<sup>200</sup>

A bullet hole in an ad box in the same killing area points to the second floor in the same part of the Hotel Ukraina where five snipers in the room 211 were shooting from, according to one Maidan protestor who said that he along with other Maidan protestors captured them later.<sup>201</sup> This bullet hole appeared between 9:49am and 9:53am around the time when protestors were shot from the Hotel Ukraina near this ad box. The bullet hole is absent and then appears in the famous video of the massacre.<sup>202</sup> A laser ray indicates that another bullet hole in a tree points towards the third floor in the same area of the Hotel Ukraina, indicating a position of a shooter in the hotel.<sup>203</sup>

The analysis of various publicly available evidence, such as an exit bullet hole in the left side of his blue helmet and his position at the moment of this shot in the Svoboda activist video indicate that Ustym Holodniuk was killed at 9:54am from the direction of the Hotel Ukraina, which was on the opposite side from the Berkut and Omega-manned barricade.<sup>204</sup> His killing was publicized in Ukrainian and Polish documentaries and various media reports and attributed to the government snipers or the Berkut.<sup>205</sup> However, the government investigation also determined that Holodniuk was not killed by the Berkut police. His father, a former policeman, stated that his investigation based on measurements of shooting and position of the body and wounds points towards a gunshot from Zhovtnevyi Palace. He also concluded that the protesters were lured to the spot of their execution and that this was a professionally organized operation but blamed the former government for the massacre.<sup>206</sup>

Ivan Panteleev was killed near the same spot at 9:54am seconds after he was photographed kneeling with his back towards the hotel and a Horodetsky Street building.<sup>207</sup> His similar orientation after he was shot and a through and through wound in his shoulder and chest, that was cited in the prosecution charges, indicates that he was killed from Maidan-controlled area.<sup>208</sup>

Roman Huryk was killed within a couple of meters from Panteleev at 9:56am while he taking a cover behind a flower box, which shielded him from the Berkut barricade. He was struck in the left top part of his head. Eugen Kotliar was filmed when he was first shot there in the left side of the neck at 9:56 am and then in his leg when he tried to run away.<sup>209</sup> Their positions and directions of wounds indicate that they were likely shot from the Zhovtnevyi/ Kinopalats or Muzeiny Lane directions. During killings of these two protesters, about a dozen shots were fired in a rapid succession, likely from an automatic weapon such as Kalashnikov assault rifle. Seconds before, a protester was filmed pointing Polish TVP journalists towards a sniper at Kinopalats or a Muzeinyi lane building, but this shooter was ignored by these and other journalists filming there. The synchronized video compilation shows armed Omega members taking cover near the Berkut barricade during this salvo.<sup>210</sup> The report by Maidan NGOs and lawyers reported that the official investigation concluded that Kotliar was likely killed from the Hotel Ukraina and not by the Berkut special company.<sup>211</sup>

The VRT TV video demonstrates a moment when Yuri Kravchuk, the commander of the Khmelnytsky Company of the Maidan Self-Defense, was wounded in his leg at 9:56am. His position at that moment and his wound location in other videos and pictures indicate that the shot also came from one of the Maidan-controlled buildings, but this was not mentioned in a New York Times story about him.<sup>212</sup>

A video shows at 10:02am Viacheslav Zarechniuk at the moment when he was wounded in his leg.<sup>213</sup> His wound and position at the moment of this shot point to direction of the bank Arkada or Horodetsky Street. A Maidan medic in the same video 18 seconds later points towards a top of the Arkada building. Anatolii Panchuk was wounded in his back at 10:05am seconds after a photo showed him sitting with his back towards Zhovtnevyi and Kinopalats.

Mykola-Oleh Pankiv was fatally wounded 10:07am when he was filmed in the Zelenyi Front video sitting behind a tree protecting from the Berkut side and facing Horodetsko Street and Bank Arkada. The prosecution charges confirmed that he was shot in his chest. This indicates either of these two buildings in the Maidan-controlled area but the prosecution charged the Berkut policemen with his murder. Within several seconds of his killing, Oleksander Labetsky, who was next to Pankiv behind the same tree, facing Arkada was wounded. He said that he was shot in his inner thigh and saw the bullet on the ground nearby. His position shortly

before he was shot and the wound location and its very steep direction indicate that he was most likely shot by a sniper on the roof Bank Arkada.<sup>214</sup>

At 10:17am, the CNN filmed from the Hotel Ukraina a Maidan medic being shot in his right leg, but did not report in its Emmy-nominated coverage of the Maidan massacre that this direction pointed to a shooter in one of the Maidan-controlled buildings. Roman Kotliarevsky, this wounded Maidan medic, said that his position at the moment of his shooting and a steep wound in the side back area of his right thigh indicated that he was shot from the Bank Arkada or a roof of one of the buildings there, i.e. on Horodetskooho Street.<sup>215</sup> He also stated that he was wounded with 7.62mm bullet and that the investigation in his shooting was dragged out and that no specific suspects were identified.

The Ukraina TV channel video from the police side of the barricade, the bullet impact points and witness testimonies indicate that several members of the Berkut special police company and later Omega snipers were shooting from this barricade in the general direction of the protesters in the area of this area of the massacre. But in contrast to such evidence in the case of Maidan snipers, the analysis has not found any specific corroborated evidence of killings of any of these protesters from the Berkut and Omega direction. The timing and sound of specific Berkut shots in videos showing their shooting with AKMs do not coincide with timing and sound of gunshots in killings of the specific protesters in the video compilation synchronized based on their content, the sound of the gunshots, and announcements from the Maidan-stage.<sup>216</sup>

Bullet impact points in metal poles, trees, and the flower box in front of the massacred protesters in this area point to shots from the direction of the Berkut and the Omega, but their exact or approximate timing cannot be established in most cases because of absence of publicly available videos and photos showing these poles, trees and the flower box from that direction with sufficient resolution to distinguish these bullet impacts during the massacre on February 20. Such multiple bullet marks from the direction of the government forces in these relatively small objects were presented by the media in Ukraine and the West as definite evidence that the government forces massacred protesters. However, the lack of their documentation during the massacre and the large numbers of bullets in the relatively small area along with evidence that the protesters were massacred from the Maidan-controlled directions indicate that these bullet marks were more likely warning shots to stop the advancing protesters, missed shots at the snipers at the Hotel Ukraina or that they were made by the perpetrators of the massacre after the killings were over as a part of the false flag operation.

In one case, the analysis indicates that a bullet hole from the apparent direction of the government forces positions appeared in a small metal pole shortly after wounding at 10:09am of Vasyl Mykhalko in his upper chest after he run to help wounded Labetsky and before 10:13am when this hole is visible in a timestamped photo made by Myron Kvas, one of the protesters.<sup>217</sup> The various videos and photos do not show any protesters killed in that spot or near it during this time period. However because of the lack of more definite publicly available evidence concerning these bullet marks and the absence of video recordings of all shots fired by the Berkut and the Omega, this analysis cannot also exclude that some protesters in this area could have been wounded by the Berkut.

Other evidence, such as testimonies by numerous eyewitnesses and live ammunition impact marks, corroborate that snipers shot protesters from all these locations at the time when they were controlled by the Maidan side. There is no such evidence of snipers killings the protesters from these buildings or adjacent areas when they were controlled by the police units before the police retreat in the morning of February 20, 2014. Similarly, the various evidence



shows that the Maidan side controlled the Hotel Ukraina, Zhovtnevyi Palace and Kinopalats during the massacre of these protesters, while Muzeinyi Lane, Arkada Building and Horodetskoho Street buildings what were identified as positions of shooters or spotters were in the Maidan-controlled territory during this time (see Map 1).

The control of these buildings or territory used by shooters does not necessitates physical control over all parts of the Hotel Ukraina and other buildings. While they were relatively large, the shooting positions were concentrated in small areas of these buildings, and the Maidan side knew about specific locations of the shooters from the live broadcasts and videos, like in the case of Zhovtnevyi Palace and Muzeinyi Lane buildings, from reports by the Maidan eyewitnesses that were announced on the Maidan stage, and from radio intercepts. The live broadcasts, videos, and radio intercepts identified shooters in specific opened windows and on the specific upper-level floors on the one wing of the Hotel Ukraina, on the roof of Zhovtnevyi Palace and Muzeinyi Lane buildings for a period of time that was far then sufficient for the Maidan Self-Defense to reach these specific areas. Various videos show that protesters in positions to control entrances and exits to these Muzeinyi Lane and Horodetskoho Street buildings and the Arkada Building or were already in these areas during the massacre.

Moreover, the concealed shooters needed to move to change their firing positions. This means that deploying snipers there by the government side or any “third side” either alone or in teams along with spotters and protection would have meant a suicidal mission. In contrast to videos and bullet impact signs pointing to exchange of fire between Berkut and the shooters at the Hotel Ukraina and therefore indicating that they represented hostile sides, there is no such evidence of deliberate mutual exchange of fire between shooters in the Hotel Ukraina, Zhovtnevyi/Kinopalats, Muzeinyi Lane and Horodetskoho buildings, and the Arkada building even though their positions were known to many protesters, the Maidan Self-Defense commanders, and Maidan leaders.

Eyewitnesses among the Maidan protesters reported presence of at least three snipers on Zhovtnevyi Palace roof and its upper floor.<sup>218</sup> A protester testified that shooters fired at his group of the protesters in that area of Instytutska Street from the back, specifically, from the Hotel Ukraina and from Zhovtnevyi Palace. His statements made on this site of the massacre about being under the live ammunition fire in this exact area and his references to witnessing the killing of Holodniuk and interacting with a foreign journalist there confirm that he was present in this area during this part of the massacre.<sup>219</sup> At least several other eyewitnesses among the protesters confirmed the presence of snipers in Zhovtnevyi Place in their media interviews and videos on YouTube. For instance, a Maidan protester in a Spiegel video report about the Maidan massacre, including the killing of Roman Tochyn, pointed out snipers in Zhovtnevyi Palace, the Hotel Ukraina, and the Music Conservatory.<sup>220</sup>

Various evidence indicates that there were Maidan snipers and spotters in Zhovtnevyi Palace around the time of killing and wounding of specific protesters from these buildings. In their radio intercept, SBU snipers report hearing numerous gunshots and seeing suspected snipers or their fire coordinators (spotters) at several other buildings then held by the Maidan side, such as on the roof of Kinopalats at 9:43am at the very moment when this group of the protesters was massacred on Instytutska Street. The Maidan announcers reported three snipers shooting to kill from the top of Zhovtnevyi Palace, which is connected to Kinopalats, at 9:46–9:47am, and they repeated such specific warnings several times during the massacre until at least 10:14am.<sup>221</sup>

At 9:46am the Alfa snipers reported that a spotter left the roof of Kinopalats after he noticed the SBU snipers and then was shot at either by a Berkut policeman or some armed Maidan protestor. SBU snipers reported in their intercepted radio communication at 9:46am presence of a group of people on the roof of the Bank Arkada a Horodetskoho Street building, adjacent to the Hotel Ukraina, but these snipers or spotters left immediately after being mentioned in the radio communications.

Videos, photos, and testimonies of the protesters show that the Maidan protesters seized Zhovtnevyi Palace and that they controlled the entrance, the roof, and windows on the roof during the massacre. Three “snipers” on the roof of Zhovtnevyi Palace were filmed and identified as such from the Maidan stage during wave of killing of protesters at 9:59-10:00am.<sup>222</sup> But a full version of the video of the snipers was not released publicly. The same two “snipers” there were shown by ICTV and identified as such on February 20, 2014.<sup>223</sup> This study also located one of them in the same spot on the top of this yellow building in a BBC video at 10:05am, but his presence there was not previously reported.<sup>224</sup>



Photo 6. Maidan “snipers” or spotters on the roof of Zhovtnevyi Palace circa 10:00am during the massacre (Source, “Як працювали снайпери на Майдані,” February 24, 2014, *OGO*, <http://ogo.ua/articles/view/2014-02-24/48170.html>).

Photos by a Maidan protester show two of these reported “snipers” on the roof of Zhovtnevyi Palace at about the same time during the Maidan massacre.<sup>225</sup> (See Photo 6). They were identified as such by this eyewitness and by a Maidan stage announcer based on reports by other Maidan witnesses. As videos and testimonies of protesters show, the Maidan Self-Defense specifically checked Zhovtnevyi Palace for any snipers after the Berkut company’s retreat

shortly before and minutes after these "snipers" appeared there but reported that there were none. For instance, this was stated by Maksym Hoshovsky, who as filmed in various videos in that area in the beginning of the massacre, and by a Polish reporter who filmed inside this building and on the roof and interviewed Maidan protesters within minutes after the snipers or spotters were located there and protesters were killed from Zhovtnevyi.<sup>226</sup> The official investigation also denied that any snipers in spite of the overwhelming evidence to the contrary. The appearance of these snipers and spotters in these videos and photos matches those of the protestors and does not match uniforms of the Berkut special company, Omega and SBU snipers. Since they were in plain view of hundreds of protesters and dozens of journalists, it is almost certain that their better quality photos and videos exist but they are not made public, in particular to avoid identification of the snipers.



Photo 7. A group of Maidan protesters lying at 10:23am in plain view of the Hotel Ukraina and Bank Arkada snipers on the Zhovtnevyi Palace roof near a roof window, which Maidan witnesses identified as being used by the snipers who killed the protestors (Source: "2014 02 20 Ukraina Maślankiewicz relacja 2," *Telewizja Republika*, February 20, 2014, <https://www.youtube.com/watch?v=jnleuYDK87E>).

There is similar evidence pointing to Maidan snipers or spotters in the adjacent Kinopalats building close to the time of killings of the specific protestors from such general direction. The video compilation shows a man on the roof of Kinopalats at 10:04am but the full video was not made public.<sup>227</sup> A similar human contour is noticeable in the same area of the roof of Kinopalats around 10:10am in a photo taken by a French photographer from the midst of the massacre when

at least several protesters were killed or seriously wounded near him.<sup>228</sup> This is consistent with the earlier SBU Alfa snipers report of a spotter on Kinopalats.

The Maidan Self-Defense reportedly later found more than 80 bullet casings on the roof of Zhovtnevyi Palace.<sup>229</sup> A group of Maidan protesters was shown running to Zhovtnevyi Palace at 10:04am in a BBC video.<sup>230</sup> In addition to confirming that the Maidan side controlled this building, a Polish TV report showed some members of this group and other Maidan Self-Defense members lying on the same roof facing the massacre area and the Hotel Ukraina at 10:23am. (See Photo 7). The same Polish TV video shows a protester at 10:10am near a roof window which other Maidan witnesses identified as being used by the snipers who killed the protestors.<sup>231</sup>

In their plain view, the other protesters were killed and wounded and the BBC journalists shot at from the Hotel Ukraina, Kinopalats, Arkada, and Horodetskoho and Muzeinyi Lane buildings around the same time. However, in contrast to the SBU and Omega snipers and Berkut special police company officers, there is no evidence that snipers from these and other Maidan controlled buildings and areas identified or targeted each other. This is another indication that they were not government snipers, but Maidan shooters and spotters involved in the false flag massacre.

A brief extract from an unknown video shows a Maidan activist pointing towards a shooter, who was aiming his gun in the direction of Instytutaska Street, on a roof of an adjacent building on Muzeinyi Lane.<sup>232</sup> A recording of Spilno TV live broadcast showed at 10:23am and other times an apparent human figure lying on a roof of a Muzeinyi Lane building, but the quality of the recording does not provide enough resolution to make a more definite conclusion.<sup>233</sup> A bullet is seen striking a pole from the Muzeinyi Lane direction and ricocheting at 9:54am.<sup>234</sup>

There is other evidence of shooters on the top of buildings on both sides of Instytutaska Street in the general area that was under Maidan control. At 10:04am, a female Maidan medic in BBC video referred to the snipers on the green building (bank Arkada) but her statement was either partly cut and mistranslated in the BBC report since its translation only referred to six protesters killed by the snipers in that area.<sup>235</sup> The same Maidan female medic told a British Chanel 4 correspondent shortly afterwards that there were three snipers on the right and two on the left and pointing her hand towards Instytutaska Street, where she was filmed shortly after 10:00am on the site of the massacre in the Zelenyi Front video. She specifically mentioned the roof of the green building (Arkada) but her statement was mistranslated in this news report as referring to one sniper on the left side and another on the right side on the roof, and the bank Arkada was not mentioned.<sup>236</sup>

A Maidan Self-Defense member interviewed by an Irish TV correspondent in the Hotel Ukraina said that he saw three protesters killed from the roof of a metro station, which is located in the same building as Arkada bank.<sup>237</sup> Maksym Hoshovsky, who can be distinguished in various videos during the massacre on both sides of Instytutaska Street by a Ukrainian flag that he carried over his shoulders, stated that he saw one sniper shooting at the protestors from Arkada.<sup>238</sup> Mykola Tokar, who can be seen in various videos in this area of the massacre, also pointed out this location of the snipers in his Radio Svoboda video.<sup>239</sup>

There were several other Maidan protesters publicly reporting snipers shooting protestors from the Arkada building in their media interviews or on social media. For instance, Mark Paslawsky, a Ukrainian diaspora graduate of the US Military Academy at West Point, in his twitter posts during the massacre mentioned witnessing snipers at both bank Arkada and the

Hotel Ukraina shooting many protesters.<sup>240</sup> A lawyer for the killed protesters confirmed that there was evidence of the shooting from the Arkada, but the government investigation denied that there were any snipers there.<sup>241</sup>

Similarly, a TVP journalist based in the Hotel Ukraina during the massacre stated that he saw one of the “snipers” on the roof of Arkada and that their producer was shot from this building’s roof in his Hotel Ukraina room, judging by the direction of a bullet strike.<sup>242</sup> A bullet impact point suggests that ABC News occupied room in the Hotel Ukraina was fired from a direction of the Arkada building.<sup>243</sup> Ruslana in one of her announcements on the Maidan stage relayed “reliable reports” from the Maidan Self-Defense members of “snipers” on the roof of Arkada.<sup>244</sup> She made this announcement shortly after a protester was wounded near the metro barricade around 2:00pm, with his reported wound indicating that he was likely shot from the Arkada direction.<sup>245</sup>

A French photographer also filmed at 10:21am a just shot protester, and his apparent wound and a metal pole near him with a bullet impact mark pointing towards snipers from either Bank Arkada or Horodetsky Street buildings.<sup>246</sup> One of the timestamped photos made by another French photographer at 10:06am and published by the Paris Match shows that this pole then did not yet have this bullet impact sign. This corroborates other evidence that the protesters were shot there from that general direction at that time period.<sup>247</sup>

Similarly, a protester around 10:30am in an ICTV video report pointed towards snipers in a roof window of a Horodetskoho Street building between Arkada and the Hotel Ukraina. Movement and a white spot indicating shooters in a roof window of the same Horodetskoho Street building can be spotted in the Zelenyi Front video of the massacre around 10:08am. Similarly, the SBU snipers’ intercept at about the same time at 10:11–10:12am reported suspected snipers or spotters on the roof of one of Horodetskoho Street buildings.<sup>248</sup> Some of armed Maidan shooters, such as Parasiuk, were filmed with their left hands in white bandage for shooting purposes, while other armed protesters were with white masks. Likewise, bullet impact points in trees confirm the live ammunition fire from such sidewise direction.<sup>249</sup>

These testimonies and other evidence shows that many protesters, who witnessed the mass killing, discovered during the massacre specific buildings and often specific windows or roof areas used by the snipers. They passed this information to the Maidan stage announcers, who reported these locations to the entire Maidan area and these announcements were broadcast live by some Ukrainian TV channels, such as Espresso TV, and streamed live over the Internet. In addition, such information was passed via cell phones and radio used by many protesters. Not only killed protesters but also many of the wounded protesters, such as Sukhinsky, Trapezun, Lubianytsky, who knew that they were shot from the Hotel Ukraina, were brought to this hotel to the make-shift hospital in presence of many Svoboda deputies and numerous journalists.

Similarly, some of the protesters, who witnessed the killings and brought their killed and wounded counterparts to the hotel, publicly stated that they knew about snipers in the Hotel Ukraina at the time of the massacre. For example, Andrii Ostrozhny said that the snipers from this hotel were shooting to prevent them from evacuating protesters who were shot. He was filmed in various videos and photos carrying the shot protesters to the hotel from at least 9:55am till the most of the killings were over. Ostrozhny also confirmed that snipers were killing the protesters from Zhovtnevyi Palace and the top of the Arkada building.<sup>250</sup> Oleh Tomashchuk said that he witnessed snipers shooting from the Hotel Ukraina when he helped to carry a wounded protester. This was at 10:13am based on the content the Zelenyi Front video which shows him in a blue helmet doing this.<sup>251</sup> In a German ARD Monitor interview, Mykola Tokar said that the

protesters near the Berkut barricade came under fire from eight or nine floor of the Hotel Ukraina.<sup>252</sup> He was filmed in that area of the killings in the Zelenyi Front video before and after 10:20am. The analysis of media reports and social media identified some 50 such witness testimonies, mostly by protesters themselves, about the snipers shooting at the Maidan protesters from the Hotel Ukraina.

It would have been irrational for the Maidan leaders not to act on such information and deploy the armed Maidan groups to locate and detain or kill these snipers, who continued to massacre the Maidan protesters for a relatively long time period. This specifically concerns Parubii and Yarosh, who stated that they were during the massacre on the Maidan. But such actions become rational if these snipers were not from the government side or “third side” but from the Maidan side conducting a false flag operation. Such false flag operation to succeed in mass killing of the protestors required that it was conducted in secret not only from the government of Ukraine and its forces but also from journalists and the Maidan protesters, including many leading Maidan activists and many Maidan Self-Defense members and commanders with the exception of small minority, that included snipers, spotters, and their security. Specifically Parubii and Yarosh stated in media interviews that they were present during the massacre on the Maidan, but there is not a single publicly available video or photo showing their specific whereabouts and actions at the time of this mass killing. This is another dog that did not bark evidence indicating that the Maidan massacre was a false flag operation by a section of the Maidan leaders and a very small faction of the protesters.



Photo 8. The leader of the Khmelnytsky regional organization of Svoboda party and Maidan protesters guard the entrance to the stairways and the elevators in the Hotel Ukraina during the massacre of the protesters by shooters from this hotel circa 9:51am (Source: “Бои в Киеве: снайперы, раненые и автоматные гильзы,” *BBC Russian*, February 20, 2014, [http://www.bbc.co.uk/russian/multimedia/2014/02/140220\\_kiev\\_maidan\\_wounded\\_bbc](http://www.bbc.co.uk/russian/multimedia/2014/02/140220_kiev_maidan_wounded_bbc)).

The analysis of the numerous videos shows that there were attempts by some ordinary protesters with firearms and whole Maidan units to enter the Hotel Ukraina during the massacre to neutralize or block the snipers there. But such attempts were prevented by some Svoboda deputies, the Maidan guards in the hotel, and the hotel security. For example, a French TF1

video, included in a timestamped video synchronization, shows that at 9:50am one protestor was pointing at the hotel entrance towards the snipers at the top of the hotel to the leader of the Khmelnytsky regional organization of the far right Svoboda party, who was also the member of Ukrainian parliament. However, a BBC video shows this leading Svoboda activist guarding along with a few Maidan protesters the entrance to the stairways and the elevators in the hotel shortly after Trapezun was brought there at 9:51am. (See Photo 8). This happened around the time when Trapezun, Kravchuk, and many other members of the Svoboda-led Khmelnytsky's company of the Maidan Self-Defense were massacred by shooters from that side of the hotel.<sup>253</sup> Such a seemingly irrational action by the leading Svoboda activist and the member of the parliament and several other Maidan protesters guarding the entrance becomes rational if the snipers in the hotel were from the Maidan side and the massacre was a false flag operation.

Another protester went to the Hotel Ukraina lobby, called there for anyone with firearms, and attempted along with another protestor at 10:18-10:19am to go up the stairs, but he was dissuaded by the arrival of the Parasiuk-led armed group and by an unidentified protestor, who said that the snipers there were from the police.<sup>254</sup> However, videos shows that this unidentified protestor himself showed no apparent concern for any snipers by walking many times from the hotel to the massacre area and carrying killed and wounded protesters to the hotel before and after this incident. There was at least another such protestor who also remains unidentified. Such seemingly irrational actions might be interpreted as false signals of safety to other protesters to lure them to the massacre areas.

There is various evidence that the protesters controlled specific floors of the Hotel Ukraina at the time when shooters there were firing at both the protesters and the police. About two dozen of protesters, a part of whom were armed with Kalashnikov assault rifles and hunting rifles, were filmed entering the Hotel Ukraina in 10:18-10:19am during the massacre of the protesters in presence of several Svoboda deputies and many Maidan protesters and foreign and Ukrainian journalists. (Photo 9). BBC, AFP, Itele, France 2, Sky News, Globe and Mail, and a Ukrainian TV correspondents recorded this group entering the hotel, but they either downplayed this, showed parts of the group, or did not report this at all.<sup>255</sup> For example, an unlisted and previously unreported video, which was made by a correspondent of Ukraina TV channel, shows arrival of the main body of the Parasiuk's armed group to the hotel Ukraina at this time which is established from a time when a wounded medic was carried out to the Hotel Ukraina in the timestamped videos of the massacre. Parasiuk and most of other members of his group appeared in the Hotel Ukraina from unknown directions, since they were not filmed among the part of their group walking from the Music Conservatory to the hotel via Maidan square. It is noteworthy, that the arrival of this armed group coincided with apparent disappearance of the snipers in the Zhovtnevyi Palace and Horodetskoho Street at about the same time.

Videos show Svoboda members of the parliament, such as Ruslan Koshulynsky, Oleh Pankevych, Yuri Syrotiuk, Iryna Stekh, Iryna Farion, Oleh Osiatynsky, Ihor Shvaika, and Anatolii Vitiv, witnessing the arrival and exit of members of the armed Parasiuk group or being at the first floor and near the hotel during the massacre, in some cases from the very start.<sup>256</sup> Most members of Svoboda faction had being provided Hotel Ukraina suits to live after the 2012 elections. But they have not publicly mentioned presence of Maidan shooters in the hotel, and the Prosecutor General from Svoboda did the same. Some of the Svoboda parliament members were filmed in the massacre area or in the line of fire from the shooters in the Hotel Ukraina, Arkada, and Zhovtnevyi even though these would have been irrational from personal safety perspective because information about shooters in these locations was available from the

wounded Maidan protesters and other witnesses and from the Maidan stage announcements. But such actions become rational if these Svoboda deputies acted either with inside knowledge or orders as a part the false flag operation.



Photo 9. Volodymyr Parasiuk, the commander of the special Maidan company, guides by hand a group of arriving protesters armed with Kalashnikov assault rifles and hunting rifles in the Hotel Ukraina during the massacre at 10:19am (Source: “Ukraine : Un hôtel transformé en hôpital de fortune,” *Itele*, February 20, 2014, <http://www.itele.fr/monde/video/a-kiev-les-manifestants-repoussent-la-police-73129>).

A video shows another group of protesters with one handgun, an axe, and a long bag, which was a convenient way to hide and carry weapons, breaking into a hotel room on the 14<sup>th</sup> floor of this hotel. This was around 10:12am based on synchronization of the Maidan stage announcement heard in that video.<sup>257</sup> Both RT and Spilno TV correspondents reported that there were “snipers” on the same floor. For example, a timestamped Facebook post by a Spilno.tv reporter stated at 12:40pm that there were snipers on the 14<sup>th</sup> floor and these snipers were shooting protesters on the Maidan. Protesters also testified that there were “snipers” on the 14<sup>th</sup> floor of this hotel.<sup>258</sup> There were also reports, eyewitnesses and bullet trajectories on the site of the massacre concerning shooters on the roof, located next to that floor.

At least two members of the Parasiuk’s group were recorded in a Ruptly video when one of them was shooting from a twin barrel IZh-56 hunting rifle from the 14<sup>th</sup> floor of the Hotel Ukraina at 10:20-10:22am.<sup>259</sup> (See Photo 10). Contours of towers and other buildings in this video match those on the Instytutska Street. The approximate angle of this rifle and calculations based on the height of the building and the distances indicate that it was pointed not towards the police but towards protesters. In addition, it would be irrational to use such hunting rifles and ammunition against the police. The distance towards the Berkut barricade and Omega positions



was about 200 meters and far beyond the effective distance for precise and lethal shots with such hunting rifles, in contrast to positions of the protesters. They were within several dozen meters from the hotel and within effective distance of such hunting weapons and ammunition (See Map 1).



Photo 10. At least two members of the Parasiuk's group were filmed at 10:20-10:22am when one of them was shooting from an IZh-56 hunting rifle towards protesters from the 14th floor of the Hotel Ukraina. (Source: "Ukraine: Snipers target police in Independence Square, *Ruptly TV*, February 20, 2014, <https://www.youtube.com/watch?v=n2PTeUBCPAQ>).

A German TV video shows Parasiuk retrieving his company members from the same room of the Hotel Ukraina on the 14th floor during the massacre in presence of several journalists at 10:22am.<sup>260</sup> The ZDF correspondent said that these protesters broke into their room and then were shooting. Ruslan Koshulynsky, deputy-speaker of the Ukrainian parliament from Svoboda, was filmed with this group of armed shooters both in this video and in the Ukraina TV video showing the entrance of the Parasiuk's company members, and then Koshulynsky follows them to the elevator. The exact time and the location of this group and the matching clothing and appearance indicate that a protestor, who accompanied this group and was filmed in the cited Ruptly video with a Glock handgun and in the ZFD video following the Parasiuk group, was Koshulynsky. (See Photo 11). He led the crucial emergency meeting of the Ukrainian parliament in the afternoon and the evening of the same day. The parliament condemned the Yanukovych government forces for the massacre of the protesters and issued an order for them to retreat from the downtown Kyiv.

Media reports of deputies negotiating with "snipers" on the roof after presence of the shooters was reported there from the Maidan stage at 10:59am am likely referred to some of these Svoboda members of the parliament. It would be irrational to negotiate with "snipers" and then deny their presence, unless they were perceived as not dangerous by being from the Maidan

side. But the “roof snipers” were no longer acknowledged and their existence was denied within hours after the opposition members of the parliament went to the roof. An admission by a protester from the Parasiuk’s group that he went to the roof of the Hotel Ukraina but saw no snipers there is another evidence that the “shooters” on the roof were from the Maidan side.<sup>261</sup>



Photo 11. Ruslan Koshulynsky, deputy-speaker of the Ukrainian parliament from Svoboda, with Parasiuk-led group of shooters on the 14 floor of the Hotel Ukraina circa 10:22am during the massacre. (Source: Startseite - ZDF Mediathek, ZDF, 2014, <http://www.zdf.de/ZDFmediathek#/beitrag/video/2105278/Maidan:-R%C3%A4tselraten-um-t%C3%B6dliche-Sch%C3%BCsse>).

The Spilno TV broadcast and initial media reports stated around 11:00am that a “sniper” was found on the 10th floor by the Maidan Self-Defense armed with Kalashnikovs. A protester saw similarly-dressed man who was rumored to be a sniper and was carried by Maidan Self-Defense members near the Hotel Ukraina.<sup>262</sup> A Spilno TV recording also contains information that a French TV crew filmed the capture of one of the shooters in the Hotel Ukraina during the massacre and interviewed him, but this video was not broadcast.

But absence of any further information about this man suggests that he was either one of the Maidan snipers, similarly to the self-admitted sniper from the Conservatory in the BBC and Vesti interviews, or that he might have been falsely identified as the one to send a false signal to the protesters who were not aware about the false flag operation. The description of this person matches a man in black dress and balaklava and a handgun who was filmed by French TV and Ren TV circa 11:00am trying to go to the higher floors of the hotel and neutralize the snipers there, but he was not allowed to do that by the hotel security and the Maidan guards.<sup>263</sup> A similarly dressed man was filmed one his knees surrounded by Maidan protesters, including a protester armed with Kalashnikov, in the Hotel Ukraina in a previously unreported video at the

same time as Parasiuk and at least some other members of his group were leaving the hotel around 11:00-11:30am in presence of Svoboda deputies, Maidan protesters, and journalists.<sup>264</sup>

Many foreign journalists, including from the Globe and Mail, Die Zeit, and RT, tweeted firsthand information from their base in the Hotel Ukraina that the protesters were shooting from the hotel during the entire massacre.<sup>265</sup> They generally assumed that the only rational target of the Maidan shooters was the police. But, as noted, the use of hunting ammunition and hunting rifles, carried by many of the members of the Parasiuk group, against the police from the Hotel Ukraina would not have been rational because of the distance, in contrast to the effective distance of their use against the protesters. In addition, no police members were confirmed killed at that location, in contrast to dozens of police casualties caused earlier in the morning by the Maidan snipers on the Maidan.

A Polish TVP correspondent based at the Hotel Ukraina stated in his TV report on February 20, 2014 that they got photos of the Maidan protesters shooting at “people” with Kalashnikovs twenty minutes following his interview with one of the protesters, who said that they had no weapons. This reporter also later said that most of the killed protesters were shot from the Hotel Ukraina, but he did not make public these photos of the protesters shooting people with Kalashnikovs and his videos of the massacre, which showed some of the “snipers” in other locations.<sup>266</sup>

Little known recordings of Spilno TV live Internet broadcasts from the Hotel Ukraina indicate that at least two groups of armed protesters were on the top floors of the Hotel Ukraina during the massacre and that they were shooting with AKMs and hunting rifles at the time when the protesters were killed on Instytutska.<sup>267</sup> Protesters during this shooting round and immediately afterwards pointed towards snipers at that part of the Hotel Ukraina.<sup>268</sup> The demands of the first group to Spilno TV and CNN journalists on the 11<sup>th</sup> floor to get away from the windows to allow them to take firing positions were recorded by both reporters at 10:21am based in the time-stamped of the Spilno TV recording. The armed protesters on the 11<sup>th</sup> floor did not allow to film themselves, but their appearance several minutes after the Parasiuk’-led group entered the hotel and was commanded by him to go the 10<sup>th</sup> floor indicate that they might have been from his unit. However, as noted, there were other unidentified groups of armed Maidan protesters at the hotel during the massacre. But the presence of these Maidan snipers was not reported by the CNN.<sup>269</sup> This US TV news network only reported about snipers on the Hotel Ukraina roof during the massacre when the US Secretary of State visited the massacre site but suggested that they were the Yanukovych snipers.<sup>270</sup>

Synchronized recordings of the Spilno TV streams show that salvos of automatic gunshots were fired from a close distance within a minute before and after the appearance of the first group of armed protesters in the right wing of the 11<sup>th</sup> floor of a hotel corridor where the Spilno TV was streaming from. Then such gunfire rounds followed at around 10:22am, 10:25-10:27am, and 10:30am. Since then, the Spilno TV reporter and an English-speaking foreign reporter, possibly from the French TV crew that was mentioned as being there, described seeing and hearing live ammunitions shots coming from the top floors of the hotel. For instance, at 10:35am this foreign reporter said that he saw a shooter hiding in a Hotel Ukraina window and firing shots. Another person there said at 10:31am that he just saw a person with a firearm on the 11<sup>th</sup> floor of their hotel and at 10:55am that the Maidan Self-Defense armed with Kalashnikov assault rifles on 10<sup>th</sup> floor “carried away” one or two “snipers.” The Spilno TV streamer reported at 10:43am that hunters were among the protesters and at 10:50am that protesters at the hotel were armed with AKMs and rifles and later that they were shooting. He said at 10:48-10:50am

that there were shots from the Hotel Ukraina from a window on the same floor and from the roof of the Hotel and at 10:59am that two “snipers” were on the roof of the hotel.<sup>271</sup>

During the same time when the Maidan snipers were filmed shooting from the 14<sup>th</sup> and 11<sup>th</sup> floors, many protesters were shot at, killed and wounded by 7.62mm AKM caliber bullets and by hunting pellets and bullets from the direction of the hotel or other Maidan-controlled areas. For instance, the video compilation shows that Oleksander Tsariok was killed at the same time at 10:21am.<sup>272</sup> His multiple reported wounds can be consistent with pellets used in hunting rifles. But the exact moment of his shooting was not filmed or was edited out. He was last filmed pointing towards a top of a Muzeinyi Lane building two minutes before he was killed in his chest and abdomen.

Vasyl Halamai was wounded at 10:21am. His position in a moment of the gunshot and his self-reported wound in the right lower back area with a bullet then hitting his left leg is consistent with Bank Arkada direction.<sup>273</sup> There were at least a couple of other protesters wounded in their back, indicating that they were shot from the hotel. Two protesters behind the same barricade at 10:24am pointed out “sniper” fire at the protesters from the pendulum floor of the Hotel Ukraina and three bodies lying nearby in another video filmed from amid a group of protesters under the deadly fire on Instytutska Street.<sup>274</sup> This means either the same 11<sup>th</sup> floor in the two wings of the hotel or the 13<sup>th</sup> floor in its central section. At the same time as another round of gunfire in the Spilno TV broadcast, the Zelenyi Front video shows at 10:26am a protester being shot dead when he was running away from the massacre area.<sup>275</sup> The Spline TV recording shows sparks flying from the Hotel Ukraina immediately after a loud shot that killed this protester, Volodymyr Chaplynsky.<sup>276</sup> It would have been irrational for the police to kill an unarmed protester running away from their positions. The government investigation also determined that he was not killed from the Berkut barricade positions.

Another publicized but misrepresented video shows that Dmytro Holubnychi, a teenage protester and some other protesters, fled from the barricade on Instytutska Street within two minutes after Iosyp Shyling was killed in the head at the same barricade at 10:28am and immediately after a loud call by one of the protesters that ‘they [shooters] are behind.’<sup>277</sup> Holubnychi confirmed in his media interview that he and other protesters came under live ammunition fire by the shooters from the Hotel Ukraina.<sup>278</sup> His position in a video by a French photographer and a reported direction of his entry wounds in the neck and left shoulder indicate that Viktor Chmilenko was shot from the Maidan-controlled building at 10:28am.<sup>279</sup>

A few minutes after the first group of armed protesters was recorded on the 11<sup>th</sup> floor, an ICTV video showed at 10:25am a sniper hiding behind the curtains of a window on the 11<sup>th</sup> floor of the Hotel Ukraina and firing at the Maidan protesters.<sup>280</sup> A BBC video showed a sniper firing at 10:28am in a direction of the BBC television crew and the protesters there from an open window on the same 11<sup>th</sup> floor of the hotel.<sup>281</sup> The BBC correspondent in his news report and in his tweet identified the shooter as having a green helmet worn by the Maidan protesters.<sup>282</sup> A protester stated that he saw a few other protesters shot by “sniper” from the same hotel window.<sup>283</sup> The same window on the same 11<sup>th</sup> floor was open in that video which showed snipers in the hotel shooting the protesters one hour earlier. This is another evidence that the snipers used the same room of the hotel for a relatively long time, specifically when there were armed Maidan shooters on that floor at about the same time. This also suggests that the snipers in these ICTV and BBC videos were either from the Parasiuk-led group or from an allied Maidan armed group.

But the snipers also were able to move freely to other floors at the same time. Another protester around 10:30am indicated in the AFP video that there was a sniper shooting from the 9<sup>th</sup> floor of the hotel but this was not reported by the French news agency. Another video showed other protesters in the same area at similar time talking about the snipers shooting from the 9<sup>th</sup> floor window.<sup>284</sup> It was physically impossible to shoot at the police barricade from those windows on the 9<sup>th</sup> and the 11<sup>th</sup> floor. (See Map 1).

A first-hand account by Ilya Varlamov, his photos, and two nearby shots in the live broadcast, which was recorded from this hotel starting at 8:49am, suggest that Leonid Poliansky was killed and another protester wounded on the Maidan side of the Hotel Ukraina at 10:30-10:31am by shots from this hotel. Andrii Pavlenko, who witnessed this shooting and helped to carry Poliansky, said that this protester was killed in the chest from a Hotel Ukraina window. This protester of an ethnic Polish origin was shot far away from the Berkut barricade for no apparent reason.<sup>285</sup> However, more than tenfold overrepresentation of such non-Russian minorities among the massacre victims suggests a probability of this happening by chance close to zero and that their shooting was not entirely random but selective with a rational aim to use their killings to boost support for the Maidan opposition and its overthrow of the Ukrainian government in foreign countries, such as Israel, Poland, and the US.

There were also media and videos indicating that other protesters were shot at and likely wounded on the Maidan square itself, and that there were snipers from the Conservatory and other buildings shooting at the protesters. An RT correspondent reported at 10:58am that a 7.62mm AKM bullet narrowly missed him at a Hotel Ukraina window and that its trajectory pointed to the Conservatory building.<sup>286</sup> An Associated Press correspondent also reported being fired at in his Hotel Ukraina room overlooking the Maidan in the morning of February 20, and he found that bullet on his balcony.<sup>287</sup> An Australian ABC reporter's hotel room was also shot from the direction of the Maidan around that time.<sup>288</sup> A BBC occupied room was also fired upon.<sup>289</sup>

A testimony by Volodymyr Pastushok, a member of the Volhynian Company of the Maidan Self-Defense, reported direction of wounds, and time-stamped photos show that Oleksander Khrapachenko from this unit was killed and another person wounded at 11:27am near the Berkut barricade on Instytutska Street by shots fired from the Hotel Ukraina.<sup>290</sup> Pastushok said that investigators said that they lost his initial testimony and tried him to change it and to say that Khrapachenko was shot not from the Hotel Ukraina but he refused.<sup>291</sup> The report by Maidan NGOs and lawyers stated that the government investigation named Khrapachenko as one of at least three protesters killed from this hotel. Viktor Smolensky was filmed alive in the same area around the same time. While the exact time and spot of his killing cannot be established because of lack of publicly available information, his mother said that, based on information that she received, Smolensky was also killed from the Hotel Ukraina.<sup>292</sup>

Warnings from the Maidan stage about “three snipers” or “snipers” “shooting to kill” the Maidan protesters from the Hotel Ukraina, specifically on Instytutska Street, were made again as the killings continued there, for example, at 10:36, 10:59, 11:07, and 11:09am in the live broadcast. However, the Maidan leaders during the massacre and in many cases afterwards either denied that any shooters were there or pretended that there were no snipers there. They also claimed that several Maidan Self-Defense and Right Sector searches at the Hotel Ukraina, specifically conducted there during the massacre and soon after it ended did not find any of the “shooters.” For, example, Mustafa Nayem, who streamed live for Hromadske TV, stated at 3:00pm that a Right Sector and Self-Defense search did not locate any snipers who were spotted on an upper floor of the Hotel Ukraina.<sup>293</sup>

But the shootings of the protesters from the hotel did not stop completely, indicating that the shooters were from the Maidan side. Eyewitnesses in another video of the shooting around 4:57pm and the direction of the entry wound indicate that a bystander was killed in front of Zhovtnevyi Palace by a bullet from the Hotel Ukraina.<sup>294</sup> After this shooting, a speaker on the Maidan stage threatened to burn the Hotel Ukraina, as they did the Trade Union building a day earlier, because of constant reports of snipers in the hotel.<sup>295</sup>

A video from the police side of the barricade depicts several Berkut policemen with 7.62mm caliber AKMs and many armed members of the Omega special Internal Troops unit with 5.65 caliber AKS-74 taking cover from live ammunition fire during the height of the massacre of the protesters starting at 9:55am.<sup>296</sup> It shows that several Omega snipers arrived there at a later stage of the massacre. One Omega sniper was filmed targeting an open window of the Hotel Ukraina, and another sniper pointing his rifle in an upward direction, likely toward Zhovtnevyi Palace around 10:40-10:45am. An Ukraina TV journalist, who filmed this video, confirmed that they came under a fire and were looking for a sniper in the Hotel Ukraina.<sup>297</sup> All these buildings and the protesters on Instytutska Street were located downslope from this police barricade. A previously unreported radio intercept of the Omega commander (Strelchenko) and servicemen from his unit informed at 10:37am on February 21 about gunshots coming from the Hotel Ukraina.<sup>298</sup>

Mustafa Nayem, an initiator of the Euromaidan protests and a widely known journalist from *Ukrainska Pravda*, an openly pro-Maidan online newspaper, tweeted at 11:58am a photo of snipers on the police side of this barricade located at the intersection of Instytutska and Bankova streets.<sup>299</sup> This photo was presented by the Ukrainian media as evidence that these were snipers who massacred the protesters. However, these snipers and Berkut special company shooters generally did not hide, and they allowed the media and bystanders to film themselves during the massacre.<sup>300</sup>

Various sources of evidence indicate that Berkut and Omega used, respectively, their AKMS, AKS, and sniper rifles and that they shot live ammunition at the general direction of both the protesters and suspected Maidan “snipers” since about 9:05am. These live ammunition rounds came around the time of the killing and wounding of many protesters. Videos show that at least a large proportion of the victims were shot at that time while taking cover behind a wall, trees, and a barricade, and thus being outside of a hitting zone from the direction of the police barricade and the adjacent government buildings.

But a possibility that some of the protesters, specifically armed ones, including “snipers,” were wounded or killed by the police fire cannot be completely ruled out by this analysis because of lack or limited publicly available information about shootings of all the protesters. Oleksander Baliuk was reportedly killed on Instytutska Street, but the location and timing of his killings are not publicly revealed. Similarly, Davyd Kipiani, was reportedly found after the massacre close to midnight on February 20, but the circumstances of his death remain uncertain. He was a member of the Georgian party led by Mikheil Saakashvili, the former president of Georgia who became the governor of the Odesa Region in Ukraine in 2015.

It is noteworthy that some crucial parts of this and other waves of the killings are missing in the long and widely reported video of the massacre. This video was filmed by an activist of Zelenyi Front, a Kharkiv organization.<sup>301</sup> This organization is associated with Arsen Avakov, one of the leading members of the Fatherland party at that time, who became the Minister of Internal Affairs in the post-Yanukovich government. Another pro-Maidan activist was filmed in different videos filming and taking pictures during the massacre from within advancing

protesters, many of whom were then killed and wounded near him. His publicly released videos and photos also do not include many crucial parts of the massacre.<sup>302</sup> He later served in the special police battalion Azov, which was created under formal command of the Ministry of Internal Affairs, and was praised by President Poroshenko in the summer of 2014 for painting a star on the top of a Moscow high-rise building. In videos of both these pro-Maidan amateur photographs, there were no signs of attempts to identify Maidan sniper positions in surrounding buildings, in spite of their close proximity, or any apparent concern about snipers who were identified by other protesters in the Hotel Ukraina and other Maidan-controlled locations and by loud warnings from the Maidan stage.

Another long video, which was only made public in December 2014, matches the position and frames of pictures taken by a Lviv journalist who was a Svoboda member and previously served as the press-secretary in the Svoboda-controlled council of the Lviv Region.<sup>303</sup> The video also was filmed openly and many important moments were edited out. The same concerns a Ukrainian journalist from the 5th TV Channel, who assisted the French TV crew and was standing and filming along with the Spilno TV streamer. His recording of Berkut special company and an Omega sniper during their brief advance to Zhovtnevyi Palace were swiftly rebroadcast by the Radio Svoboda and then numerous TV channels in Ukraine and around the world and used as primary evidence that the police Berkut and government snipers massacred the unarmed protesters. Similarly, parts of this and other Spilno TV streams were rebroadcast live by Espresso TV but with its crucial audio, which pointed to armed Maidan protesters and their shooting, removed. “Shooters” did not appear to target the pro-Maidan journalists to avoid possible identification, in contrast, to targeting many professional foreign journalists, including the BBC correspondent in the same area, the Associated Press, TVP, ABC News, and Australian Broadcasting Corporation journalists, Sky News, and at least twice reporters from both ARD and RT.<sup>304</sup>

Similarly, several leaders of the opposition parties (Svoboda, the Radical Party, and the Fatherland) were speaking on the Maidan stage and blaming the Yanukovich government and its snipers during the very time or shortly after numerous gunshots fired from nearby buildings on the Maidan and from the Hotel Ukraina.<sup>305</sup> For example, a synchronization of a live broadcast recording and a brief intercepted radio communication of the actual shooters show that they fired several rounds of altogether 10 shots in quick succession at 11:32–11:33am.<sup>306</sup> The loud sound of these gunshots in the RT recordings of the live broadcast from the Kozatsky Hotel indicates that these shots likely came from this or other nearby locations.<sup>307</sup> Similarly, the same gunshots heard in the Spilno TV stream indicate that a part of this group of shooters was in the nearby locations, such as Zhovtnevyi Palace. Oleh Liashko, a leader of the Radical Party, which openly cooperated after the overthrow of Yanukovich with the neo-Nazi Social National Assembly, one of the founders of the Right Sector, said from the Maidan stage during this shooting spree that there were snipers walking and shooting behind the Maidan stela.

A Maidan activist stated that his friend intercepted and recorded on Maidan this radio-exchange of the group of shooters. A Maidan Self-Defense company commander was informed about this recording, but he disregarded this information which could have enabled to locate the shooters. The radio communication by this group of shooters was detected until the following day.<sup>308</sup> The manner of the communication of these shooters in the single publicly available recording is very different from those of SBU and Omega snipers and other government agencies in more than 30 gigabytes of their intercepted, recorded, and released radio exchanges during the entire Maidan protests. These intercepts, admissions by the Maidan leaders that they had such

intercepts, and a statement by the Alfa commander all indicate that the shooters and their spotters had such radio intercepts and were able to avoid tracking by the SBU snipers or move to different positions.<sup>309</sup>

A minute after these shots were fired by this group of snipers, Oleksander Turchynov, a former head of the Security Service of Ukraine who would become the head of the Ukrainian parliament and the acting president after the violent overthrow of the Yanukovich government, spoke on the Maidan stage while the sounds of other shots and sirens of moving ambulances can be heard in the live broadcast during his speech.<sup>310</sup> At the time of his speech, a little-known video shows two people who were identified by this Ukrainian TV report as snipers on the roof of Zhovtnevyi Palace. This news report suggested that they were government snipers by misrepresenting locations and dates of SBU Alfa snipers deployment during the Alfa's seizure attempt of the Trade Union building on February 18. The SBU head Valentyn Nalyvaichenko was a source of such misleading information during a joint press conference with the police and Prosecution General Office heads because he implied that the positions of SBU snipers on Kostelna Street and on Ukrkoopspilka building on Khreshchatyk referred to February 20 and not to February 18. The location of the two reported snipers on the roof of the Maidan-controlled Zhovtnevyi palace facing Maidan, the time at 11:37am on February 20, and their appearance indicates that these were Maidan snipers or spotters.<sup>311</sup>

Similarly, Olesia Zhukovska, a female medic was wounded, and another protester standing in front of her was shot on Maidan itself near the Kozatsky Hotel at 11:43am.<sup>312</sup> This happened during a speech by Oleh Liashko. They both were likely hit from a hunting rifle, since a single gunshot shot is heard at 1 hour and 18 minutes in the live broadcast recording, which starts at 10:23am, and an expanding bullet was found in that spot.<sup>313</sup> Eyewitnesses and the direction of the entry wound indicate that this shot was made from the Main Post Office building, which was occupied by the Right Sector.<sup>314</sup> This shooting case attracted big attention from the Ukrainian and Western media, but like all shootings of protesters, journalists, and the police on the Independence Square, government snipers were blamed and investigation results remain undisclosed.<sup>315</sup>

Eyewitnesses among the protesters, the TVP correspondent, and bullet trajectories also point to shooters around the same time in the Trade Union building, the Hotel Kozatsky, the Music Conservatory, the Finbank, and McDonalds buildings on the Maidan itself.<sup>316</sup> For example at 9:55am, a Maidan stage announcer publicly relayed information from the protesters about a “snipers” coordinator spotted on the top of the Trade Union building and ordered a Maidan unit to capture him if this coordinator is from the government side or to leave him if he is from the Maidan side. The absence of any further information about this coordinator, who was based in the Maidan-controlled area, suggests that he was from the Maidan side. A video compilation contains a small-size video recording of a person on the top of this building at 10:02am but the full video was not made public. At 11:43am, an unidentified intruder broke into a radio communication of the Internal Troops units, which retreated from the Maidan, and informed them that there were people aiming a rocket propelled grenade launcher into the Hotel Ukraina from the 6<sup>th</sup> floor of the Trade Union building.<sup>317</sup> SBU snipers noted people at the top of this building at 10:53 and 10:59am.<sup>318</sup> A Polish journalist video briefly zooms on a sniper or likely snipers on the Finbank building around that time.<sup>319</sup>

However, no snipers in these locations were captured in spite of them been in the Maidan-controlled area. Searches by the Maidan Self-Defense also were reported to have failed to locate the snipers there. There were various reports about some snipers captured in the Hotel



Ukraina, Zhovtnevyi Palace. Such a consistent failure to locate and publicly present evidence of these snipers also suggest that they were from the Maidan side.

Another “dog that did not bark” evidence is that the snipers on these buildings and armed Maidan protesters, who were filmed on the Maidan around this time, did not exchange in any live ammunition fire. Similarly, Czech and Spanish TV reports showed these Maidan protesters openly carrying or displaying their Kalashnikov rifles and hunting guns on the Maidan square in the line of fire of these snipers without any apparent concern that they could be shot like the unarmed protesters there.<sup>320</sup> For instance, a Spanish TV video showed a group of armed protesters standing during massacre near the Hotel Kozatsky and the McDonalds building, which were used by "snipers" or spotters. One of these protestors had a rifle wrapped in cloth. The identity and specific affiliation of these armed protesters have not been disclosed, but a Lviv protester stated that he saw on Hrushevsky Street after the massacre a group of Right Sector members armed with rifles wrapped in cloth and with Kalashnikov assault rifles hidden under their jackets.<sup>321</sup>

But there is evidence of the cover-up of the snipers by the Maidan leadership. A previously unreported and little known video testimony provides another direct evidence that the Maidan-hired snipers massacred protesters from the Hotel Ukraina and that at least some of the Maidan leaders knew this and deliberately covered up the "snipers." One of the Maidan protesters stated in this video that he was a part of a Maidan group which captured five "snipers" in the room 211 of the Hotel Ukraina. He said that these “snipers” laid their weapons without offering any resistance and admitted that they were hired and ordered to kill protesters. Although the protester rejected on political grounds a possibility that these shooters were hired by the Maidan leaders, he stated that his group turned these “snipers” and their weapons to Arsen Avakov and that Avakov and Volodymyr Klychko had been stonewalling queries from this group of the Maidan protesters concerning these “snipers.”<sup>322</sup>

A Kyiv leader of the Patriot of Ukraine, a paramilitary wing of the Social National Assembly, stated on Facebook that he had a firsthand knowledge that the Maidan Self-Defense members stormed a suspected sniper’s room in the Hotel Ukraina. He said that the hotel staff told him that Svoboda deputies reserved hotel rooms on the upper floors of the hotel during the massacre and that this sniper was shooting from one of such rooms. He also alleged that Petro Poroshenko, one of the leaders of the Maidan opposition and the current President of Ukraine helped to whisk away this sniper, who used a name common in the Caucasus region. The BBC investigation report stated that courts blocked requests by lawyers of the Maidan massacre victims to obtain lists of people who booked these hotel rooms used by snipers.

The types of guns and ammunition used and the direction and types of entry wounds among both protesters and policemen also confirm that the shooters came from the Maidan side. The head of the medical service of the Euromaidan and other medics reported that both protesters and the police were shot by similar ammunition, specifically 7.62mm caliber bullets and buckshot (pellets), and that they had similar types of wounds.<sup>323</sup> This information was relayed by the Estonian minister of foreign affairs in his intercepted telephone call to the EU Foreign Affairs head.<sup>324</sup> A medical doctor in the Hotel Ukraina at the time of the massacre stated that they were treating wounds of the protesters from pellets.<sup>325</sup> Mykola Tokar, a Maidan protestor, said that holes in shields of protestors were from pellets, Kalashnikov assault rifles, and larger size caliber, which is consistent with hunting rifles and Kalashnikovs used by the concealed armed groups of the Maidan shooters.<sup>326</sup>

Various statements by medics, videos, photos, and media reports confirm that dozens of protesters were shot precisely in necks, heads, thighs, and hearts, the most lethal places, and that many entry wounds were from the top, side, or back. This is consistent with locations of shooters on the roofs or top floors of all specified buildings. Precise and deadly gunshots and the 7.62mm Kalashnikov AKMS type assault rifles and various hunting weapons and ammunition used also indicate that shooters were positioned within several dozen meters from the places where both the police and the protesters were killed or wounded.

Photos, videos, eyewitness testimonies and other sources demonstrate that some protesters were shooting with or openly carrying hunting and sporting rifles, Kalashnikov assault rifles and their hunting versions, Makarov, and other handguns during the mass shooting of the police and the protesters.<sup>327</sup> The parliamentary commission concluded that it was very likely that the policemen on the Maidan were shot from firearms and ammunition that were seized by protesters from the police, internal troops, and SBU offices and arsenals in Western Ukraine on February 18 and 19. These weapons specifically included 1,008 Makarov handguns, 59 AKMS (folding 7.62 caliber Kalashnikov assault rifles, two SVD sniper rifles, and various other rifles and shotguns.<sup>328</sup> Their present whereabouts remain unknown.

The instrumentally rational goal of the massacre of the protesters in front of dozens of foreign and Ukrainian journalists and during the visit by three ministers of foreign affairs from EU countries was to blame violence on the Yanukovich government and his security and police forces. This allowed the Maidan leaders to win a conflict by using an asymmetric force and delegitimizing the Yanukovich government and by stopping its plans to use force against the Maidan.

Volodymyr Parasiuk, the same special combat company commander whose snipers shot at the police from the Music Conservatory building and then at both the police and the protesters from the Hotel Ukraine, called from the Maidan stage in the evening of February 21, 2014 to reject a signed agreement, which was mediated by foreign ministers of France, Germany and Poland and a representative of the Russian president.<sup>329</sup> The agreement called for investigation of the Maidan massacre with international help. Parasiuk issued a public ultimatum for President Yanukovich to resign by 10:00am of the next day. He justified his ultimatum by blaming Yanukovich for the massacre, while coffins of killed protesters were carried out in front of the stage and some of the members of the Parasiuk-led company, who were seen along with him in the Hotel Ukraina during the massacre, standing in front. He stated that his combat company based in the Music Conservatory was responsible for the turning point of the Euromaidan, and threatened an armed assault if Yanukovich would not resign.

Parubii said that this ultimatum announced by Parasiuk was a decision by “institutional bodies of the Maidan” and that it was adopted by a military council set up by the Maidan Self-Defense and the Right Sector on February 21, 2014.<sup>330</sup> A similar statement was issued from the Maidan stage by Dmytro Yarosh, the leader of the Right Sector, who said that he told the same Yanukovich personally when then President requested Yarosh to meet with him on February 20 after the massacre was mostly over. The Yarosh statement contained reference to arms that the Right Sector could use.

In contrast to its leading role in previous violent attacks, the Right Sector members were not visible during the February 20 massacre, and none of the members of this far right organization was reported among the killed protesters, in contrast to many members of Svoboda. Orest Karakevych, a Maidan protester, said that he was informed that the Right Sector members

were absent during the massacre, because they received advance warning from their leadership.<sup>331</sup> Such “dog that did not bark” outcome and the significant rise of the influence of the Right Sector after the massacre is another evidence of the involvement of the Right Sector in this mass killing of the Maidan protesters and the police.

In the evening of February 20, 2014, deputies from the “Euromaidan” parties were able to secure support of the majority of members of the parliament after many independent deputies and some Party of Regions deputies joined them as a result of the of the massacre. The parliament voted for a statement ordering the members of the police and security services units to withdraw from their positions in the downtown Kyiv. This de facto held such government units responsible for the massacre of the protesters, even though at least a dozen of members of the parliament from the Maidan parties, such as Svoboda deputies and some leaders of the Fatherland party, at least had information about shooters in the Maidan controlled locations, in particular, the Hotel Ukraina.

Parasiuk also admitted that members of his company forced an undisclosed number of members of the parliament to participate in the votes that led to removals of Yanukovych and members of his government from power and elected the former Maidan leaders in their place. Yanukovych fled from Kyiv to Eastern Ukraine in the evening of February 21 soon after this ultimatum was issued.<sup>332</sup> While the start of the evacuation of his residence in Mezhyhirria started a few days before and was used as evidence of his responsibility for the massacre, the start of this evacuation can be explained by an expectation that his residence outside of Kyiv can be targeted by the Maidan protesters, since there were attack of the parliament on February 18 and seizures of regional administrations and police and SBU headquarters in many regions in Western and Central Ukraine on February 18 and 19. A number of sources, such as his own statements, testimonies of his bodyguards and his government officials, information relayed by the foreign affairs minister of Ukraine to his Polish counterpart, and reported bullet impact traces in cars of the presidential convoy, indicate that Yanukovych was a target of association attempts by concealed Maidan armed groups when and soon after he fled from Kyiv to Eastern Ukraine.<sup>333</sup>

The Maidan massacre did not benefit Yanukovych and many other leaders and leading members of his government and the Party of Regions. They lost their power, which they used for their own and their personal networks enrichment, and much of their wealth, and had to flee to Russia. In contrast, the far right and oligarchic organizations and their leaders benefited from the violent overthrow of the Yanukovych government. The Fatherland party and, after its split, the People’s Front occupied many top positions in the Maidan-led governments after the violent overthrow of Yanukovych. They included positions of the acting president, prime-minister, the head of the parliament, and the head of the National Security and Defense Council. Svoboda had several ministers from in the first post-Yanukovych government, including the head of the Prosecutor General Office that investigated the Maidan massacre. While Yarosh was considered for a deputy head of the National Security and Defense Council, the Right Sector was not directly represented in the Maidan governments. However, this radical nationalist and far right alliance and its co-founders, such as the Social National Assembly, were able to form and lead their own police battalions and paramilitary formations, and have several of their leaders elected to the parliament in the 2014 elections. Such formations attained the ability to stage another violent overthrow of the Ukrainian government. Their involvement in the Maidan massacre can account for the significant influence attained by these far right organizations in Ukraine.

The failure by the Maidan-led government to locate and identify the shooters of the protesters and investigate the shooting of the police, like the similar failure of the Maidan Self-Defense to stop the shooters during the massacre, in spite of their locations being known at that time and in spite of calls to do so from the protesters, also indicate that the snipers were from the Maidan side. This study shows that the Massacre was a rational choice decision or instrumentally-rational action, when lives of the protesters were sacrificed by some of their leaders and fellow protesters to overthrow the government and gain power.

In contrast, this study found no evidence of the government or any “third force” snipers massacring the protesters; and the official investigation also did not produce such evidence. It would be irrational for the government of any “third force” governments or organizations to deploy their snipers in the Maidan-controlled buildings and territory, because of strong likelihood of their detection and capture or killing by the armed groups of the Maidan protesters. For instance, the analysis of news reports in various languages and time-stamped social media posts indicates that more than 100 journalists, photographers, and TV operators, mostly from leading Western media outlets, were reporting from the Hotel Ukraina during the massacre when the snipers killed and wounded the protesters from this building. While many of them reported, primarily on the social media, about Maidan shooters or armed Maidan protesters in the hotel; they also did not produce any evidence of “third force” or government snipers in this hotel. For instance, the reporters, who covered from this hotel the massacre, included the following news organizations: ABC, Associate Press, CNN, Los Angeles Times, Radio Svoboda, BBC (several), BBC Russian, Sky News, Guardian, ARD (several), Spiegel, ZDF, Zeit, TF1, France 2, Itele, France 24, AFP, VTM (Belgium), VRT (Belgium), RTVE (Spain), TVP (Poland), TVN (Poland), RTM24 (Poland), Belsat, Ezhednevnik (Belarus), RT (several), Ruptly, Komsomolskaya Pravda, Ekho Moskv, RenTV (Russia), CT24, Ludove Novyny (Czech Republic), Globe and Mail (Canada), RTE (Ireland), ABC (Australia). The Ukrainian news organizations, which generally offered pro-Maidan coverage and reported from this hotel during the massacre, included the following: Halytski kontrakty, 5 kanal, Spilno TV (several), Ukrstream, Hromadske TV, Ukrainska Pravda, Liga, Ukraina TV, and 1+1/Den.

However, the misrepresentation of the Maidan massacre by the US and to a lesser extent other Western governments, apparent lack of their interest in the Maidan massacre investigation and prosecution, their backing of the Maidan opposition during the “Euromaidan” and its violent overthrow of the Ukrainian government, Ukraine turning into a US client state after this overthrow, and similar precedents in other countries, such as Iran in 1953, raise a question whether these governments had intelligence or other undisclosed information that this massacre was a false flag operation or whether there was any their direct or indirect involvement in the organization of this violent government overthrow. (See, for example, Abrahamian, 2013; Gasiorowski, 1991; Sylvan and Majeski, 2009).

For instance, the US President and Vice-President publicly blamed the government forces for the massacre of the protesters immediately after it happen, but the US government did not disclose any evidence that they had about this mass killing. Barack Obama said that “we had brokered a deal to transition power in Ukraine” after the massacre and before Yanukovich fled, but the US president or other American government officials did not release any specific information about the nature of this involvement.<sup>334</sup> An intercepted telephone call between a US State Department official and the US ambassador in Ukraine prior to February 20, 2014 shows them discussing which specific Maidan opposition leaders, specifically Yatseniuk, can be in the Ukrainian government after Yanukovich offered the positions in his government to the

opposition leaders.<sup>335</sup> During his extradition trial in Austria following a US government request, Dmytro Firtash and several leading Ukrainian politicians associated with him stated that that the US government during the “Euromaidan” backed the Fatherland party and specifically Yatseniuk, who was its leader while Yulia Tymoshenko was serving her sentence. Firtash was a leading Ukrainian oligarch and an owner of the Inter TV channel, who switched from supporting Yanukovich to covertly supporting Klychko during the “Euromaidan.” Similarly, pro-Maidan Ukrainian media reported that the US Vice President Joe Biden specifically requested to put Arsenii Yatseniuk and Valentyn Nalyvaichenko in the Ukrainian government and also to include foreigners in the government of Ukraine. Yatseniuk and Nalyvaichenko became, respectively, Prime Minister of Ukraine and the Head of the State Security Service of Ukraine. This evidence of the client state is also consistent with other similar evidence, such as US government funding and training of the Ukrainian police and the nearly perfect alignment of the Ukrainian and US government policies since the “Euromaidan.”<sup>336</sup>

### **Other Cases of Violence during and after the “Euromaidan”**

The Maidan turned into a an action of mass protests after a violent dispersal by Berkut on the Maidan on November 30, 2013 of a few hundred protesters against the reversal by the Yanukovich government of signing of an association and free trade agreement with the European Union. This violent dispersal that resulted in wounding of many protestors was ordered and carried out by the Yanukovich government. But there is also a certain evidence, such as statement by Anatolii Hrytsenko, one of the Maidan politicians, that the opposition leaders had advance information about this dispersal, because the opposition was able to intercept radio communications of Berkut concerning this operation. In contrast, claims by the Maidan leaders and some scholars that the violent attacks on the presidential administration on December 1, 2013 and the Ukrainian parliament in the end of January 2014 were provocations by the Yanukovich government are not supported by evidence. Specifically, the Right Sector and other far right organizations, admitted their key role in these violent attacks.

The radio intercepts of Internal Troops units and Alfa commanders and snipers confirm that their attempts to seize the Maidan and the Trade Union building on February 18 were stopped by the burning of this building by its defenders and by use of live ammunition by the Maidan Self-Defense and the Right Sector.<sup>337</sup> These seizures of the Maidan and its headquarters were authorized by the Yanukovich government as a part of the “Boomerang” and “Khvyliia” plans.<sup>338</sup> These plans were put in force after an attempt by the opposition led by the Maidan Self-Defense and the Right Sector to storm the parliament and their burning of the Party of Regions headquarters resulting in a death of an employee working there in the morning of the same day. An Alfa officer, who led one of the SBU groups during storming of the Trade Union Building, stated that their task was to seize the 5th floor, which contained a lot of weapons.<sup>339</sup> The Right Sector occupied the entire floor which served as both its headquarters and a base of the Right Sector company of the Maidan Self-Defense.

A radio intercept of Alfa commanders contains their report about deploying SBU snipers after two “snipers” or spotters from the Maidan side were noticed on a Maidan-controlled building, their preparation to storm this building, and an order from their superior to Alfa jointly with the Internal Troops to start this attack.<sup>340</sup> This would be consistent with the announcement of the “anti-terrorist” operation by the head of SBU on February 19, 2014. While this order was canceled on the same day following the Yanukovich decision, such plans by him and his government to use force to disperse and arrest the Maidan leaders and activists, and specifically

armed protesters, created another incentive to the massacre organizers and armed protesters to use live ammunition against the police and their fellow protesters in a high-stakes game in order also to avoid their planned arrest by the Yanukovich government.

The Maidan-led government and the parliamentary commission claimed without providing any evidence that Alfa burned the Trade Union building and that undercover SBU agents burned the Party of Regions headquarters. After these attacks, Berkut, the Internal Troops, and *titushki* assembled by the Yanukovich government launched a counterassault, and at least five Maidan protesters died as result of being beaten, driven over, or injured by stun grenades.<sup>341</sup>

The “sniper massacre” fits a pattern of the politically motivated misrepresentations of the mass killing and other cases of violence by the same Ukrainian political forces and the media involved. At least six Maidan protesters were killed on February 18 and 19 by gunshots, primarily from hunting weapons and pellets, like was the case with three protesters killed in the end of January, 2014. The Maidan opposition and the Maidan-led government asserted without providing any evidence that these protesters were gunned down by the Berkut and snipers, while similarities with the “snipers” massacre on the Maidan and the failure to find their killers suggest that this was likely a part of the same strategy of false flag violence. For instance, the investigation determined that these protesters were shot from a distance of a few meters, mostly with hunting ammunition, but did not identify any eyewitnesses or suspects (See Koshkina, 2015).

Other such cases include the beating of Tatiana Chornovol on December 25, 2013, the abduction of Dmytro Bulatov, the Odesa massacre of pro-Russian separatists on May 2, 2014, and many cases of shelling and killing of civilians in Donbas. The Maidan government investigation and the court verdict concluded that the same suspects, who were arrested in December 2013, were responsible for the beating of Chornovol. The leaked investigation information and the admission of his fellow Automaidan leaders in fall 2014 provide evidence that Bulatov’s abduction was staged. The investigation also did not identify any suspects or collected any evidence, apart from the Bulatov’s, statement that he was abducted.

While the massacre of pro-Russian separatists in Odesa was blamed by the Ukrainian government on the separatists themselves, videos and other sources of evidence, such as public admissions by the far right organizations and the failure of the government investigation to find those responsible, point to the involvement of the Right Sector, football ultras and the Maidan Self-Defense units in this massacre, specifically starting the deadly fire at the Trade Union building and blocking exits from the building.<sup>342</sup> Similarly, there is various, mostly indirect, evidence of the involvement of the Ukrainian government leaders from the Fatherland party. For example, the May 2 group, which was created by the Odesa Region governor, confirmed almost a year after the Odesa massacre that the deadly fire started in the Trade Union building main entrance. Various videos, specifically, one filmed by the May 2 group leader, show the attackers throwing Molotov cocktails and burning tires into the main entrance and other parts of the building when the fire started there.<sup>343</sup> But the official investigation and the government leaders and officials falsely claimed that the fire was started by separatists or by Russian agents on the roof or in a wing part of the building and falsified investigation of his case. Various evidence indicates that the police and the firefighters were ordered by their superiors to stand by during the massacre, and that such orders came from the top echelon of the Ukrainian government.

Contrary to the Ukrainian government claims that nearly all major cases of killings of civilians in Donbas were done by separatists, specifically as false flag operations, the analysis of various sources, such as OSCE mission reports and videos, indicates that the absolute majority of

such killings during this civil war were attributable to the Ukrainian government forces and battalions led by the far right parties. However, the separatists were responsible for the most of major deadly attacks during their advance in January and February 2015. While the various publicly available evidence indicates that the Malaysian airliner in Donbas was likely shot down by separatists, there is a question if the Maidan-led government knew that separatists had obtained from Russia such capability to shot down planes at such height but not diverted the passenger air traffic from the war zone, specifically after reportedly receiving information that the separatists were expecting a Ukrainian military transport plane at the same location and time. (See Katchanovski, 2014b).

### **Conclusion**

This paper shows that the Maidan massacre of the protestors and the police on February 20, 2014 involved the far right and oligarchic parties, and it was a key element of the violent overthrow of the corrupt and oligarchic but democratically elected government in Ukraine. The study is based on a theoretical framework of rational choice and Weberian theory of instrumentally-rational action and analysis of a large volume of different sources of publicly available evidence.

The various kinds of evidence analyzed from such a theoretical perspective indicate that armed groups and the leadership of the far right organizations, such as the Right Sector and Svoboda, and oligarchic parties, such as Fatherland, were directly or indirectly involved in various capacities in this massacre of the protestors and the police. This mass killing was a successful false flag operation, which was organized and conducted by elements of the Maidan leadership and concealed armed groups in order to win the asymmetric conflict during the “Euromaidan” and seize power in Ukraine. This study also provides a rational explanation for the failure of the government investigation to find and prosecute those directly involved in this mass killing and for falsification of the investigation. However, specific nature and degree of the involvement of each of these political organizations and specific leaders and armed protestors remains unclear. Such a false flag massacre by its nature could have been organized and successfully carried out only by a small number of Maidan leaders and protestors. The absolute majority of the Maidan protestors, activists, members, and supporters of the “Euromaidan” mass protests and parties that led these protests, including the victims among the protestors, were not aware about the actual organizers and perpetrators of this politically motivated murder and not involved in any other way in this mass killing.

The study shows that concealed armed Maidan groups, which were based in particular in Music Conservatory and the Trade Union buildings, started the massacre in the early morning on February 20 by targeting Berkut and Internal Troops units on the Maidan itself with live ammunition fire, inflicting their mass casualties, and forcing them to retreat. Then the armed Maidan groups, in particular the same ones, massacred the unsuspecting Maidan protestors from concealed positions. The analysis of circumstances, timing, and locations of specific killings of 49 protestors presents evidence that almost all of them were killed from the Maidan-controlled buildings and locations, in particular the Hotel Ukraine and Zhovtnevyi Palace. This study presents direct evidence, such as videos, photos, and witness testimonies, concerning groups of the Maidan “snipers” in these buildings and their shooting from these positions in the directions of the protestors at the same time when the protestors were killed and wounded from these directions from the same caliber and types of weapons.

The other evidence includes the following: the Maidan leaders gaining power as a result of the massacre; loss of power and flight by President Yanukovich and his other top government officials from Kyiv February 21, 2014 and then from Ukraine; Maidan protesters sent under deadly fire into positions of no important value and then being killed wave by wave from unexpected directions; and failure of the armed Maidan groups and Maidan leaders to target, neutralize and capture these snipers in buildings under the Maidan control or on their territory. Similarly, snipers killing unarmed protesters and targeting foreign journalists but not Maidan leaders, armed Maidan groups, the Maidan Self-Defense and the Right Sector headquarters, the Maidan stage, and pro-Maidan journalists become rational.

The seemingly irrational mass killing of the Maidan protesters and the police on February 20, 2014 turns to be rational from self-interest based perspectives of rational choice and Weberian theories of instrumentally-rational action. The new government that came to power largely as a result of the massacre falsified its investigation, while the Ukrainian media helped to misrepresent this mass killing of the protesters and the police. The analysis found that Berkut was shooting at the Maidan “snipers” and as warning to stop unarmed protesters, but it cannot exclude that the police killed or wounded some of the protesters, specifically armed ones, on February 20 because of lack of information about killings of a few protestors. No reliable evidence about “third force” foreign snipers or organizers of the massacre has been found.

This academic investigation also brings new important questions that need to be addressed. Because of various evidence of US government backing of the Maidan opposition, its involvement in the Maidan government selection and policy decisions, and its past record of supporting or organizing regime change in other countries, additional research is needed to examine if there was any involvement of the US government in the violent overthrow of the Ukrainian government.

This study puts “Euromaidan” and the violent conflict in Ukraine into a new perspective. While the massacre of the protestors and the police was rational from a rational choice or instrumentally rational theoretical perspective, this mass killing not only ended many human lives but also undermined democracy, human rights, and the rule of law in Ukraine. The massacre of the protesters and the police was a key part of the violent overthrow of the government in Ukraine and a major human rights crime. This violent overthrow constituted an undemocratic change of government. It gave start to a large-scale violent conflict that turned into a civil war in Eastern Ukraine, to a Russian military intervention in support of separatists in Crimea and Donbas, and to a de-facto break-up of Ukraine. The violent overthrow of the Ukrainian government also escalated an international conflict between the West and Russia over Ukraine.



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## Notes

- <sup>1</sup> There was a trumpeter playing during the “snipers’ massacre,” but he came under live ammunition fire from the shooters at the Hotel Ukraina. See “Кровавый Расстрел Украинцев На Майдане 20-февраля!” 2014, Vasil Ponamariov, <https://www.youtube.com/watch?v=nx34GTJTIYM>.
- <sup>2</sup> See, for example, “President Obama's Speech on NATO and the Baltic States,” Council on Foreign Relations, September 3, 2014, <http://www.cfr.org/defense-and-security/president-obamas-speech-nato-baltic-states/p33384>.
- <sup>3</sup> “Ukrainian President Address to Congress.” C-SPAN, September 18, 2014, <http://www.c-span.org/video/?321426-1/ukrainian-president-petro-poroshenko-address-congress>.
- <sup>4</sup> See Katchanovski (2016) for a summary of a previous version of this study.
- <sup>5</sup> “Breaking: Estonian Foreign Minister Urmas Paet and Catherine Ashton discuss Ukraine over the phone,” Michael Bergman, March 5 2014, <https://www.youtube.com/watch?v=ZEgJ0o3QA8>.
- <sup>6</sup> See, for instance, Timothy Snyder, “Ukraine: The Haze of Propaganda,” *New York Review of Books*, March 1, 2014, <http://www.nybooks.com/blogs/nyrblog/2014/mar/01/ukraine-haze-propaganda>; Jessica Elgot, “Ukraine's 'Neo-Nazis' Pay Respects At Funeral Of Jewish Maidan Activist,” *Huffington Post UK*, March 18, 2014, [http://www.huffingtonpost.co.uk/2014/03/18/ukraines-neonazis-jewish\\_n\\_4986582.html](http://www.huffingtonpost.co.uk/2014/03/18/ukraines-neonazis-jewish_n_4986582.html).
- <sup>7</sup> “Звіт ТСК щодо подій 18 — 20 лютого в Києві 05.07.2014,” Hennadi Moskal, [http://www.moskal.in.ua/?category=news&news\\_id=1099](http://www.moskal.in.ua/?category=news&news_id=1099).
- <sup>8</sup> “Crimes committed against Maidan,” Ukraine Crisis Media Center, November 19, 2014, <http://www.youtube.com/watch?v=BikMGU9cj7s>.
- <sup>9</sup> Ibid.
- <sup>10</sup> Мария Жартовская, “Следователь по делу Майдана” *Ukrainska pravda*, January 23, 2015, <http://www.pravda.com.ua/rus/articles/2015/01/23/7056061/>.
- <sup>11</sup> “Свавілля триває. Кримінальна справа по Беркуту у зв'язку з розстрілами демонстрантів на Майдані,” *UkrinformTV*, January 22, 2015. <https://www.youtube.com/watch?v=6D3OM7SOQtw>
- <sup>12</sup> “Засідання від 15.07.2015 у справі про «Вбивства 39 людей 20.02.2014 під час Євромайдану»” Судова влада України, 2015, <https://www.youtube.com/watch?v=Td7aRVjSHGc>, (0h19-2h07).
- <sup>13</sup> Сергій Лещенко, “Наливаиченко проти Суркова – сценарій для Медведчука?” *Ukrainska pravda*, April 16, 2015, <http://blogs.pravda.com.ua/authors/leschenko/552ee534b5a10>.
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- <sup>16</sup> Ольга Мещерякова, “Людей на Майдане могли расстреливать грузинские снайперы,” *Vesti*, May 14, 2014, <http://www.vesti.ru/doc.html?id=1580535>.
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- <sup>18</sup> “Звіт ТСК,” Hennadi Moskal, [http://www.moskal.in.ua/?category=news&news\\_id=1099](http://www.moskal.in.ua/?category=news&news_id=1099).
- <sup>19</sup> “Засідання від 03.08.2015 у справі про «Вбивства 39 людей 20 02 2014 під час Євромайдану».” Судова влада України, 2015, <https://www.youtube.com/watch?v=f45Fj3Y0Gec> (2h59-3h06).
- <sup>20</sup> See “Report of the International Advisory Panel on its review of the Maidan Investigations,” March 31, 2015, International Advisory Panel, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016802f038b>.
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