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The Maidan Massacre Trial Verdict: What Does the Verdict of the Trial of the Century Reveal about the Maidan Massacre in Ukraine?

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Abstract

This study analyzes the Maidan massacre trial verdict, which was issued by a Kyiv court in October 2023 following a seven-year long trial in Ukraine. This massacre of the Maidan activists and the police on February 20, 2014, is a crucial case of political violence in Ukraine and the world. It contributed to the overthrow of the Ukrainian government and ultimately to the start of the war in Donbas, Russian military interventions in Crimea and Donbas, the Russian annexation of Crimea and conflicts of Russia with Ukraine and the West that Russia escalated by launching the illegal invasion of Ukraine on February 24, 2022. The research question is what the verdict reveals about this massacre. This paper analyzes the content of the nearly 1,000,000-word verdict from the official database of court decisions in Ukraine. It compares it to findings of scholarly studies, conflicting narratives of the Maidan massacre, and various evidence, such as testimonies of wounded Maidan activists, prosecution and defense witnesses, relatives of killed protesters, videos, and forensic ballistic and medical examinations which were revealed by the Maidan massacre trial and investigation. The paper discusses implications of this verdict for conflicts, justice, and the rule of law in Ukraine.

Research Question, Previous Studies, and Narratives

The massacre of the protesters and the police in Ukraine during the “Euromaidan” mass protests on February 20, 2014 was a crucial case of political violence in Ukraine and the world. (See Katchanovski, 2016a, 2020, 2023a, 2023b, 2024; Kudelia, 2018). This mass killing resulted in the overthrow of the Viktor Yanukovich government ultimately led or contributed to the annexation of Crimea by Russia, a civil war and Russian military interventions in Donbas, and international conflicts between Ukraine and Russia and the West and Russia. (Black and Johns, 2016; Katchanovski, 2015a, 2016b; Kudelia, 2016; Hahn, 2018; Sakwa, 2015). Russia escalated these conflicts on February 24, 2022, with the illegal invasion and the war with Ukraine, which also became proxy war with the West (Katchanovski, 2022, 2023a, 2025).

This paper examines the Maidan massacre trial verdict that was issued by a Sviatoshyn District Court in Kyiv in October 2023 following a seven-year long trial of 5 Berkut police officers, who were charged with the massacre of Maidan protesters on February 20, 2014. The research question is what this verdict concerning such crucial case of political violence reveals about the Maidan massacre in Ukraine. This study analyzes the content of the nearly 1,000,000-word verdict that is available from the official database of court decisions in Ukraine.¹

The dominant narrative promoted by the governments and the media in Ukraine and the West attributed the Maidan massacre of the protesters to the Yanukovich government forces and mostly ignored killings of the police (Boyd-Barrett, 2016; Katchanovski, 2024). The official investigation by the Prosecutor General Office of Ukraine (GPU) charged the Berkut police with the massacre of the Maidan protesters on February 20, 2014 on the orders of President Viktor Yanukovich and his heads of the Security Service of Ukraine and the Ministry of Internal Affairs. The GPU arrested and charged the Berkut special company commander and five members of this police unit with the murder of 48 out of 49 killed Maidan protesters on February 20 on the Yanukovich order and with terrorism.

The official investigation in Ukraine denied that there were snipers in Hotel Ukraina and other Maidan opposition-controlled buildings and areas and that they massacred Maidan protesters. With some exceptions, the Western mainstream media and the Ukrainian media did not report revelations by the trial and investigation in Ukraine concerning snipers in the Maidan-controlled buildings. (See Katchanovski, 2024).

In contrast to the dominant narrative, Monitor, a German TV program, presented evidence of its investigation, showing that snipers were located in Hotel Ukraina and that the Ukrainian government investigation was manipulated.² The BBC investigation produced similar findings and also reported that snipers located in the Music Conservatory shot the police.³

Most of scholarly studies found that the far-right and oligarchic elements of the Maidan opposition, in particular the Right Sector and Svoboda, were involved in the Maidan massacre of the protesters and the police and that this was false-flag mass killing designed to falsely present is as perpetrated by the government forces. These studies were based on the analysis of primary evidence, such as videos, witness testimonies, testimonies of wounded Maidan protesters at the Maidan massacre trial and investigation, and forensic medical and ballistic examinations by government experts. (See Katchanovski, 2015b, 2016a, 2020, 2023a, 2023b, 2024).⁴ Their findings were replicated by Hahn (2018).

In contrast, some studies attributed the massacre of the protesters to the Berkut anti-riot police or snipers from the Security Service of Ukraine and Internal Troops. (See, for example, Marples and Mills, 2014). However, they were not based on a comprehensive analysis of this

crucial case of political violence and uncritically accepted claims by the Maidan politicians and the Ukrainian and Western media that the government snipers from SBU Alfa and Internal Troops Omega units and/or the special Berkut company perpetrated the massacre of the protesters on the Yanukovich orders.

Previous studies examined the Maidan massacre trial and investigation in Ukraine but not the trial verdict with a partial exception of Katchanovski (2024). The GPU investigation, the Maidan massacre trial, the Yanukovich state treason trial, and the media did not reveal any evidence of an order to massacre the Maidan protesters by President Viktor Yanukovich and his Internal Affairs, police, and SBU heads and commanders. The same concerns “titushki” hired by the Yanukovich government or any “third force.” The Prosecutor General of Ukraine and the head of its department in charge of the Maidan massacre investigation stated in the Ukrainian media that they did not find evidence of the involvement of Russian snipers in the massacre.

The absolute majority of wounded Maidan protesters testified at the Maidan massacre trial and investigation in Ukraine that they and other protesters were shot by snipers in Hotel Ukraina and other Maidan-controlled buildings. Nearly 100 prosecution and defense witnesses also testified about snipers in the Maidan-controlled locations. Original ballistic examinations of bullets by government forensic experts using an automatic IBIS bullet comparison system in 2015 did not match bullets extracted from the bodies of killed protesters to bullets from the Berkut Kalashnikovs. Forensic medical examinations by the government experts showed that nearly all Maidan protesters were shot from steep directions from the sides or back, which matched the Maidan-controlled buildings and did not match the Berkut police on the ground in front of the protesters. Government ballistic experts also determined in onsite investigative experiments that many protesters were shot from Hotel Ukraina, Bank Arkada, Zhovtnevyi Palace, and other Maidan-controlled buildings. (See Katchanovski, 2023a, 2023b, 2024).

The evidence of the cover-up included disappearance of the key evidence, such as security camera footage, many bullets, all shields and all but a couple of helmets of the Maidan protesters, and stonewalling of the investigations and trials by the Maidan governments and the far right, and denials by the prosecution that there were any snipers in the Maidan-controlled buildings. The trial verdict was expected to also ignore or dismiss evidence of Maidan snipers because of political pressure, far-right threats, and lack of independence of courts from the presidential administration in Ukraine, which often interferes in court decisions in such high-profile cases, and the far right activists repeatedly attacked and threatened the trial. (Katchanovski, 2023a, 2023b)

Like the government investigation, the Maidan victims lawyers denied that there were any snipers in Hotel Ukraina and other Maidan-controlled locations and that they shot any Maidan protesters. GPU, the Maidan victims lawyers, and the SITU New York architecture company, which produced a model of killing of three protesters on Maidan lawyers order, were financed by the Soros foundation in Ukraine, the US government and the EU. In contrast, Berkut lawyers emphasized evidence concerning such snipers. (Katchanovski, 2024).

The SITU model of killing of three Maidan protesters was produced by the New York architecture company for Maidan lawyers for the Maidan massacre trial but it was not presented as evidence during the trial.⁵ This model misrepresented the directions of the gunshots, and consequently locations of the shooters. It changed the locations of wounds of these three protesters compared to their wound locations in forensic medical examinations by Ukrainian government experts for the Maidan massacre investigation and the trial in order to fit them to the locations of the Berkut police. (See Katchanovski, 2023a, 2023b).

The Ukrainian media and with a few exceptions Western media presented at face value the Maidan massacre trial verdict in October 2023 and the conviction in absentia of three Berkut policemen for the murder of 31 out of 49 of the Maidan protesters as a definite proof that they massacred all protesters.⁶ Many media outlets misrepresented the Maidan massacre verdict as a definite proof that there were no Maidan snipers and did not report parts of this verdict concerning the shooting of many protesters and Western journalists by snipers in the Maidan-controlled buildings and areas and the lack of evidence of the massacre order by the Yanukovich government.

There has been a virtual blackout of the Maidan massacre trial verdict's parts concerning snipers in the Maidan activists-controlled Hotel Ukraina in the Ukrainian media and, with a few notable exceptions, the Western mainstream media. All Ukrainian media reports omitted the verdict's parts concerning such snipers and many media outlets even claimed that the verdict disproved existence of such snipers in Hotel Ukraina and other Maidan-controlled locations. Such omissions and false claims were made by the Ukrainian media, over 80% of which were funded by the USAID and other Western government agencies and Western foundations, such as Soros Foundation. They included, for example, Ukrainska Pravda, Hromadske, and Slidstvo.Info.

StopFake declared “fake” that “Ukrainian court finds Euromaidan activists were killed from the Ukraina Hotel, which was controlled by the Right Sector.”⁷ This Ukrainian “fact-checking” website propagated other disinformation and whitewashed the far-right in Ukraine. StopFake was used by Facebook to censor posts, in particular, concerning findings of the trial verdict that Maidan activists were killed from Ukraina Hotel, which was controlled by far-right Svoboda party and Right-Sector linked company of Maidan snipers.

The Western media, with a few notable exceptions, also omitted this crucial information. Moreover, Cathy Young in her opinion piece in a partisan neoconservative site Bulwark concerning the Maidan massacre trial verdict branded the findings about Maidan snipers in Hotel Ukraina a “conspiracy theory” and claimed, falsely, that the verdict did not indicate that Maidan protesters were shot from this hotel or other Maidan-controlled locations, and that it did not disprove involvement by Russian snipers. Young has further falsely claimed, contrary to the verdict, that Hotel Ukraina was not controlled by the Maidan activists and has propagated instead an actual conspiracy theory that police in the hotel could have shot the protesters. Young denied that verdict references to shooting from Hotel Ukraina direction meant shooting from this hotel. She also falsely claimed that the Berkut policemen were convicted for the murder of 40 out of 48 Maidan activists, and that the Berkut policemen were not convicted for the murder of 8 protesters simply because of lack of evidence and not because of evidence that that they were shot by Maidan opposition snipers.

Young did not cite the text of the verdict but relied on reports about the verdict by the US government-funded Ukrainian media, such as Slidstvo.Info and Ukrainska pravda, the US government-funded Radio Liberty, and the German-government funded DW. All these reports omitted verdict's findings concerning snipers in Hotel Ukraina and other Maidan-controlled locations and their shooting of Maidan protesters.

De Facto Confirmation of the False Flag Maidan Massacre by the Verdict

The content of the nearly 1,000,000-word Maidan massacre trial verdict, which was issued in October 2023 by the Ukrainian Sviatoshyn District Court in Kyiv, de facto confirmed that many Maidan activists were killed and wounded and BBC and ARD TV journalists were shot at not by Berkut or other law enforcement but by snipers in Hotel Ukraina and other Maidan-controlled locations. It also confirmed that this hotel was “activists-controlled” and that there was a far-right-linked special armed Maidan company in this hotel and the Music Conservatory. The verdict stated there were no Russian snipers involved in the massacre and that there were no massacre orders by then President Yanukovich or his minister of Internal Affairs. The trial verdict stated that Maidan then was not a peaceful protest but “a rebellion” which involved the massacre of the Berkut and other police members. (See Maidan, 2023).

The verdict stated that “based, even only on the testimony of the victims themselves, there was enough data to make a categorical conclusion that on the morning of February 20, 2014, persons with weapons, from which the shots were fired, were in the premises of Hotel Ukraina.” The trial decision specified that 9 Maidan protesters were killed and 23 wounded by “unknown persons,” who were not “law enforcement officers” or that there is lack of evidence of the involvement of the Berkut police, whose five members were charged for their massacre, in their killing or wounding. (Maidan, 2023).

The trial decision stated that at least six specific protesters were killed and others wounded not by Berkut or other government forces but by shooters from Hotel Ukraina, the Music Conservatory, and other Maidan-controlled locations or from directions of these buildings and that this was “the territory that was not controlled by law enforcement agencies at that time.” The verdict references to shooting of these protesters from direction of these building also in essence mean that they were shot by the snipers shooting from these Maidan-controlled buildings since there were no snipers located in between these buildings and the protesters, who were shot.

The judges and the jury explicitly stated in the trial verdict that during the massacre of the protesters the building of Hotel Ukraina was “controlled by the activists,” that these Maidan activists in the hotel were armed with hunting rifles and a Kalashnikov-like assault rifle, and that the Maidan activists shot from the hotel in targeted shooting, in particular, at the BBC TV crew, and that at least 3 Maidan activists were deliberately killed from Hotel Ukraina. (Vyrok 2023; Maidan 2023).

The verdict confirms that a former member of the Ukrainian parliament and far-right activist was filmed by a French TV in Hotel Ukraina as he “provides passage for activists” who are holding firearms that look like “a Kalashnikov assault rifle and a hunting rifle.”

The verdict stated that a BBC video “captures the shelling from the side of the Ukraina Hotel building of the camera crew of BBC journalists (a single shot is heard)... and in the premises of the Ukraina Hotel, an activist is recorded with an apparent “pistol-type firearm.” The decision by the judges and the jury evaluated this BBC video “as documented data from the activist-controlled building of the Ukraina Hotel in Kyiv about the targeted use by the activists of objects that, by their external features, are clearly similar to firearms, weapons of the type of hunting weapons.” (Maidan 2024). As noted, the Ukrainian government investigation revealed that a deputy of the far-right Svoboda lived in a Hotel Ukraina room, from which the BBC crew was shot at and in which ICTV filmed snipers shooting the Maidan protesters in the back. A Maidan activist testified at the trial that after this shooting protesters told him that these were “our snipers.” (Katchanovski, 2024).

The trial verdict confirmed the analysis of the author that a gunshot from this hotel hit a tree behind a group of Maidan activists and that two of them were killed and one wounded from

Hotel Ukraina. An edited Belgian VRT TV video of their massacre and luring by two Maidan activists to the site where they would be massacred was presented by major TV networks in the Western countries and Ukraine as their massacre by the government snipers or the Berkut police. (See Katchanovski, 2023a, 2023b; Maidan, 2023).

The verdict also stated that the victim, “who was also in the mentioned group of activists” “was wounded in the back from the hotel,” as he testified himself, and that another victim from the same group was fatally wounded “from the upper floors of the “Ukraine” hotel.” It specified that “within the scope of this court proceeding, data on the involvement of law enforcement officers in such an injury to the victim, and even more so the accused, have not been established” and that “the gunshot wound was inflicted on PERSON_1852 [Volodymyr Zherebnyi] from the direction of the “Ukraine” hotel, that is, from the territory that was not controlled by law enforcement agencies at that time.” It stated that “this shot was aimed at a crowd of people.” The verdict also said “fatal gunshot wounds to the body (chest and abdomen) were received by PERSON_1770 [Roman Ushnevych] from the side of the hotel INFORMATION_161” [Ukraina] and the area in front of it, which were not under the control of law enforcement agencies, and hence the involvement of the accused and RSP [Berkut company] fighters in them, and as a result, the victim's death, is excluded.” (Maidan, 2023).

In the case of one of the wounded activists, the Maidan massacre trial verdict also ruled that “the person who fired a shot into the victim's right thigh was on the right side of the victim, i.e. from the side of the Ukraina Hotel, as established not only by the victim's testimony in court, but also by the forensic medical examination of his clothes No. 258-MK dated October 15, 2015, according to which one bullet entrance bullet damage was found on the back surface of the right leg of the pants that PERSON_930 was wearing at the time of the wounding, as well as the data obtained during the investigative experiment involving the victim...” (Maidan, 2023).

Similarly, the verdict stated that another wounded activist testified that “shots were fired at him from the range: st. Instytutska - Hotel Ukraina...” and that a witness of his wounding (PERSON_1594) testified that “during their movement to the October Palace, they felt danger from Hotel Ukraina,” and that data on the involvement of the Berkut special company members or other law enforcement officer in this wounding were not obtained in this court proceeding.⁸

The trial decision specified that there is evidence of killing of at least three other Maidan activists from the Maidan-controlled locations, while the involvement of Berkut and other law enforcement is excluded or has not been proven. It cited evidence of killing of one activist from the Music Conservatory, which was the headquarters of the far-right Right Sector-linked Maidan group of snipers, who included Svoboda activists. The trial decision confirmed that the Music Conservatory was then occupied by Maidan “activists” led by the far-right commander of this group who became the member of the Ukrainian parliament after the Maidan.

The verdict also stated that two rooms in Hotel Ukraina were shot at from “the territory controlled by “Maidan,”” specifically, the Music Conservatory and the neighboring Main Post Office. But it omitted that these rooms were occupied by German ARD TV journalists and that the Main Post Office was then the headquarters of the Right Sector. (See Video F).

The trial decision also specified evidence that Ihor Kostenko was killed not by Berkut or other law enforcement but from a Maidan-controlled location. It noted that he “a few seconds before his fatal wound, together with other bystanders, watched the windows of Hotel Ukraina..., and this attention, united by joint observation of the source of possible danger, did not stop on the part of all observers even after the injury of PERSON_1708, when he was already lying on the asphalt.” (Katchanovski, 2024; Maidan, 2023).

The verdict confirmed the findings of the studies by the author that the first three activists were shot by pellets used in hunting before the Berkut company, whose 5 members were falsely charged with their killings, was even deployed there (See Katchanovski, 2023a). It explicitly stated that at least one of these activists was shot from the Maidan-controlled area by one of the Maidan shooters from a hunting rifle. The court decision specified that there was no evidence that the Berkut special company used hunting ammunition instead of rubber bullets in their rifles. (Maidan, 2023).

The trial verdict also confirmed that there was no order by Yanukovich or his government to massacre the Maidan protesters. It noted that existence of any “personal commands by of the President of Ukraine, the Minister of Internal Affairs, other officials or influential public figures” to the Berkut police regiment and the special Berkut company concerning their actions during the Maidan has not found “documentary confirmation” and that none of “the persons questioned by the court” revealed such commands or orders. The court also found that there was no proof that the Berkut received on February 18 - 20, 2014 orders “from the leadership of the Ministry of Internal Affairs to prepare for the commission of a terrorist attack and mass intentional murders.” (Maidan, 2023). This is crucial official acknowledgment since Yanukovich and his government were overthrown based on false blame for ordering the massacre.

In another confirmation of trumped up and politically motivated charges against the Berkut, the decision by the judges and the jury acquitted two Berkut policemen for killing and wounding the Maidan activists. It specified that there was no evidence that they killed or wounded any activists. These two Berkut policemen returned to face the trial after their exchange to Donbas separatists. The verdict also stated that all five accused Berkut members were baselessly blamed for killing 13 and wounding 29 Maidan protesters.

This verdict along with the findings of the investigation by the Prosecutor General Office (GPU), comprise a de facto official admission by the Ukraine’s justice system that on February 20, 2014, at least 10 of the 49 killed Maidan activists and 115 of the 172 wounded, were shot not by Berkut or other law enforcement personnel firing from government-controlled areas but by snipers shooting from Maidan-controlled locations, in particular, Hotel Ukraina. The verdict stated, based on the report by GPU, that 49 Maidan activists perished and 172 were wounded with firearms on February 20, 2014. In addition to verdict’s determination that 9 Maidan activists were killed and 23 wounded by “unknown persons,” who were not “law enforcement officers” or that there is lack of evidence of the involvement of the Berkut police and other law enforcement, in their killing or wounding, the government investigation admitted that one other protester and more than half of all wounded Maidan activists were not shot from Berkut-controlled sectors, and therefore did not charge anyone for their attempted murder. (Katchanovski, 2024; Maidan, 2023).

Such de facto official admission that the absolute majority of Maidan activists were shot not by the government forces is another evidence suggesting that at least the absolute majority of the protesters were also killed by Maidan snipers since they were shot at the same time and place. But it is easier to falsely blame the Berkut for their killings because murdered people cannot testify, in contrast to the wounded, the overwhelming majority of whom testified about being shot by snipers in the Maidan-controlled buildings and areas and about witnessing snipers there.

The verdict specified that Russian agents “did not have any participation” in the Maidan massacre:

The “Russian trace” was not confirmed after examining the relevant documents. In particular, all cases of crossing the border zone by FSB officers into Ukraine, their movement around Kyiv and the region, the time and place of their stay, as well as the dates and ways they left the territory of Ukraine were investigated. This group of persons was constantly monitored and their locations were under control. Accordingly, they did not have any participation in the events on the Instytutska Street. (Maidan, 2023).

The trial decision also confirmed the findings of the studies of the author that the Maidan massacre on February 20 started from the killing three and wounding 39 Berkut and Internal troops officers, who were not armed, and that the police swiftly retreated from the Maidan because of this but was then followed attacked by the Maidan activists. The judges and the jury noted that the presence of the armed Maidan activists and the killings of the police represented evidence of the armed rebellion.

The verdict also revealed that the Maidan lawyers did not present the SITU 3D model during the trial after, as it noted, wasting court and jury time by introducing it. This is another confirmation that this model misrepresented wound locations, which match gunshot directions from Maidan-controlled buildings, to fit them to Berkut positions on the ground. This model, which was produced by a New York architecture company on the Maidan lawyers order for the trial for nearly \$100,000 dollars, was used instead to propagate disinformation in the New York Times and other Western and Ukrainian media.⁹

The decision by the judges and jury also showed cover-up of the snipers in Hotel Ukraina and other Maidan-controlled locations by the Ukrainian government investigation. The verdict stated that “when the victim indicated a sense of danger from other sources, for example, the Hotel “Ukraine” (injury episodes PERSON_1387, PERSON_921, etc.), the prosecutor categorically considered this a mistake in the assessment of events.” But “the lack of evidence on the part of the prosecution of the presence of armed persons in various potentially possible places for firing weapons, which was often referred to as a basis for refuting the statements of the victims in this regard, does not at all mean the absence of such persons in reality, especially when doubts on this occasion, dispelled during the trial by objective data, and not only by the testimony of individual victims.” (Maidan, 2023).

The verdict noted that a wounded Maidan activist from the Volyn Region “associated himself as the bearer of information about the snipers in the windows of Hotel Ukraina, but the court is deprived of the opportunity to verify this data, and therefore use it in any way during the adoption of this verdict.” Having information about Maidan snipers in this hotel would be a rational reason as to why “according to search documents, the victim systematically avoided appearing before the investigator, his location and means of communication changed (vol. 166 a. 72-90), and he did not want to come to court” and “initially asked not to open criminal proceedings due to the fact of his injury, stated his lack of desire to support private prosecution and claims against anyone because of his injury.”¹⁰

The verdict revealed that the prosecution did not provide any forensic expert examination of a bullet hole in a tree which was filmed by Belgian VRT TV being hit by a gunshot and narrowly missing a group of Maidan activists. Activists from this group in that video and the verdict identified Hotel Ukraina as the source of this gunshot. This is a clear case of cover-up by the official investigation of snipers in Maidan-controlled Hotel Ukraina.

Concerning another instance of such cover-up, the verdict also stated that the government investigation failed to conduct a very simple on-site determinations by forensic ballistic experts of the bullet trajectories and locations of the shooters in the cases of many killed and wounded protesters and did not conduct such examinations even after the Maidan massacre trial ordered it to conduct such examinations, specifically to determine if these trajectories were from the Maidan-controlled buildings. As the verdict noted, “the location of the victim's injury, the position of his body in space at the time of injury, and forensic medical data on the nature and localization of the gunshot wound” were established by the investigation:

However, during the pre-trial investigation, this information remained unexamined by specialists in the field of ballistics in order to make incredibly simple conclusions on the ground based on such initial data regarding the specific sector of the shooting at the victim. A long (more than a year) procedural opportunity in the form of a direct court mandate to conduct an investigative experiment remained unimplemented by the prosecution and was created for this purpose by the court during the trial. (Maidan, 2023).

Conviction of Berkut for Killing and Wounding of Maidan Protesters on the Basis of Fabricated Evidence

However, the judges and the jury convicted in absentia three Berkut officers, who were exchanged by Zelensky to Donbas separatists in 2019, for murder of 31 Maidan protesters out of 48 and attempted murder of 44 out of 80 protesters, with whose killing and wounding the Berkut members were charged. However, the analysis of the verdict and evidence shows that this part of the decision was based on tampered and misrepresented evidence and was politically motivated.

The Ukrainian courts lack independence, especially in high-profile and highly politicized cases, and often issue their decisions in such cases on directives from the presidential administration. For example, Zelensky disbanded the Constitutional Court of Ukraine because he did not like decisions that they were considering. Impartiality was especially difficult for the three Berkut policemen, who were convicted in absentia for the Maidan massacre, because they were in Russian-annexed Donbas during the Russia-Ukraine war. In addition, the trial was repeatedly attacked and threatened by far-right activists, while the trial judge was beaten by a pro-Maidan activist and perpetrators were not prosecuted in these cases of violence and intimidation.

The verdict decision that these three Berkut officers were responsible for murder of 31 Maidan protesters and attempted murder of 44 out of 80 protesters and that the deputy Berkut regiment commander was also responsible for manslaughter of 4 protesters and wounding 8 others rested on a single forensic examination, which provided the basis of the evidence of their responsibility for the Maidan massacre in the verdict. This forensic examination of bullets 5 years after the massacre reversed results of some 40 previous forensic bullets examinations, including a computer-based examination which showed that bullets of Berkut Kalashnikovs did not match bullets from bodies of killed Maidan protesters. The verdict dismissed a single bullet match of the convicted Berkut to the killed protester in this forensic examination because it was based on a bullet piece that appeared without any trace in place of another bullet piece in a sign

of evidence tampering. But it nevertheless based its decision to convict Berkut on such forensic examination.

This forensic bullet examination also contradicted synchronized videos showing that Berkut members were not shooting at specific times when almost all Maidan activists were killed and on-site investigative experiments by government ballistic experts pointing to bullet trajectories from Maidan-controlled areas. It contradicts results of forensic medical examinations showing wounds directions from top, back and side, and testimonies of the absolute majority of wounded Maidan protesters and several hundreds of prosecution and defense witnesses and other witnesses concerning snipers in Hotel Ukraina and other Maidan-controlled locations (See Katchanovski, 2023a, 2023b, 2024). This demonstrates that the Berkut policemen could not physically shoot these protesters. These Berkut policemen were filmed not shooting at the specific times and at the specific directions that these protesters were killed. Bullet hole locations and wound directions show that protesters were shot not from the front and ground directions of the Berkut barricade positions in front of them but from steep directions from sides or the back that match Maidan-controlled buildings or buildings in Maidan-controlled areas.

Synchronized videos show that single match in this forensic examination of a bullet of a wounded Maidan activist to a Kalashnikov of a convicted Berkut member is clearly fabricated since this policeman (Pablo Abroskin) was filmed not shooting during wounding of this protester (Sviatoslav Kolesnikov), who testified himself that he was shot from Hotel Ukraina. A government ballistic expert determined that this protester was shot from the top of this hotel based on bullet holes in chair that this protester was shielding with from Hotel Ukraina snipers and his steep wound. Synchronized video shows that at the very time of his wounding on bridge, protesters hiding beneath bridge pointed to snipers in Hotel Ukraina shooting protesters on this bridge. (See Katchanovski, 2024).

On the basis of the same fabricated 2019 forensic ballistic examination and contrary to all other evidence, a deputy commander of the Berkut regiment was also convicted for giving a supposed order to fire indiscriminately during the evacuation of Internal Troops by the Berkut company its subsequent retreat after one Berkut was killed and another wounded during this evacuation at 9:16am. The court deduced that such order was given because the bullets of the killed protesters in their forensic examination in 2019 matched the bullet samples from Kalashnikov assault rifles of other members of Berkut special company and because the Berkut commander was filmed coordinating the Berkut via hand gestures. There was no direct evidence of such an order in testimonies of witnesses, accused members of the Berkut company, any written documents, recordings of the Berkut radio communications, or any other sources presented at the trial. (Vyrok 2023; Maidan 2023; Katchanovski 2024).

The three Berkut policemen were also convicted based on collective responsibility for murder of 31 and attempted murder of 44 protesters since there were no matches of bullets of killed and, with the one exception, wounded Maidan activists to Kalashnikovs of these 3 Berkut policemen, videos, or other specific evidence showing that they killed and wounded these activists. The decision attributed killing and wounding of these protesters, even in cases without any matching bullets, to Berkut or unidentified police members simply because these protesters were killed in the group in about the same time and place. This was done even though the trial verdict admitted that protesters in the same groups were killed and wounded at about the same time and place not by law enforcement but by “unknown persons,” who were located in Hotel Ukraina and other Maidan-controlled buildings and areas. (Maidan, 2023).

For example, the verdict stated that Roman Kotliarevsky, a Maidan medic was killed by a Berkut officer from the Berkut barricade because the bullet from his Kalashnikov matched in the 2019 forensic examination the bullet that wounded this Maidan activist. This contradicted his testimony during the investigation that he was shot from Bank Arkada, finding of a ballistic forensic expert during an investigative experiment that this medic was shot from the sector ranging from Bank Arkada to Hotel Ukraina. It also contradicted the forensic medical examinations of the top to bottom direction of the bullet, such steep angle of the bullet in an X-ray, and his position in the ARD and CNN video of his shooting. Moreover, the German ARD video and synchronized videos show that Berkut policemen at the time of his sounding were completely behind the track and concrete barricade and were not shooting or even aiming at his direction. All this means that contrary to the verdict, it was physically impossible that he was killed by the Berkut police and that the matching of bullets in the forensic examination, which also reversed earlier forensic bullet examinations, was false..

The verdict used such false determination of shooting of this Maidan medic by a Berkut policeman as evidence that other activists, who were shot in the same area and around the same time, were killed and wounded by the Berkut contrary to other evidence. For example, this court decision stated that another Maidan activist “according to the protocol of the investigative experiment dated October 20, 2015, and its appendices” “believes that he was shot from the upper floors of the far corner of Bank Arkada bank building.” It noted that “the prosecution failed to prove beyond a reasonable doubt that the law enforcement officers, including the police officers and the accused, were involved in such wounding of the victim.” Moreover, “during a detailed examination by the court of the video recording "Kiev-20-02-14" at the time of the injury of PERSON_2015, no indisputable signs of a shot by persons who were behind the concrete barricade at that time were found” and “the prosecutor, analyzing the evidence for this episode, did not insist that the shot at PERSON_2015 was fired from the concrete barricade.” But the verdict ruled that he was wounded by the Berkut police simply because “the episode of wounding of the victim PERSON_2015 in this case is closely connected with the episode of the death of the victim PERSON_472 and the episodes of injuries of the victims PERSON_982, PERSON_886 and PERSON_2016.” (Maidan, 2023). In fact, the wounding of this activist in a blue raincoat was recorded in a video and it happened in the same place and around the same time as killing and wounding of Yuri Parashchuk, Roman Kotliarevsky, and other activists by snipers in Bank Arkada in the Maidan-controlled area.

For example, the judges and the jury stated in the verdict that Yuri Parashchuk was killed from the Berkut barricade via a ricochet from a concrete flower box because a German ARD video with removed soundtrack showed a bullet impacting this box in front of him at about the time of his killing and a gun discharge from a Berkut Kalashnikov 3 seconds afterwards. However, synchronized videos showed sounds of different gunshots at both these times, meaning that there were other shooters and the Berkut gunshot did not kill him because the time of the discharge did not match the exact time of the killing. Moreover, the forensic medical examination determined that this Maidan activist had a bullet wound only in the back of his head and from top to bottom direction, and photos and videos of his helmet showed only a bullet hole in the top back part of the helmet. Such evidence and the on-site investigative experiment show that he was killed from Bank Arkada. All this means that contrary to the verdict, it was physically impossible that he was killed via a ricochet near the ground from the Berkut barricade direction because Parashchuk was filmed facing the Berkut barricade on the similar level and this flower box below him at the time of his killing. (See Katchanovski, 2023b, 2024).

The decision by the judges and the jury that the Berkut company shot the Maidan activists were reached by the majority vote without forensic ballistic examinations and contrary to wound locations in forensic medical examinations, most ballistic forensic examinations, synchronized videos, and testimonies of most wounded Maidan activists who testified during the investigation and the trial that they were shot by snipers in Hotel Ukraina and other Maidan-controlled locations or witnessed snipers there.

The verdict dismissed testimonies of most wounded Maidan activists during the investigation that they were shot by snipers in Hotel Ukraina and other Maidan-controlled locations or witnessed snipers there because many of these activists changed their testimonies during the trial. The judge and the jury admitted on the defense lawyers' request and showed during the trial as the evidence publicly available video compilation by the author of over 80 witness testimonies concerning snipers in the Maidan-controlled buildings and areas.¹¹ However, these testimonies were also excluded as evidence from the verdict because this video compilation of testimonies, which were collected from publicly available TV reports, documentaries, and special media videos for academic studies of the author, was classified in the verdict as "a film." Similarly, it dismissed most findings by government forensic experts during the onsite investigative experiments that the Maidan activists were killed or wounded from Hotel Ukraina and other Maidan-controlled buildings and areas.

The decision also dismissed existence of Georgian snipers based on the absence of Ukrainian border stamps confirming presence in Ukraine during the Maidan of one of self-admitted Georgian snipers, whose recorded video testimony was admitted by the trial, even though these Georgians stated in their Italian, Israeli, and Macedonian media interviews and written depositions for the Berkut lawyers that they traveled to Ukraine during the Maidan with fake names and crossed the Ukrainian border in Kyiv without passing passport control. The verdict also dismissed the video admission by this Georgian because he described entering the Musci Conservatory at the start of the massacre and exiting from Hotel Ukraina near the end of the massacre. The judges and the jury claimed that this showed that he was not present on the Maidan because of his lack of knowledge that these were separate locations. However, testimonies and media interviews of this and other self-admitted Georgian snipers showed detailed and specific knowledge about these locations and about not then yet publicly known information about presence of father of the commander of the far-right-linked company of Maidan snipers in the Music Conservatory, their shooting from Saiga hunting version of Kalashnikov, and shooting by snipers in Hotel Ukraina before 8:00am. (See Katchanovski, 2024).

The verdict's citations of lack of evidence to determine who killed and wounded many specific Maidan protesters in most cases was not due to the absence of such evidence but to the failure of the prosecution to provide such evidence and to the failure by the court to request from the prosecution or obtain on its own such evidence. For example, like in the case of the killing of Kostenko, the verdict noted that videos showed several Maidan activists standing near him at the time of his killing and wondering if the activists are shot from Hotel Ukraina. However, testimonies of these eyewitnesses of his killing and shooting from this hotel were not presented by the prosecution and not requested by the court. The same concerns lack of testimonies of eyewitnesses of killings and wounding of most Maidan activists even though such eyewitnesses were filmed in various videos and their names were identified in the media and social media. This was also the case with the failure to examine many videos, shields, helmets, and other crucial evidence, and lack of forensic ballistic and medical examinations. This is consistent with

other evidence of cover-up by the official investigation of Maidan snipers and evidence implicating them.

Conclusion

The Maidan massacre trial verdict, which was issued by a Kyiv court in October 2023 shortly before the 10th anniversary of Euromaidan, confirmed that many Maidan protesters were killed and wounded and BBC and ARD TV journalists were shot at not by Berkut or other law enforcement officers but by snipers in Hotel Ukraina and other locations and that this hotel and these locations were not controlled by the government forces but were Maidan “activists-controlled.” The verdict also confirmed that there were no Russian snipers involved in the massacre and that there were no massacre orders from Yanukovich or his ministers.

Such findings of the verdict are important not only for understanding this crucial case of political violence in Ukraine but also origins of subsequent conflicts in Ukraine, which culminated in the Russia-Ukraine war. They also corroborate previous studies by the author and show that the dominant narrative of the Maidan massacre propagated by the Ukrainian and Western governments and the media is false.

The verdict decision to convict in absentia three Berkut policemen, who were exchanged by Zelensky to Donbas separatists, for the murder of 31 protesters was politically motivated. It was based on a fabricated forensic examination of bullets, which reversed results of some 40 previous forensic examinations of bullets. This forensic examination also contradicted synchronized videos, forensic medical and ballistic examinations by government experts, and testimonies of the absolute majority of wounded Maidan protesters and several hundred witnesses. and the rule of law in Ukraine.

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Notes

¹ Vyrok. (2023, October 18). Yedynyi reestr sudovykh rishen.

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² Monitor, No 660 (2014). *ARD*. 10 April. <https://www.youtube.com/watch?v=xriJ3x4IeD0>.

³ Gatehouse, Gabriel (2015). The untold story of the Maidan massacre. *BBC News*, 11 February. <http://www.bbc.com/news/magazine-31359021>.

⁴ Parts of this paper incorporate parts of Katchanovski (2024) and Ivan Katchanovski. (2024, February 20). Buried trial verdict confirms false-flag Maidan massacre in Ukraine. *Canadian Dimension*. <https://canadiandimension.com/articles/view/buried-trial-verdict-confirms-false-flag-maidan-massacre-in-ukraine-2024>

⁵ Euromaidan Event Reconstruction. (2018). SITU. <http://maidan.situplatform.com/>

⁶ Ivan Katchanovski.

⁷ StopFake, (2023, November 23).

<https://www.stopfake.org/uk/fejk-ukrayinskij-sud-viznav-shho-aktivistiv-yevromajdanu-bulovbito-z-gotelyu-ukrayina-yakij-kontrolyuvav-pravij-sektor/>

⁸ See Vyrok.

⁹ See, for example, Mattathias Schwartz, (2018, May 30). Who Killed the Kiev Protesters? A 3-D Model Holds the Clues. *New York Times*.

<https://www.nytimes.com/2018/05/30/magazine/ukraine-protest-video.html>

¹⁰ See Vyrok.

¹¹ Ivan Katchanovski. (2019, December 5). Over 80 witness testimonies concerning snipers in Maidan-Controlled buildings and areas (2019) [Video]. YouTube.

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