

A MESSAGE TO EUROPEAN PARLIAMENTARIANS AND
SUPPORTERS OF PRESS FREEDOM FROM THE NUJ

Let's have a proper probe into murder of journalist

THE NUJ is urging renewed European political pressure on the case of murdered Ukrainian journalist Gyorgy Gongadze, as MPs in Kyiv demand the investigation of new evidence that he was killed by a state death squad.

In the latest stage of the NUJ's special campaign, General Secretary Jeremy Dear has written to the Council of Europe expressing concern at the "lack of progress" on the case. He has also raised the case at a meeting with Pat Cox, president of the European Parliament, after the EU annual human rights report had highlighted dangers to press freedom in Ukraine.

The International Federation of Journalists, to which the NUJ is affiliated, has sent a delegation to Kyiv. And in Switzerland, medical experts brought in by the campaign group Reporters Sans Frontieres again confirmed that the corpse at the centre of the case is Gongadze's.

Gyorgy Gongadze, an investigative reporter who exposed state corruption, disappeared on September 16 2000. His headless body was found in a ditch near Kyiv. In November 2000 Ukrainian president Leonid Kuchma and other senior politicians were implicated by an audio tape, on which they could be heard plotting to harm Gongadze, made public by former presidential bodyguard Mykola Melnichenko, who fled to the USA.

NUJ MEMBERS demonstrated at the Ukrainian Embassy in London on September 16 last year – the anniversary of Gyorgy Gongadze's disappearance in Kyiv. Inside the embassy, General Secretary Jeremy Dear (centre) and Simon Pirani (front in blue shirt) met the charge d'affaires. A new ambassador, Ihor Mitiukov, has since met Jeremy Dear to discuss taking the case forward.
■ **THERE WILL be another event at the embassy on September 16 this year. Contact the NUJ for details – see back page.**



The latest European campaigning initiatives coincide with a storm in Kyiv over sensational allegations, apparently by a group of interior ministry officers, claiming that Gongadze's murder was carried out



GYORGY GONGADZE: headless body found in a ditch

by a state-sanctioned death squad.

In February a group of 121 parliamentary deputies wrote to general prosecutor Svyatoslav Piskun demanding that the allegations be

investigated. The prosecutor said he was investigating the possible involvement of special interior ministry forces, named "Kravchenko's Eagles" after Yuri Kravchenko, who was interior minister when Gongadze was murdered and now heads the Ukrainian tax service.

Tension remains high as investigations proceed on Gongadze's murder and other corruption issues. Journalists and human rights campaigners fear that prosecutor Piskun – who swore to produce results in six months when he took over last summer, but has not done so – will be unable to investigate state involvement with the necessary rigour.

A SECOND UKRAINIAN EDITOR FOUND DEAD

THE BODY of Ukrainian journalist Mikhail Kolomiyyets was found hanged in neighbouring Belarus in October, two days after he disappeared in the capital Kiev. Colleagues fear this could be a repeat of the notorious case of Gyorgy Gongadze.

Mikhail Kolomiyyets was founder and director of Ukrainsky Novyny, an agency specialising in economic news. Agency reporters expressed their concern over the fate of Kolomiyyets. They fear his disappearance is linked with the agency's policy of providing independent information.

Ukrainian police say Mikhail Kolomiyyets told friends by phone that he intended to commit suicide, but friends and family deny this. He had apparently traveled to Minsk without informing anyone to hang himself from a tree.

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MESSAGE FROM MYROSLAVA GONGADZE, WIDOW OF SLAIN EDITOR

Dear colleagues,

I am sincerely grateful to all of you who helped the investigation of Gyorgy's murder with your letters, appeals and publications. The Ukrainian government would have covered up all the

circumstances of this crime and forced the Ukrainian public to forget about it, if you were not taking an active part.

Your actions helped the fight for truth, freedom of speech and democracy in Ukraine.

The official investigation into Gyorgy's murder has not determined any facts. The prosecutor's office has no answers to the questions, where, when and how

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MYROSLAVA GONGADZE: grateful for help



JOURNALISTS ARE FIGHT

IN THE FACE of repression by President Kuchma's state machine, Ukrainian journalists are fighting back. They have adopted a press freedom manifesto and threatened strike action against censorship. And they have won the support of politicians at a series of parliamentary hearings on media censorship.

A manifesto for press freedom

AT A KEY meeting in Kyiv last October, Ukrainian journalists declared that industrial action was the best way to resist censorship.

The meeting, attended by colleagues from TV and radio stations and national newspapers, decided to form an organising committee to co-ordinate industrial action by journalists in defence of press freedom, and a separate committee to set up a new media trade union.

It also agreed a manifesto for press freedom.

Within days it had been signed by 466 journalists, including an impressive array of editors, and staff and freelance journalists, from broadcasting, agencies, newspapers, and internet publications.

Part of the manifesto says:

Political censorship does exist in Ukraine ...

We, Ukrainian journalists, declare solidarity with the resistance mounted by our colleagues, and welcome the significant trend among journalists faced with growing political censorship to move from isolated protests by individuals to collective solidarity action.

We, Ukrainian journalists, hereby declare our readiness for an all-Ukrainian strike, and welcome the establishment of an organising group with a view to preparing the strike and other journalists' solidarity actions in support of our colleagues.

We, Ukrainian journalists, will seek all the necessary means to support our colleagues dismissed or persecuted for their adherence to the unbiased coverage of current events.

UKRAINSKA PRAVDA



Strike warni

THE JOURNALISTS' militancy was brought home to Ukraine's Parliament when it held special hearings on press freedom told last December.

The parliamentary chamber rocked with applause when Andriy Shevchenko, a TV anchorman who quit the Novy Kanal TV station over instructions to slant stories, warned: "If the screws get turned any tighter, we'll strike."

Shevchenko, who is chairman of the newly-founded independent journalists' trade union, presented on a TV screen photographs of the censorious "temniki" (theme sheets) - instructions that the Presidential administration began last year to circulate to broadcasters. One "temnik" had "requested" TV stations not to mention the demonstrations held to commemorate the anniversary of Gongadze's disappearance on September 16.

The situation is getting worse. "Before, they used to tell us what we cannot say, but now they tell us what we must say. The government calls it the information war: we call it war

UKRAINSKA PRAVDA



Ukraine's capital, Kyiv, saw its biggest ever anti-government demonstration on September 16 last year, the second anniversary of the disappearance of Gyorgy Gongadze.

YOUR SUPPORT IS CRITICAL. THIS CRIME MUST NOT GO UNPUNISHED. EVERY LITTLE UN

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was Gyorgy Gongadze kidnapped and killed? Who is responsible? The Ukrainian authorities continuously ignore the main evidence, the tape recordings of a conversation in which President Leonid Kuchma gave orders to deal with this inconvenient journalist.

In the last two years much has been done to tell the world about this murder, and about constraints on free speech in Ukraine.

These problems were discussed at the Parliamentary Assembly of the Council of Europe, by the OSCE, and in European countries' parliaments and US Congress. According to the Council of Europe, the Gongadze case is a test

case for democracy in Ukraine. It has also become a test case for the efficacy of international civic and governmental organisations trying to help solving problems in the Newly Independent States.

I see two directions for the Gongadze investigation to go:

- Public action to pressure investigating bodies in Ukraine to ensure a

transparent and effective enquiry; and

- Activation of international legal procedures to protect the victims' side's interests and to facilitate investigation.

In regard to the investigation in Ukraine, we need to put pressure on Prosecutor General Sviatoslav Piskun, to

TING BACK



December last year: the Ukrainian Parliament heard TV presenter Andriy Shevchenko declare journalists' determination to resist censorship.

ng over bias commands

against the journalism as a profession."

Dmitry Tabachnik, deputy prime minister, admitted that Ukraine – where journalists are routinely killed, beaten, sacked and threatened – is "not perfect". But he claimed journalists needed to exercise "self restraint" to protect Ukraine's international image.

Mikhail Tomenko, chairman of a parliamentary commission on freedom of information, said the "hidden hand of censorship" ensured minimal coverage of anti-government demonstrations on 16 September, the second anniversary of Gyorgy Gongadze's death.

The censors are trying to "tame" agencies, the hearings were warned by Aleksandr Kharchenko, chief editor of the UNIAN news agency, where new owners are trying to enforce pro-presidential bias.

Kharchenko said the mysterious death in Belarus in November of Mikhail Kolomyiets was "indicative of the type of press freedom we have here".

Other methods of shutting up

journalists reported to the hearings included the detention of a newspaper editor in Crimea on baseless conspiracy-to-murder charges; the pulling of TV documentaries that local authorities dislike; and libel actions to silence criticism of local politicians and businessmen.

Igor Lubchenko, the Union of Journalists' leader, warned that a war of attrition was being waged against regional newspapers by tax measures and other financial pressure. Deputies are drafting legislation to limit libel damages and strengthen a currently unworkable law against preventing journalists doing their job.

Among the international observers at the hearings were NUJ representatives Simon Pirani and John Spencer.

■ THE DAY after the hearings it was business as usual for Ukraine's state institutions. Reporters walked out of a press conference at the state prosecutor's office in protest at an arbitrary refusal to accredit Ukrainians Pravda, the news site founded by Gyorgy Gongadze.

International journalists' mission to Kyiv links Gongadze case and review of Ukraine media

THE INTERNATIONAL Federation of Journalists is linking its campaign on the case of Gyorgy Gongadze with a wide-ranging review of the Ukrainian media.

An IFJ delegation was visiting Kyiv in late March. Its remit covered the progress of the Gongadze murder investigation, the general conditions of press freedom and the state of trade union organisation among journalists.

IFJ general secretary Aidan White said in a letter to the NUJ that the cases of Gongadze and of the Northern Ireland-based journalist Martin O'Hagan,

murdered in 2001, are "two symbolic cases of intolerable impunity".

NUJ president John Barsby, who travelled with the IFJ delegation, said: "Journalists across the whole of Europe have a responsibility not to let cases such as those of Gongadze and of O'Hagan rest.

"If the killers of our colleagues remain unpunished, that is a green light to enemies of free speech everywhere to pick off journalists as they please. Our Ukrainian colleagues can rest assured that we will continue to work with them for justice."

RIGHTS WATCHDOG THANKS UNION

THE UKRAINIAN parliament's human rights ombudsman has welcomed the NUJ's proposal for an independent international inquiry into the disappearance and death of Gyorgy Gongadze

The ombudsman, Nina Karpachova, visited the NUJ's head office in London to discuss the case. She said that foreign and Ukrainian investigators should work on it together.

Letter to Prime Minister: 'Press for thorough inquiry'

AN ARRAY of high-profile journalists is supporting an appeal to UK prime minister Tony Blair to push for an independent international inquiry into the Gongadze case.

Jeremy Paxman (BBC Newsnight), John Simpson (World Affairs Editor, BBC), and James Naughtie and John Humphrys, presenters on BBC radio's Today programme, signed the appeal. So did Sunday newspaper editors Dominic Lawson (Sunday Telegraph),

and Roger Alton (the Observer).

Eight MPs have signed the call – Ann Clwyd, John Cryer, Paul Farrelly, Neil Gerrard, John Grogan, Austin Mitchell, Chris Mullin and Tony Wright.

The appeal, backed by the NUJ, ensured Blair to "do his utmost" to ensure that the Gongadze case was "properly investigated" and that the UK government gives the strongest possible support to calls for an independent inquiry into the case.

UNPUNISHED CRIME LEADS TO A SITUATION OF GLOBAL UNPUNISHED CRIMES

- Have the tape recordings made by State Security Major Melnichenko analysed by European and American experts;
- Recognise officially the authenticity of the Melnichenko recordings and incorporate them into the investigation as evidence;
- Specify a date for completion of the preliminary investigation and

transfer of the case to court.

In regard to activating international mechanisms we need to

- Support the idea of creating an effective international body to investigate high profile crimes in European countries where law enforcement agencies cannot or do not want to do investigations;
- Create a rapid reaction body

within OSCE, Council of Europe and EU to investigate every crime against journalists; and

- Support the case, lodged on 16 September 2002 to the European Court of Human Rights, challenging the ineffective and unprofessional investigation in Ukraine of a crime against Gyorgy Gongadze in violation of European Convention of Human

Rights.

Your support is critically important. This crime must not go unpunished. Every little unpunished crime leads to a situation of global unpunished crimes. Fighting for the right of our colleagues we fight for our own right to speak and be heard.

Myroslava Gongadze

Kuchma's days are numbered, says whistleblower

MYKOLA MELNICHENKO, the secret service whistleblower who tape recorded Ukrainian president Leonid Kuchma, vowed at a meeting hosted by the NUJ in London to bring the "criminal" rulers of Ukraine to be judged in a court of law.

He said that together with opposition politicians, he had decided to start legal proceedings in the US against the "criminals" who rule Ukraine.

Mykola Melnichenko, who started his career as a bodyguard for Soviet leader Mikhail Gorbachev, worked in President Kuchma's protection force until November 2000. Then he left Ukraine and released excerpts from the tapes he had secretly recorded, on which Kuchma and his cronies plotted physical attacks on opponents and discussed corrupt business deals.

In one of the most explosive passages on the tape, Kuchma apparently asked senior ministers to "deal with" Gyorgy Gongadze who was killed shortly afterwards.

The meeting at the NUJ's London office was only Melnichenko's second public appearance since seeking political asylum in the USA. The former presidential bodyguard said that president Leonid Kuchma's time is coming to an end: "the only question is when he will be brought to justice".

The audience of more than 50 people – which included journalists, academics, Foreign Office officials, free speech campaigners, students and members of Ukrainian community organisations – questioned him for an hour.

Asked why he had not made public all the tape recordings he made in Kuchma's office, Melnichenko said he would only produce all the tapes in a court of law. He was afraid that if he made everything on the tapes public, material evidence could be destroyed and witnesses silenced.

He was "very afraid of giving access to the tapes" to people who would use it for their own political or other interests. "We need to begin the legal process. Each question should be dealt with in the courts,"



Former major Mykola Melnichenko (above) made only his second public statement in two years when he spoke (right, second from front) at the NUJ meeting in London.



he said.

One of a group of young Ukrainians at the meeting told Melnichenko that his actions had been a "spark" that had encouraged people to fight actively for democracy in Ukraine.

The Russian dissident Vladimir Bukovskii, who spent 12 years in Soviet prison camps and psychiatric hospitals under Khrushchev and Brezhnev, told the meeting that the Melnichenko tapes provided an "unique opportunity to look into the structure of the post-soviet states and the catalogue of crimes committed from presidential offices".

Russia, Ukraine and other post-soviet states are ruled by "a criminal clique, a merger of the underworld, security services and so-called business", which feared "only one thing – journalists who write the truth about them".

WHAT YOU CAN DO ...

IF YOU ARE a journalist, a journalists' organisation or union, or any supporter of press freedom:

- Write to your government, and ask your parliamentarians to write to your government, urging it to put pressure on the Council of Europe to ensure that a proper inquiry is held into Gyorgy Gongadze's death
- Organise public events in support of free speech on 16 September 2003, the third anniversary of Gyorgy Gongadze's death
- Get in touch with the NUJ's Ukraine Working Group (contact details below) and we will email you about other events

IF YOU ARE a parliamentarian

- Through your government and the Parliamentary Assembly of the Council of Europe, ask the Council of Europe to take stronger action to ensure that the Melnichenko tapes are properly investigated
- Through the European parliament and other channels, urge that the EU take forceful action to ensure a proper investigation into Gyorgy Gongadze's death
- Contact the Ukrainian parliamentary committee investigating the Gongadze case (headed by deputy H. Omelchenko) and the parliamentary committee on free speech (headed by deputy M. Tomenko)
- Copy any correspondence to the NUJ and other campaigning organisations

FOR FURTHER information in English on the Gongadze case and media freedom in Ukraine go to:

- <http://www.londonfreelance.org>
NUJ London Freelance branch campaign page
- <http://en.imi.org.ua/>
Ukrainian affiliate of Reporters sans Frontières
- <http://www.pravda.com.ua/en/>
Ukrainska Pravda, on which Gongadze worked
- <http://www.telekritika.kiev.ua/english.html>
Ukrainian broadcasters' discussion site
- <http://www.eim.com.ua/cgi-bin/redir.cgi?lang=eng>
the European Media Institute

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