

“We blame the police!” Rally



Київ
11/29/2021



The Center for Civil Liberties is a human rights organization that works to support human rights, democracy and solidarity in Ukraine and the OSCE region for the purpose of strengthening human dignity.

The organization's key **objectives** include facilitating the implementation of reforms related to observance of human rights; introducing civic control over actions of law enforcement agencies, judges, and local self-government authorities; documenting instances of political persecution in Crimea and international crimes committed in Donbas; educational activities aimed at promoting the human rights values; participating in international solidarity programs.

OZON Civic Monitoring Group was set up in January 2013 by the Center for Civil Liberties to institutionalize the system of civic control in Ukraine. A specific feature of its functioning is a wide involvement of ordinary citizens in civic control on a volunteer basis, regardless of their specialization or previous experience.

OZON **intends** to improve the work of government authorities in the field of observance of human rights and freedoms by organizing a system to monitor their activities as well as by popularizing in Ukrainian society the ideas of civic control over authorities. Through their efforts, OZON volunteers uproot a paternalistic approach to the authorities and educate both society and law enforcement representatives to the concept of "**authorities as hired managers**", which is widespread in democracies, and where the effectiveness of authorities is evaluated by the public directly.

Introduction

Ensuring the freedom of assembly is quite an uphill task for the authorities. This is a particularly difficult challenge for the police who are primarily responsible for ensuring that assemblies can be held, while simultaneously maintaining public order. This task becomes particularly complicated when a counter-assembly is staged in parallel.

The Report follows the monitoring performed by OZON Civic Monitoring Group, based on Ukrainian laws and regulations and best practices detailed in the “Guidelines on Freedom of Peaceful Assembly” and ODIHR/OSCE’s “Human Rights Handbook on Policing Assemblies”.

On November 29, 2021, the “We blame the police!” rally and the counter-assembly were monitored by two observers. You can find a description of the events, a detailed analysis and assessment of the police actions in this Report.

“We blame the police!” Rally

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Duration of monitoring by civil observers: 18:11–19:56

Persons present at the rally: ~350

Persons present at the counter-assembly: ~60

Policemen and national guardsmen present: ~195
(excl. standby teams)

Main Directorate of National Police: ~16

Dialogue police: ~10

Riot police: ~50

Tactical response police: ~18

Patrol police: ~1

National guardsmen: ~100

Health care team. A Red Cross team (2) and rescuers from the National Guard's Fire Brigade were also present

Chapter I. Description of the events

Duration of the rally: 18:40–19:40

Venue: outside the building of the Ministry of Internal Affairs (10 Akademika Bohomoltsia St.)

Rally agenda: *as stated in the rally's announcement¹, "throughout November, the Khvylovyi Bar on Podil as well as the club on Kyrylivska Street and Closer have suffered from attacks by unknown persons. Last Friday about 25 men, some of them carrying bladed weapons, broke into Khvylovyi's territory, attacked security guards, smashed the furniture and windows of the populated bar, and used tear gas against patrons. All this took place with the tacit consent of the police." The demands made at the rally can be found on the event's Facebook page.*

Brief description of the events:

The "We blame the police!" rally was held outside the MIA building, with a counter-assembly already held in parallel by the time the monitoring started.

The observers arrived at the scene at 18:11. Approximately 20 riot policemen were deployed on the approaches to the building. Whenever attempts were made to record violations of the rules for wearing of ID devices, policemen would deliberately fall in line, thereby preventing any recording of the violations.

At the rally site near the building, about 60 national guardsmen and 12 MDNP officers were present. The protesters assembled close to the MIA building, while their opponents — across the road. The counter-assembly's vehicle with PA equipment was parked nearby.

At 18:30, the rally's vehicle with PA equipment arrived. At 18:37, national guardsmen lined up in a two-row cordon at a crosswalk between the participants of the rally and those of the counter-assembly. One row was facing the rally participants, the other — those of the counter-assembly. At the same time, patrol police had blocked the road.

Episode 1. While the observer was recording the number of riot policemen, one of them approached her saying, "Don't count us, count the participants," and, using moderate force, turned the observer round.

Participants of the rally turned on the music and chanted slogans; speeches began. One of the speakers urged the participants to stay away from the opponents, saying that after the rally is over, they would be accompanied to the metro by police officers. The cordon between the two rallies comprised a total of 100 national guardsmen.

At 19:24, the organizers announced the end to the rally, and the participants started leaving the site. Along the route, they were accompanied by riot and dialogue policemen. Participants approached the Khreshchatyk metro station (exit to the Heavenly Hundred Heroes Alley) in an organized manner, while at an entrance to the metro station the dialogue police urged the participants to go down into the station. At 19:56, the remaining participants went down into the station, and the observers ended their monitoring.

Episode 2. The Telegram channel "VPP" reported² that participants of the rally were attacked on Independence Square: *"the attack occurred at the entrance to the Maidan Nezalezhnosti metro station. Neo-Nazis took away the poster, but refrained from beating people when they heard that there was a foreigner among them. The attackers were three strong adult men aged 30–35, one of them has a 'spider web' tattoo to the right of his neck"*

¹ <https://fb.me/e/10Sb69sLn>

² <https://t.me/vestnikpodil/649>

Participants of the counter-assembly would also turn on the music and make speeches in parallel with the rally. During the speeches, offensive statements were hurled at the rally participants (“bastards”, “mutants”, “freaks”, etc.). At 19:40, organizers of the counter-assembly ended their event. Accompanied by national guardsmen, they started leaving the site.

Slogans of the rally:

“Be a rebel, make love, don’t give up your rights”
“Safety for Podil”
“Freedom and safety” (etc.)

Posters at the rally:

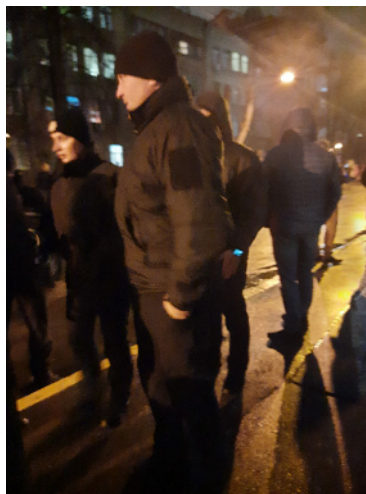
“STOP ultra-right terror”
“Never again”
“Make Podil safe again”
“I want to hang out freely on Podil”
“Stop protecting the thieves.”
“I eat a sandwich at Khylorvi and get beaten by a moron”
“Why do sexy people (me) have to suffer from cops and far-rights”
(etc.)

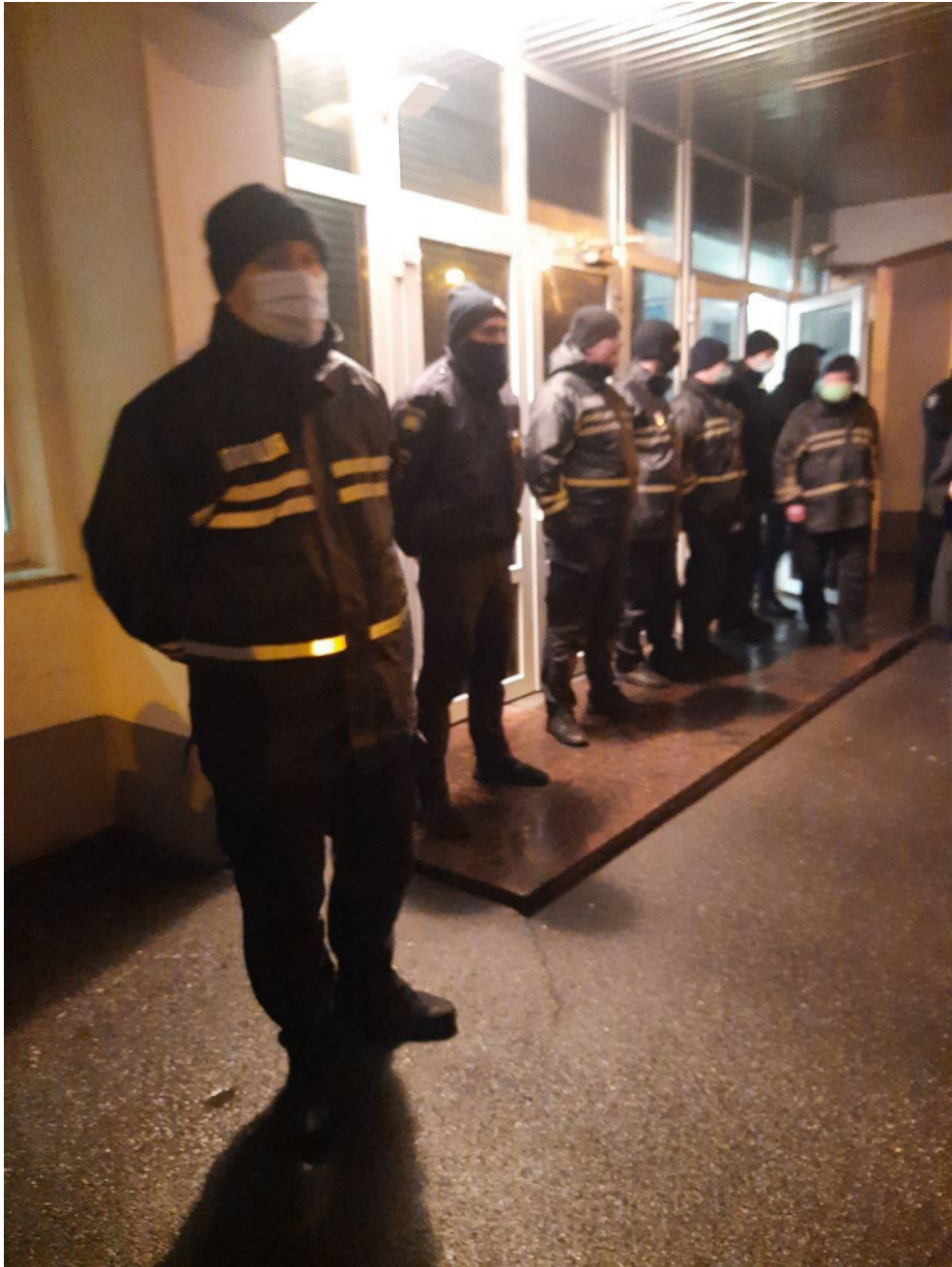
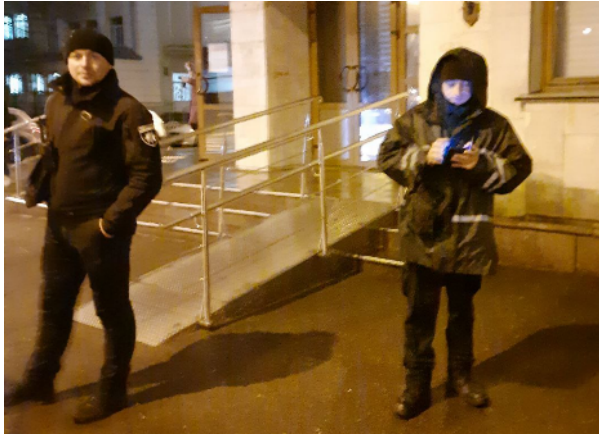
Slogans of the counter-assembly:

“Drugs kill”
“Get drug dealers out of Kyiv”
“Get junkies and faggots out of Kyiv” (etc.)

Problems with personal identification devices of law enforcement officers

Violation by MDNP officers and riot police of the rules for wearing personal identification devices (i.e., no badges) was recorded. In particular, MDNP officers had no visible insignia (tokens, chevrons) because of the raincoats worn. Furthermore, some riot policemen had no number tags or “Police” stickers on their bulletproof vests. The observers have noted a few law enforcements officers who apparently took part in the maintenance of public order without wearing uniform and/or proper insignia.





Chapter II. Conclusions and recommendations.

Ensuring the freedom of assembly is quite an uphill task for the authorities. This is a particularly difficult challenge for the police who are primarily responsible for ensuring that assemblies can be held, while simultaneously maintaining public order.

On the whole, the work of law enforcement officers during the rallies held on November 29 in parallel near the building of the Ministry of Internal Affairs in Kiev may be regarded as successful. The obvious positive aspects in the policing included enabling the safe holding in parallel of (opposing) rallies on adjacent sites and offering an opportunity for all street actors to exercise their freedom to express their position peacefully in the public space.

Nevertheless, a few serious problematic trends should be noted, which we still observe in the process of monitoring at peaceful assemblies, including during this rally:

1. Identification problem.

Raincoats, which are part of the law enforcement uniform in stormy weather, completely cover all personal identification devices (badges, unit and police chevrons). This is not the first time that the civic monitoring group notes this problem. A separate instance of riot policemen and MDNP officers not wearing raincoats and lacking adequate personal identification devices (badges, number tags) was also recorded.

2. Disrespectful attitude to the role played by civic observers in ensuring freedom of peaceful assembly, as shown by police officers, including riot policemen.

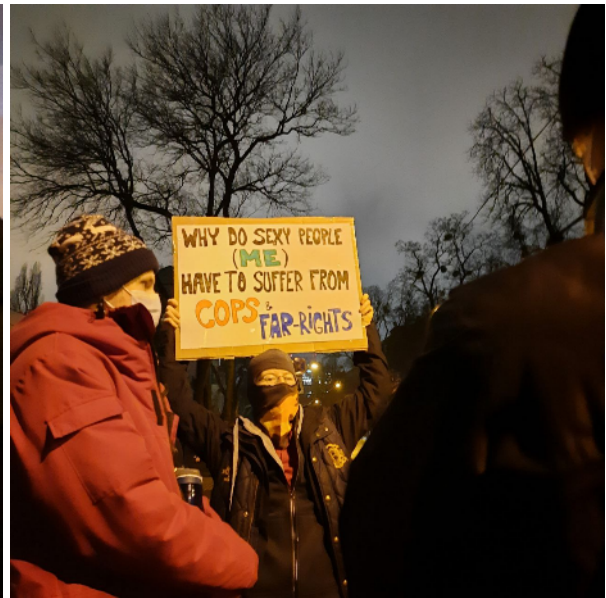
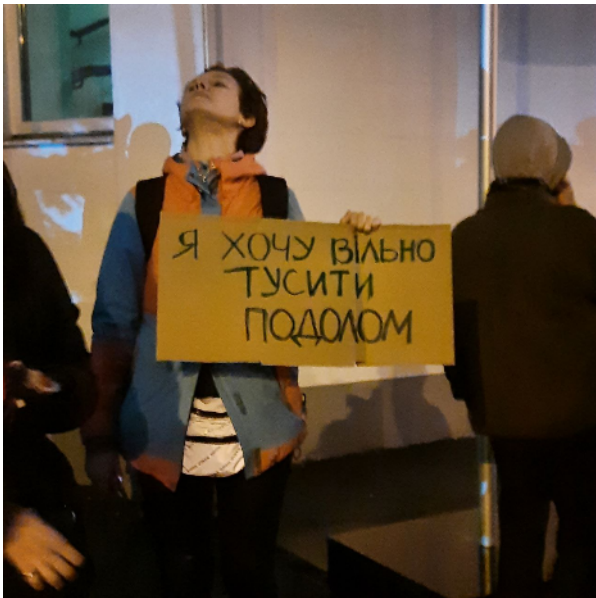
Throughout the monitoring process, isolated instances of directive shouting at the observers regarding their role at the rally (*such as “don’t count us, count the participants”*) were registered. A separate mention should be made of the instance when a riot policeman approached the observer and using force (moderate, without any harm done) turned her in the opposite direction.

Recommendations to the National Police of Ukraine:

1. Ensure adequate monitoring over compliance by officers of the National Police of Ukraine, who are involved in the protection of public order during peaceful assemblies, with the rules for wearing uniform and the Law on the National Police of Ukraine to the extent associated with wearing of insignia and special badges, visibility of numbers on helmets, and prohibition on their concealment.
2. Improve the design of raincoats as part of the uniform of law enforcement officers, who are involved in the protection of public order during peaceful assemblies, in order to enable wearing by law enforcement officers of visible means of personal identification (badges, chevrons, and number tags).
3. Conduct outreach with personnel, particularly with riot police officers, about the importance of the role played by independent observers who, among other things, monitor police actions at peaceful assemblies. *To remind the ODIHR/OSCE’s position³, “[They] can have a positive role to play in observing compliance with human rights. The authorities have a responsibility to facilitate their presence at such events (i.e., peaceful assemblies), and monitors should be permitted to move freely at public assemblies.”*
4. Reduce gradually the presence of military units during the protection of public order at peaceful assemblies.

³ <https://www.osce.org/files/f/documents/e/8/140366.pdf>

Photo Gallery





photos from the rally



The Red Cross team



Rescuers of the NGU fire brigade





law enforcement officers and military personnel during the protection of public order at the rallies

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