

**INTERNATIONAL COURT OF JUSTICE**

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**CASE CONCERNING  
APPLICATION OF THE INTERNATIONAL CONVENTION FOR THE SUPPRESSION  
OF THE FINANCING OF TERRORISM AND OF THE INTERNATIONAL CONVENTION  
ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION**

**(UKRAINE V. RUSSIAN FEDERATION)**

**VOLUME VI OF THE ANNEXES  
TO THE MEMORIAL  
SUBMITTED BY UKRAINE**

**12 JUNE 2018**





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# Annex 144

Record of Inspection of Lieutenant of Justice S.V.Frunze, Military Prosecutor's Office  
(3 December 2015)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





## RECORD OF INSPECTION

City of Kyiv

December 3, 2015

Inspection commenced at 12:40 p.m.

Inspection ended at 2:00 p.m.

Lieutenant of Justice S.V. Frunze, Prosecutor with the Military Prosecutor's Office of the Kyiv Garrison, having reviewed the files of the pretrial investigation of Criminal Case No. 4201400000000457, conducted an inspection of weapons and ammunition seized from illegal paramilitary groups, which are stored at Military Unit A0222 (Kyiv, at 19-A Dehtyariivska Street. The inspection was conducted on the premises of Warehouse No. [blank] of Military Unit A0222 at 19-A Dehtyariivska Street, Kyiv, under mixed lighting conditions, pursuant to Articles 98, 100, 104, 105, 106, 223, and 237 of the Criminal Procedure Code of Ukraine.

In the presence of attesting witnesses:

1) Soldier Vladyslav Olexandrovykh Stashevskiy, d.o.b. September 13, 1994, Kryve Ozero, Mykolaiv Oblast, 12 Klary Tsetkin Street, 068-94-5358 [Signature]

(Last name, first name, patronymic, date of birth, address of residence)

2) Soldier Oleksandr Mykhaylovych Dekiy, d.o.b. February 15, 1995, 19 Ukrayinska Street, Myrhorod, Vinnytsia Oblast [Signature]

(Last name, first name, patronymic, date of birth, address of residence)

Prior to the start of the inspection, it was explained to the above-mentioned individuals that they have a right to be present during all activities conducted in the context of the inspection and make comments that must be reflected in the record. The individuals participating in the inspection also had explained to them the requirements of Part 3 of Article 66 of the Criminal Procedure Code of Ukraine regarding their obligation to refrain from disclosing information about the procedural activity conducted, and also about the use of recording equipment, the conditions and procedure of their use:

*Lenovo S580 mobile phone*

S.V. Frunze [Signature]

(Parameters of recording equipment and data media used during the procedural activity, signatures of individuals)

### INSPECTION FINDINGS:

*The inspection of weapons is conducted with the participation of Major Oleksandr Anatoliyovych Khoroshun, Chief of the Missile and Artillery Equipment Service, and Sergeant Serhiy Viktorovych Antoshchuk, superintendent of the firearms, grenade launchers, and sighting devices storage facility.*

*According to O.A. Khoroshun, these weapons arrived at military unit A0222 after an exhibition of WWII weapons in Kyiv, where they were showcased to civilians.*

*Among the weapons presented by officers of military unit A0222, the following weapons have been identified:*

1) *52 mm mortar plate No. STV 8047*

2) *52 mm mortar plate No. 031287 (52 MP832)*

3) *52 mm mortar tripod with the number worn away beyond recognition*

1) Soldier O.S. Stashevskiy [Signature]

2) Soldier O.M. Dekiy [Signature]

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- 3) *Shoulder-fired anti-tank grenade launcher RPG-7 without a handle – No. MP438, caliber – 40 mm; other details are unknown because the handle is missing*
- 4) *Shoulder-fired anti-tank grenade launcher RPG-7M2 with a handle – No. VA747, made in 1981 in the USSR*
- 5) *Shoulder-fired anti-tank grenade launcher RPG-7M2 with a handle – No. VA862, made in 1981 in the USSR*
- 6) *Shoulder-fired anti-tank grenade launcher RPG-7M2 with a handle – No. AG794, made in 1985 in the USSR*
- 7) *Shoulder-fired anti-tank grenade launcher RPG-7D1 with a handle – No. PG390, made in 1989 in the USSR*
- 8) *Shoulder-fired anti-tank grenade launcher RPG-7M1 with a handle – No. VT605, made in 1978 in the USSR*
- 9) *Shoulder-fired anti-tank grenade launcher RPG-26 (tube) No. 254-12-87, OP 7B20, 533-07-87, 7/1 TR, made in 1987 in the USSR*
- 10) *Shoulder-fired anti-tank grenade launcher RPG-18 (tube) No. V-659, 533-1-74, MUKHA 254-3-74, OKFOL PPK-5, K-3-74, made in 1974 in the USSR*
- 11) *Shoulder-fired anti-tank grenade launcher RPG-26 (tube) No. 254-17-91, OKFOL, 7B-20, 533-09-91, 070030, made in 1991. Manufacturer unknown*
- 12) *Shoulder-fired anti-tank grenade launcher RPG-26 (tube) No. 254-6-91, OKFOL, 7B-20, 533-03-91, 7/1, TR VA 2-91-K*
- 13) *Shoulder-fired anti-tank grenade launcher RPG-22 (tube) No. 254-4-84, OL, VP-22, 533-L33-83, 7/1, TR B/1, made in 1983. Manufacturer unknown*
- 14) *Flamethrower (tube) MRO-A, MO.1.10.00, year of manufacture and manufacturer unknown (MO.1.10.01.1-6, 3311-2008)*
- 15) *Flamethrower (tube) MRO-A, MO.1.10.00, No. 30.1.10.01-16, 42-75-2008, year of manufacture and manufacturer unknown*
- 16) *Anti-tank guided missile container No. 9M113, 03-89-536, 1313, 50-892, year of manufacture and manufacturer unknown*
- 17) *Flamethrower (tube) with a handle (plastic) No. MO.102-00, 400, 973, year of manufacture and manufacturer unknown*
- 18) *Flamethrower (tube) with a handle (plastic) No. MO.1.02-00, 32-02; other markings are worn away and impossible to read; year of manufacture and manufacturer unknown*
- 19) *Flamethrower (tube) with a handle (plastic) No. MO.1-02-00, 33-02, 4004, year of manufacture and manufacturer unknown*
- 20) *Flamethrower (tube) with a handle (plastic) No. MO.102-00, 4-00, 10-18, year of manufacture and manufacturer unknown*
- 21) *Flamethrower (tube) with a handle (plastic) No. MO.102-00, 5-02-223, 31-02, 3912, year of manufacture and manufacturer unknown*
- 22) *Mounted grenade launcher SPG-9 No. E-434, year of manufacture and manufacturer unknown. Shows clear signs of charring on the barrel. The grenade launcher comes with a damaged mount. Mount No. R-256.*
- 23) *Mounted grenade launcher SPG-9 No. T-196, year of manufacture and manufacturer unknown. The grenade launcher comes with a damaged mount. Mount No. K-805*

1) Soldier O.S. Stashevskiy [Signature]

2) Soldier O.M. Dekiy [Signature]

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- 24) Mounted grenade launcher SPG-9 No. L-536, year of manufacture and manufacturer unknown. The grenade launcher comes with a damaged mount. Mount No. S-221
- 25) IGLA surface-to-air missile launcher container No. 9P39-1, 01-92-2, 01-10-28, 01-92-2, OF OK SNAR, year of manufacture and manufacturer unknown
- 26) IGLA surface-to-air missile launcher container No. 9P39-1, 01-89-2, 01861, 9M39, OF OK SNAR, bearing a magic marker inscription on the barrel "This is for Medved"; year of manufacture and manufacturer unknown
- 27) GROM shoulder-launched surface-to-air missile launcher (tube) No. 62.0.0.000E2, 1134, 2107, GROM-E2, E2707-21, 1134, F-LED, year of manufacture and manufacturer unknown
- 28) Launching mechanism for the IGLA surface-to-air missile launcher No. 9P516, 5625289000, year of manufacture and manufacturer unknown
- 29) Launching mechanism for the GROM shoulder-launched surface-to-air missile launcher No. 64.000.64.0.0.0.000, 182-01-05-21, year of manufacture and manufacturer unknown
- 30) Training container for the IGLA shoulder-launched surface-to-air missile launcher, UG-61, 75-2, 102
- 31) Anti-tank rifle PTRS No. M4D-67, made in 1944, manufacturer unknown
- 32) Anti-tank guided missile PTUR (tube) No. K.941314, 01-89-04, OKFOL, 9M-113, 04-90-III, 0275, 04-90-III, year of manufacture and manufacturer unknown
- 33) FAGOT launching system No. 9P-36M, EB-81-03-91, year of manufacture and manufacturer unknown
- 34) FAGOT launching system No. 9P-36M, EB-85-08, damaged, year of manufacture and manufacturer unknown
- 35) Unknown metal item bearing the markings BBB.526.009, 63-21-83, 3M, 38, year of manufacture and manufacturer unknown
- 36) KPVT machine gun, 14.5 mm, IP-351, made in 1975 in the USSR
- 37) KPVT machine gun barrel with a shield, without a flame arrester, No, 3P326-2, year of manufacture and manufacturer unknown. KPVT machine gun barrel caliber: 14.5 mm
- 38) Barrel for 12.7 mm NSVT, No. 114349644 XM, year of manufacture and manufacturer unknown
- 39) Barrel for the DShK machine gun, No. V 598-2, made in 1947 in the USSR
- 40) Automatic grenade launcher AGS-17, 30 mm, No. UN-305, made in 1989 in the USSR, damaged
- 41) Mount for AGS-17 grenade launcher, 30 mm, No. GT-1866, year of manufacture and manufacturer unknown

*According to the Chief of the Missile and Artillery Equipment Service, the condition of these weapons is unsatisfactory.*

1) Soldier O.S. Stashevskiy [Signature]

2) Soldier O.M. Dekiy [Signature]

[Seal: For Documents \* Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine]

[Stamp: A true copy. Department prosecutor at the Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine]

*It is readily apparent that these weapons are damaged. The weapons are imprinted with Russian-language operator instructions exclusively.*

*Chief of the Missile and Artillery Equipment Service of Military Unit A0222 [Signature]*

*Major O.A. Khoroshun (Mobile: 093-589-88-90)*

*Superintendent of the firearms, grenade launchers, and sighting devices storage facility*

*Sergeant S.V. Antoshchuk [Signature] (Mobile: 093-040-60-09)*

*These weapons were sealed with a seal of packets of the Military Prosecutor's Office of the Kyiv Garrison and left to be stored at the empty containers storage facility, Gate No. 1, of Military Unit A0222 at 19-A Dehtyarivska Street, Kyiv.*

*The record has been read: no comments*

*(Comments from the inspection participants)*

*The inspection ended at 5:00 p.m.*

*Attesting witnesses:*

*1. O.S. Stashevskiy [Signature]*

*(Initials, last name) (Signature)*

*2. O.M. Dekiy [Signature]*

*(Initials, last name) (Signature)*

**Inspection conducted by:**

Prosecutor with the Military Prosecutor's Office

of the Kyiv Garrison

Lieutenant of Justice

[Signature]

S. Frunze

[Seal: For Documents \* Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine]

[Stamp: A true copy. Department prosecutor at the Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine]

# Annex 145

Indictment in the Criminal Case Against Vasyl Vitaliyovych Pushkariov Registered in the Uniform Register of Pretrial Investigations Under No. 22015220000000431 on 22 December 2015

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

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**APPROVED by  
Prosecutor with Department 04/4 of  
Kharkiv Oblast Prosecutor's Office  
Councilor of Justice**

[...]

## **INDICTMENT**

**in the criminal case against Vasyl Vitaliyovych Pushkariov,  
who is accused of having committed criminal offenses falling under Part 2 of  
Article 110, Part 2 of Article 201, Part 2 of Article 28, Part 1 of Article 263, Part  
1 of Article 258-3, Part 2 of Article 258, Part 5 of Article 27, Part 2 of Article  
258, Part 2 of Article 201, Part 2 of Article 28, Part 1 of Article 263, Part 1 of  
Article 258-3, Part 3 of Article 15, Part 2 of Article 258, Part 1 of Article 263 of  
the Criminal Code of Ukraine;  
Oleh Valentynovych Doroshenko, who is accused of having committed criminal  
offenses falling under Part 2 of Article 110, Part 1 of Article 258-3, Part 2 of  
Article 201, Part 2 of Article 28, Part 1 of Article 263, Part 3 of Article 15, Part  
2 of Article 258 of the Criminal Code of Ukraine,  
registered in the Uniform Register of Pretrial Investigations under No.  
2201522000000431 on December 22, 2015.**

**Vasyl Vitaliyovych Pushkariov, born on July 28, 1977  
in Kharkiv, a citizen of Ukraine, with his registered  
address of residence at 179 Krasnodarska Street,  
apartment 133, Kharkiv, and his actual address of  
residence at 3-A Matyushenko Street, apartment 21,  
Kharkiv, higher education, married, supporting an  
underage child, temporarily unemployed, with no  
prior record of convictions,**

was notified on December 23, 2015 about a change of the previously announced suspicion of his having committed criminal offenses punishable under Part 2 of Article 110, Part 2 of Article 201, Part 2 of Article 28, Part 1 of Article 263, Part 1 of Article 258-3, Part 2 of Article 258, Part 5 of Article 27, Part 2 of Article 258, Part 2 of Article 201, Part 2 of Article 28, Part 1 of Article 263, Part 1 of Article 258-3, Part 3 of Article 15, Part 2 of Article 258, Part 1 of Article 263 of the Criminal Code of Ukraine.

[...]

At around 2:40 a.m., while acting on a criminal plan with the intention of bringing the crime to completion, V.V. Pushkariov used a MRO-A compact rocket-propelled flame thrower bearing the markings "MRO-A MO.1.10.02 BB-03-08 OKFOL U-505 B 533-1-08" and the inscription "For Odesa" charged with a rocket-propelled grenade with a thermobaric payload containing 1 kg of the "TBS OM-100MI-3LO" thermobaric mixture and an explosive shell, to fire a shot at the above-mentioned building of Privatbank Commercial Bank (private joint-stock company) and left a container of the above-mentioned flame thrower at the crime scene, thereby committing a criminal offense in collusion with V.V. Chyzh and M.V. Rieznikov.

[ . . . ]

On July 28, 2014, during an examination of the crime scene, the forensic team detected and seized the container of a MRO-A compact rocket-propelled flame thrower with a trigger and firing mechanism and a sighting device bearing the markings "MO.1.10.01 KL 4214 29 08" MRO-A MO.1.10.00MO.1.10.01 1-63715-2008". The belt has a pocket fashioned from a green cloth. It was found to contain two white ear plugs for noise suppression, which were impregnated with a light-yellow substance.

Cells with kernels were detected on the surface of the ear plugs and their genetic features (DNA profiles) determined (Table 1.1, Attachment 1). Surfaces of the container of the compact rocket-propelled flame thrower (specifically the rubber eyepiece of the sighting device and the handle) were found to be covered in solitary cells with kernels whose genetic features (DNA profiles) have not been determined due to an insufficient amount of genetic material, as evidenced by Molecular Genetic Forensic Expert Examination Opinion No. 20-588 of August 22, 2014.



# Annex 146

National Police, Main Donetsk Regional Administration of the National Police Letter  
No. 1812/04/18-2016 to the Main Military Prosecutor<sup>TM</sup>s Office, Prosecutor  
General<sup>TM</sup>s Office of Ukraine (18 March 2016)

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*A.L. Leshchenko:  
to be taken into account  
during the criminal  
proceeding*



**NATIONAL POLICE  
MAIN DONETSK REGIONAL  
ADMINISTRATION OF THE NATIONAL POLICE**

86 pr. Nakhimova, Mariupol 87517

March 18, 2016 No. 1812/04/18-2016 In response to No. 1457 of 3/2/2016

S.M. Onikeyenko:

*For the criminal case file and for organizing  
[illegible]*

*[signature] Leshchenko 3.30.16*

**S.M. Onikeyenko**

Senior Investigator

Main Military Prosecutor's Office

Prosecutor General's Office of Ukraine

13/15 vul. Riznytska, Kyiv-11 01011

**Dear Serhiy Mykolayevych,**

I hereby inform you of the following with respect to the pretrial investigation in criminal proceeding No. 220155050000000021 of 1/13/2015 concerning elements of a criminal offense provided for by Article 258(3) of the Criminal Code of Ukraine.

It will not be possible to send the Prosecutor General's Office of Ukraine video recordings from the fixed video surveillance camera located on the roof of fixed post No. 5 of the State Traffic Inspectorate Administration of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine for the period from 8:00 a.m. to 4:00 p.m. on January 13, 2015, due to the fact that the Kyiv-2 special-purpose battalion was stationed at the fixed post. All of the video surveillance cameras and recordings made by them belong to and are being held by the leadership of that battalion. The same applies to information concerning persons who crossed, in either direction, the temporary checkpoint controlled by the Kyiv-2 special-purpose battalion. The Armor registration database was not checked due to the fact that no such database is available.

- the category and purpose of the N-20 Slovyansk-Donetsk-Mariupol road: category 1, has 4 lanes for vehicular traffic
- the equipping and infrastructure of the road: road signs, road surface markings, metal barriers, bus stops
- the intensity of traffic and vehicle load: 3,027 vehicles per day
- the existence of cameras along the entire length of the road, including at filling stations and other infrastructure facilities (video recording mode): none
- the existence of road signs near fixed and temporary posts (warning signs, yield signs, restrictive signs, guiding signs, information signs, service signs, etc.): a temporary checkpoint controlled by the Kyiv-2 Special-Purpose Battalion

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m2 Prosecutor General's Office of Ukraine

was set up at the 178-km-000 mark, equipped with road signs

- the existence of video surveillance cameras and special road maintenance equipment on the N-20 road - none.

The existence of regular traffic routes, including routes for passenger service, and the intensity thereof—regulated by the Department of Transportation of the Military-Civilian Administration of the Donetsk Region.

Equipping of fixed post No. 5, Road Patrol Service Battalion of the Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine, January 13, 2015, as well as: procedures for patrol duty by the law-enforcement agencies, installation of video surveillance and procedures for patrol duty since the beginning of the Counterterrorism Operation and during its prosecution: officers of the State Traffic Inspectorate Administration of the Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine were not involved in supervising road traffic at fixed post No. 5; the Kyiv-2 special-purpose battalion was stationed there.

It will not be possible to provide any information concerning the operation of fixed post No. 5 on January 13, 2015, since fixed post No. 5 was controlled by the Kyiv-2 special-purpose battalion.

**Sincerely,  
Deputy Head  
Police Colonel**

[signature]

**V.S. Filashkin**

# Annex 147

National Police, Main Donetsk Regional Administration of the National Police Letter No. 1812/04/18-2016 to the Main Military Prosecutor's Office, Prosecutor General's Office of Ukraine (18 March 2016)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



*A.L. Leshchenko:  
to be taken into account  
during the criminal  
proceeding*



**NATIONAL POLICE  
MAIN DONETSK REGIONAL  
ADMINISTRATION OF THE NATIONAL POLICE**

86 pr. Nakhimova, Mariupol 87517

March 18, 2016 No. 1812/04/18-2016 In response to No. 1457 of 3/2/2016

S.M. Onikeyenko:

*For the criminal case file and for organizing  
[illegible]*

*[signature] Leshchenko 3.30.16*

**S.M. Onikeyenko**

Senior Investigator

Main Military Prosecutor's Office

Prosecutor General's Office of Ukraine

13/15 vul. Riznytska, Kyiv-11 01011

**Dear Serhiy Mykolayevych,**

I hereby inform you of the following with respect to the pretrial investigation in criminal proceeding No. 220155050000000021 of 1/13/2015 concerning elements of a criminal offense provided for by Article 258(3) of the Criminal Code of Ukraine.

It will not be possible to send the Prosecutor General's Office of Ukraine video recordings from the fixed video surveillance camera located on the roof of fixed post No. 5 of the State Traffic Inspectorate Administration of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine for the period from 8:00 a.m. to 4:00 p.m. on January 13, 2015, due to the fact that the Kyiv-2 special-purpose battalion was stationed at the fixed post. All of the video surveillance cameras and recordings made by them belong to and are being held by the leadership of that battalion. The same applies to information concerning persons who crossed, in either direction, the temporary checkpoint controlled by the Kyiv-2 special-purpose battalion. The Armor registration database was not checked due to the fact that no such database is available.

- the category and purpose of the N-20 Slovyansk-Donetsk-Mariupol road: category 1, has 4 lanes for vehicular traffic
- the equipping and infrastructure of the road: road signs, road surface markings, metal barriers, bus stops
- the intensity of traffic and vehicle load: 3,027 vehicles per day
- the existence of cameras along the entire length of the road, including at filling stations and other infrastructure facilities (video recording mode): none
- the existence of road signs near fixed and temporary posts (warning signs, yield signs, restrictive signs, guiding signs, information signs, service signs, etc.): a temporary checkpoint controlled by the Kyiv-2 Special-Purpose Battalion

10/4-947 incoming-16

m2 Prosecutor General's Office of Ukraine

was set up at the 178-km-000 mark, equipped with road signs

- the existence of video surveillance cameras and special road maintenance equipment on the N-20 road - none.

The existence of regular traffic routes, including routes for passenger service, and the intensity thereof—regulated by the Department of Transportation of the Military-Civilian Administration of the Donetsk Region.

Equipping of fixed post No. 5, Road Patrol Service Battalion of the Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine, January 13, 2015, as well as: procedures for patrol duty by the law-enforcement agencies, installation of video surveillance and procedures for patrol duty since the beginning of the Counterterrorism Operation and during its prosecution: officers of the State Traffic Inspectorate Administration of the Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine were not involved in supervising road traffic at fixed post No. 5; the Kyiv-2 special-purpose battalion was stationed there.

It will not be possible to provide any information concerning the operation of fixed post No. 5 on January 13, 2015, since fixed post No. 5 was controlled by the Kyiv-2 special-purpose battalion.

**Sincerely,  
Deputy Head  
Police Colonel**

[signature]

**V.S. Filashkin**



# Annex 148

Case No. 757/21825/16-k, Order of the Pechersky District Court of Kyiv regarding temporary access to and seizure of document copies from TOV Lifecell (dated 11 May 2016)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



/Rectangular stamp: "Lifecell, a limited liability company. Our ref. # 13165 BK. May 12, 2016"/  
Handwritten phone numbers: 044-233-90-01  
063-544-35-89



## PECHERSKY DISTRICT COURT OF KYIV

Case # 757/21825/16-k

### COURT DECISION IN THE NAME OF UKRAINE

On May 11, 2016 Tsokol, L.I., an investigating judge of the Pechersky District Court of the city of Kyiv, with Storozhuk, E. Yu., a court secretary, participating, having examined in an open court session and in the building of the court a request submitted by Onikeyenko, S.M., a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine, concerning temporary access to documents,

#### DETERMINED

Onikeyenko, Serhiy Mykolayovych, a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine, having examined the materials of criminal proceedings # 2201505000000021 of January 13, 2015, and having received an approval of prosecutor Scherbak, A., turned to the court with a request, which he upheld at the time of its examination.

In accordance with Part 2 of Article 163 of the Code of Criminal Procedure of Ukraine the person who possesses the information, was not summoned to be present at the court session.

It was determined that the investigation section of the department investigating crimes against the fundamental security of the Ukrainian state, as well as crimes against peace, safety of mankind and international rule of law of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine was carrying out a pretrial investigation for criminal proceedings # 2201505000000021 initiated on January 13, 2015 regarding the commission of a deadly act of terror with elements of a criminal act referred to in Part 3, Article 258 of the Criminal Code of Ukraine.

Based on the materials of the criminal proceedings it appears that on January 13 at 2:25 PM individuals who were not identified in the course of the pretrial investigation, being located at the north-eastern suburb of the city of Dokuchayivsk, Donetsk oblast, using 120 mm free-flight highly explosive fragmentation shells M-21 OФ (product 9 M 22Y) launched from no less than three multiple launch rocket systems BM-21 "Grad", attacked by fire the territory of the checkpoint of the Military Forces of Ukraine organized on "Slavyansk – Mariupol" H-20 motorway in the vicinity of fixed security station # 5 of the Road Traffic Police under the Senior Administration of Internal Affairs of Ukraine in Donetsk oblast.

As a result of that attack by fire a commuter bus "I-VAN Tata A0718", state matriculation # AH 0985 AA, shuttling between Zlatoustovka and Donetsk, was damaged, 12 people who had been wounded by shell fragments were killed and 19 other people (including an officer of the Ministry of Internal Affairs of Ukraine) got injuries of various severity.

As a result of the examination of the scene carried out on January 16, 2015 it was determined that the holes, discovered near the checkpoint, had been formed by shells, probably launched from the north-eastern suburb of the city of Dokuchayivsk, Donetsk oblast.

The individuals that had been interrogated in connection with the explosion as well as witnesses reported that, judging by the sound, the shells that blew up near the bus, were flying from the north-east, having possibly been launched from the territory controlled by the "DPR" military group.

To provide for a complete, objective and comprehensive investigation of all circumstances related to the carrying out of this act of terror that caused death of people, as well as to identify those involved in the carrying out of the said act of terror, there arose a requirement to get an access to the information about the mobile base

stations of the corresponding mobile operators that were functioning (providing for the coverage) in the north-eastern suburb of the city of Dokuchayivsk, Donetsk Oblast, within the zone from which the said shells had been launched.

Thus, in the course of the pretrial investigation related to the said criminal proceedings it became necessary that information on the specific mobile base stations of the corresponding mobile operators that were functioning (covered) in the said territory during the period from January 12, 2015 to January 13, 2015 be provided.

Taking into account and considering the fact that the materials of the criminal proceedings refer to sufficient grounds to consider that the said documents are of substantial value when it comes to identification of important circumstances in the criminal proceedings, therefore, for the submitted request to be efficiently executed it should be recognized as grounded and as such subject to being satisfied.

Therefore, on the grounds of the aforementioned and based on Articles 160-166 of the Code of Criminal Procedure of Ukraine the investigating judge

**DECIDED:**

To give the Onikeyenko, Serhiy Mykolayovych, a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine, or to other investigators from the investigating group appointed/delegated by him, a temporary access and a permission to turn to Lifecell, a Limited Liability Company, situated at the address as follows: 12, Amosova Str., Kyiv, 03680, and to obtain therefrom the hard and soft copies of documents containing information on the specific mobile base stations of the corresponding mobile operator that were functioning (covered) in the in the north-eastern suburb of the city of Dokuchayivsk, Donetsk Oblast, within the zone from which the said shells had been launched, namely in the territory lying within the following grid points: (latitude: N47.761890 = 47045.71' = 47045'42.8'', longitude: E37.67890 = 37040.73' = 37040'44''; latitude: N47.763040 = 47045.78' = 47045'46.9'', longitude: E37.703960 = 37042.24' = 37042'14.3''; latitude: N47.744810 = 47044.69' = 47044'41.30'', longitude: E37.700870 = 37042.05' = 37042.1''; latitude: N47.745560 = 47044.73' = 47044'44.0'', longitude: E37.678640 = 37040.72' = 37040'43.1'') during the period from January 12, 2015 to January 13, 2015.

To determine the validity period of the decision as twenty working days, which should begin on the day of the investigating judge's pronouncing the decision.

Should the present order concerning the temporary access to the materials and documents not be fulfilled, the investigating judge, the court as per the request of the criminal proceedings' party that has been granted such an access to the materials and documents based on the order, is entitled to enact another regulation sanctioning a search in accordance with the regulations of this Code in order to find and collect the said materials and documents. The order/decision shall not subject to any appeal.

Investigating Judge L.I. Tsokol

(signed) [illegible]

L.I. Tsokol

Executed in 2 copies

Note 1 – case # 757/21825 /16-k

Note 2 – investigator Onikeyenko, S.M.

Copy – Lifecell, LLC, 12, Amosova Str., Kyiv

Executed by: L.I. Tsokol, May 11, 2016

*Round seal: /"Ukraine. Pechersky District Court of the City of Kyiv. Identification code 02896745"/*

Pechersk District Court of the City of Kyiv

Tsokol [barcode]

\*2606\*16585114\*1\*1\*

## LIFECCELL

Lifecell, Limited Liability Company  
11 - A, Solomyanska Str., Kyiv 03110, Ukraine  
Phone: +38 (044) 233-31-31, fax: +38 (044) 594-40-90  
Email: [reception@lifecell.com.ua](mailto:reception@lifecell.com.ua); web: [www.lifecell.com.ua](http://www.lifecell.com.ua)  
Reg. code: 22859846

Our ref : 003516, of June 06, 2016

Attn. : Onikeyenko, S. M., a senior major case investigator of  
the Chief Military Prosecutor's Office at the Office of the  
General Prosecutor of Ukraine  
13/15, Riznitska Str., 01601 Kyiv

### TO WHOM IT MAY CONCERN:

In compliance with the order of investigating judge of Pechersky District Court of the City of Kyiv of May 11, 2016 as per case # 757/21825/16-k related to mobile base station of Lifecell, a telecommunication operator, that could function (be covered) in the territory of the north-eastern suburb of the city of Dokuchayivsk, Donetsk oblast, during the period from January 12, 2015 to January 13, 2015 we hereby provide the following information:

SITE ID	CELL ID	ADDRESS	LAC	CID
DO0302	DO03021	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 88 Tsentralna Str., GSM-1800	20505	3021
DO0302	DO03025	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 88 Tsentralna Str., GSM-900	20505	3025
DO0427	DO04276	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 40 Kosmonavtiv Str., GSM-900	20505	4276
DO0427	DO04275	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 40 Kosmonavtiv Str., GSM-900	20505	4275
DO0301	DO03012	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 53 Lenina Str., GSM-1800	20505	3012
DO0301	DO03016	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 53 Lenina Str., GSM-900	20505	3016
DO0302	DO03022	Donetsk oblast, Volnovakha district, city of Oleksandrivka, 174 Lenina Str., GSM-1800	20505	3022
DO0302	DO03026	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 88 Tsentralna Str., GSM-900	20505	3026
DO0301	DO03012	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 53 Lenina Str., GSM-1800	20505	3012
DO0301	DO03016	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 53 Lenina Str., GSM-900	20505	3016
DO0302	DO03022	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 88 Tsentralna Str., GSM-1800	20505	3022
DO0302	DO03026	Donetsk oblast, Volnovakha district, city of Dokuchayivsk, 88 Tsentralna Str., GSM-900	20505	3026

Head of Relations and Communications Dept. of Lifecell, LLC	(signed) [illegible] R.V. Andriyenko
--	--------------------------------------

Address for correspondence  
Phone: 0 800 20 5433, phone: (044) 233 3131, fax: (044) 594 4090  
12 Amosova Str., Gorizont Park Center, Kyiv 03680  
[www.lifecell.com.ua](http://www.lifecell.com.ua)

Stamp: "Confidential"

Mobile communication services, licence of the National Radio-communications Committee АБ # 222715 of November 17, 2005.  
Lifecell, Limited Liability Company, 11 - A, Solomyanska Str., Kyiv 03110, Ukraine, network codes: 63, 73, 93



# Annex 149

Case No. 757/21828/16-k, Order of the Pechersky District Court of Kyiv regarding temporary access to and seizure of document copies from PrAT MTS (dated 11 May 2016)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document







## PECHERSKY DISTRICT COURT OF KYIV

Case # 757/21828/16-k

### COURT DECISION IN THE NAME OF UKRAINE

On May 11, 2016 Tsokol, L.I., an investigating judge of the Pechersky District Court of the city of Kyiv, with Storozhuk, E. Yu., a court secretary, participating, having examined in an open court session and in the building of the court a request submitted by Onikeyenko, S.M., a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine, concerning temporary access to documents,

#### **DETERMINED**

Onikeyenko, Serhiy Mykolayovych, a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine, having examined the materials of criminal proceedings # 2201505000000021 of January 13, 2015, and having received an approval of prosecutor Scherbak, A., turned to the court with a request, which he upheld at the time of its examination.

In accordance with Part 2 of Article 163 of the Code of Criminal Procedure of Ukraine the person who possesses the information, was not summoned to be present at the court session.

It was determined that the investigation section of the department investigating crimes against the fundamental security of the Ukrainian state, as well as crimes against peace, safety of mankind and international rule of law of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine was carrying out a pretrial investigation for criminal proceedings # 2201505000000021 initiated on January 13, 2015 regarding the commission of a deadly act of terror with elements of a criminal act referred to in Part 3, Article 258 of the Criminal Code of Ukraine.

Based on the materials of the criminal proceedings it appears that on January 13 at 2:25 PM individuals who were not identified in the course of the pretrial investigation, being located at the north-eastern suburb of the city of Dokuchayivsk, Donetsk oblast, using 120 mm free-flight highly explosive fragmentation shells M-21 ОФ (product 9 M 22Y) launched from no less than three multiple launch rocket systems БМ-21 "Grad", attacked by fire the territory of the checkpoint of the Military Forces of Ukraine organized on "Slavyansk – Mariupol" H-20 motorway in the vicinity of fixed security station # 5 of the Road Traffic Police under the Senior Administration of Internal Affairs of Ukraine in Donetsk oblast.

As a result of that attack by fire a commuter bus "I-VAN Tata A0718", state matriculation # AH 0985 AA, shuttling between Zlatoustovka and Donetsk, was damaged, 12 people who had been wounded by shell fragments were killed and 19 other people (including an officer of the Ministry of Internal Affairs of Ukraine) got injuries of various severity.

As a result of the examination of the scene carried out on January 16, 2015 it was determined that the holes, discovered near the checkpoint, had been formed by shells, probably launched from the north-eastern suburb of the city of Dokuchayivsk, Donetsk oblast.

The individuals that had been interrogated in connection with the explosion as well as witnesses reported that, judging by the sound, the shells that blew up near the bus, were flying from the north-east, having possibly been launched from the territory controlled by the "DPR" military group.

To provide for a complete, objective and comprehensive investigation of all circumstances related to the carrying out of this act of terror that caused death of people, as well as to identify those involved in the carrying

out of the said act of terror, there arose a requirement to get an access to the information about the mobile base stations of the corresponding mobile operators that were functioning (providing for the coverage) in the north-eastern suburb of the city of Dokuchayivsk, Donetsk Oblast, within the zone from which the said shells had been launched.

Thus, in the course of the pretrial investigation related to the said criminal proceedings it became necessary that information on the specific mobile base stations of the corresponding mobile operators that were functioning (covered) in the said territory during the period from January 12, 2015 to January 13, 2015 be provided.

Taking into account and considering the fact that the materials of the criminal proceedings refer to sufficient grounds to consider that the said documents are of substantial value when it comes to identification of important circumstances in the criminal proceedings, therefore, for the submitted request to be efficiently executed it should be recognized as grounded and as such subject to being satisfied.

Therefore, on the grounds of the aforementioned and based on Articles 160-166 of the Code of Criminal Procedure of Ukraine the investigating judge

**DECIDED:**

To give the Onikeyenko, Serhiy Mykolayovych, a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine, or to other investigators from the investigating group appointed/delegated by him, a temporary access and a permission to turn to Lifecell, a Limited Liability Company, situated at the address as follows: 12, Amosova Str., Kyiv, 03680, and to obtain therefrom the hard and soft copies of documents containing information on the specific mobile base stations of the corresponding mobile operator that were functioning (covered) in the in the north-eastern suburb of the city of Dokuchayivsk, Donetsk Oblast, within the zone from which the said shells had been launched, namely in the territory lying within the following grid points: (latitude: N47.761890 = 47045.71' = 47045'42.8'', longitude: E37.67890 = 37040.73' = 37040'44''; latitude: N47.763040 = 47045.78' = 47045'46.9'', longitude: E37.703960 = 37042.24' = 37042'14.3''; latitude: N47.744810 = 47044.69' = 47044'41.30'', longitude: E37.700870 = 37042.05' = 37042'3.1''; latitude: N47.745560 = 47044.73' = 47044'44.0'', longitude: E37.678640 = 37040.72' = 37040'43.1'') during the period from January 12, 2015 to January 13, 2015.

To determine the validity period of the decision as twenty working days, which should begin on the day of the investigating judge's pronouncing the decision.

Should the present order concerning the temporary access to the materials and documents not be fulfilled, the investigating judge, the court as per the request of the criminal proceedings' party that has been granted such an access to the materials and documents based on the order, is entitled to enact another regulation sanctioning a search in accordance with the regulations of this Code in order to find and collect the said materials and documents. The order/decision shall not subject to any appeal.

Investigating Judge L.I. Tsokol

(signed) [illegible]

L.I. Tsokol

Executed in 2 copies

Note 1 – case # 757/21825 /16-k

Note 2 – investigator Onikeyenko, S.M.

Copy – Lifecell, LLC, 12, Amosova Str., Kyiv

Executed by: L.I. Tsokol, May 11, 2016

*Round seal: /"Ukraine. Pechersky District Court of the City of Kyiv. Identification code 02896745"/*

Pechersk District Court of the City of Kyiv

Tsokol [barcode]

\*2606\*16585114\*1\*1\*

REPORT OF PROCEEDINGS  
For Temporary Access to Materials and Documents

City (village): Kyiv, June 6, 2016

**Onikeyenko, Serhiy Mykolayovych, a senior major case investigator of the Chief Military Prosecutor's Office at  
the  
Office of the General Prosecutor of Ukraine**  

---

*(investigator, position, agency name, initials, last name)*

during the period from 12:00 PM till \_\_: \_\_, being on the premises of MTC, a Private Joint-Stock Company, located at the address as follows: 15, Leiptsigska, based on Articles 103-107, Article 165 pf the Code of Criminal Procedure of Ukraine, in the presence of a person representing MTC, a Private Joint-Stock Company,

**Mr. Kurbatov, Mykola Pavlovych**  

---

*(the person indicated in the decision of the investigating judge, court concerning the temporary access to  
materials and documents as an owner of these materials and documents)*

*(senior specialist [illegible] of MTC Ukraine)  
[illegible]*

with attesting witnesses participating, to whom the requirements of Part 3, Article 66 of the Code of Criminal Procedure of Ukraine concerning their responsibility to abstain from disclosing ant information about these procedural actions was explained: NOT APPLICABLE

having in advance informed the participants of the use of registration devices as well as of the procedures and conditions of their use:

*(no registration devices have been used)*

*based on the decision of the Pechersky District Court of the City of Kyiv, justice Tsokol, L.I., of May 11, 2016  
concerning the temporary access to materials and documents, has familiarized himself / herself with:  
information, made accessible by virtue of the decision of the Pechersky District Court of the City of Kyiv on May 11,  
2016 in case 757/21828/16-k, that is laid out on 1 sheet of paper bearing an indication of [illegible] – CD/KI-П/1680  
on May 16, 2016.*

Before the beginning of the procedural action, the representative of MTC, a Private Joint-Stock Company, Mr. Kurbatov, Mykola Pavlovych

---

*(the person indicated in the decision of the investigating judge, court concerning the temporary access to materials  
and documents as an owner of these materials and documents)  
(senior specialist [illegible] of MTC Ukraine)*

was shown the original of the said court determination, given its copy and provided with explanations to the effect that in accordance with Article 166 of the Code of Criminal Procedure of Ukraine in case the present order concerning the temporary access to the materials and documents not be fulfilled, the investigating judge, the court as per the request of the criminal proceedings' party that has been granted such an access to the materials and documents based on the order, is entitled to enact another regulation sanctioning a search in accordance with the regulations of this Code in order to find and collect the said materials and documents.

During the examination of the information it was determined that:

*information, made accessible by virtue of the decision of the Pechersky District Court of the City of Kyiv on May 11, 2016 in case 757/21828/16-k, that is laid out on 1 sheet of paper bearing an indication of [illegible] – CD/KI-П/16/6880 on May 16, 2016.*

---

*(description of materials and documents)*

*The owner was given the list of the material and documents collected, the copy of the list is attached hereto.*

*The present Report of Proceedings was read and understood: the Report of Proceedings was read out, a list of materials and documents that were withdrawn by virtue of the decision of the Pechersky District Court of the City of Kyiv on May 11, 2016 in case 757/21828/16-k was given to the representative of MTC, a Private Joint-Stock Company.*

Due to the fact that the person that took part in the procedural actions refused to sign the Report of Proceedings, he/she was given the right to give written explanations of the reasons of this refusal: NOT APPLICABLE

The fact of giving (or refusing to give) written explanations of reasons as to the refusal to sign the present Report of Proceedings is certified by the signature of the person's attorney (official representative), and in case of absence of such an official – by witnesses: NOT APPLICABLE.

Due to the fact that the person is physically invalidated or that, for any other reasons, he/she is not able to sign the Report of Proceedings himself/herself, the review of the present Report will take place in the presence of the person's attorney (official representative), who shall certify by his/her signature that the person is unable to sign the Report of Proceedings: NOT APPLICABLE.

Owner of the documents: M.P. Kurbatov (signed) [illegible]  
Witnesses: NOT APPLICABLE

***Report of Proceedings executed by: Onikeyenko, Serhiy Mykolayovych, a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine***

---

***(investigator, position, agency name, initials, last name)***  
***(signed) [illegible]***

ANNEX TO REPORT OF PROCEEDINGS

Concerning Temporary Access  
to Materials and Documents  
Of June 6, 2016

**DESCRIPTION**

**of Materials and Documents that were Collected Based on the Court Decision**

*Information, made accessible by virtue of the decision of the Pechersky District Court of the City of Kyiv, judge Tsokol, L.I., on May 11, 2016 in case 757/21828/16-k, that is laid out on 1 sheet of paper bearing an indication of [illegible] – CD/KI-П/16/6880 on May 16, 2016.*

Copy of the list given to:  
Senior Specialist in [illegible]  
Of MTC Ukraine, Private Joint-Stock Company

**Kurbatov, M.P. (signed) [illegible]**

***Onikeyenko, Serhiy Mykolayovych, a senior major case investigator of the Chief Military Prosecutor's Office at the Office of the General Prosecutor of Ukraine***

---

***(investigator, position, agency name, initials, last name)***  
***(signed) [illegible]***

LAC	CI	Azimuth Angle	Base Station Address
62470	9231	40	Dokychayivsk, Donetsk oblast (Avangard Stadium)
62470	9232	180	Dokychayivsk, Donetsk oblast (Avangard Stadium)
62470	9233	310	Dokychayivsk, Donetsk oblast (Avangard Stadium)
62470	14231	40	Dokychayivsk, Donetsk oblast (Avangard Stadium)
62470	14232	180	Dokychayivsk, Donetsk oblast (Avangard Stadium)
62470	14233	310	Dokychayivsk, Donetsk oblast (Avangard Stadium)
62470	42871	60	Dokychayivsk, Donetsk oblast, 96, Lenina Str. (Boiler-house pipe)
62470	42872	160	Dokychayivsk, Donetsk oblast, 96, Lenina Str. (Boiler-house pipe)
62470	42873	320	Dokychayivsk, Donetsk oblast, 96, Lenina Str. (Boiler-house pipe)
62470	17531	75	Dokychayivsk, Donetsk oblast, 96, Lenina Str. (Boiler-house pipe)
62470	17532	180	Dokychayivsk, Donetsk oblast, 96, Lenina Str. (Boiler-house pipe)
62470	17533	330	Dokychayivsk, Donetsk oblast, 96, Lenina Str. (Boiler-house pipe)
62470	15261	160	Dokychayivsk, Donetsk oblast, 41, Dzerzhinskogo Str. (Store # 19)
62470	15262	250	Dokychayivsk, Donetsk oblast, 41, Dzerzhinskogo Str. (Store # 19)
62470	15263	340	Dokychayivsk, Donetsk oblast, 41, Dzerzhinskogo Str. (Store # 19)
62470	42861	150	Dokychayivsk, Donetsk oblast, (Dokychayivsk Dolomitic Lime Fluxes Combine)
62470	42862	320	Dokychayivsk, Donetsk oblast, (Dokychayivsk Dolomitic Lime Fluxes Combine)
62470	42865	150	Dokychayivsk, Donetsk oblast, (Dokychayivsk Dolomitic Lime Fluxes Combine)
62470	42866	320	Dokychayivsk, Donetsk oblast, (Dokychayivsk Dolomitic Lime Fluxes Combine)

Stamp: "Copy"

Round seal: /MTC Ukraine. City of Kyiv. Ukraine. Private Joint-Stock Company. ID # 14333937"/

# Annex 150

Expert Report, drafted by Serhiy Onikeyenko, Investigations Department  
Prosecutor's Office of Ukraine, and Viktor Levchenko, Lieutenant Colonel of the  
Ukrainian Armed Forces ( 1 June 2016)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





## REVIEW REPORT

The City of Kyiv

June 1, 2016

The review started at 12:00 p.m.

The review ended at 2:50 p.m.

Senior special investigator at the Investigations Department at the Main Military Prosecutor's Office of the Prosecutor's Office of Ukraine Serhiy Mykolayovych Onikeyenko in connection with the pretrial investigation in criminal case no. 2201505000000021 of January 13, 2015 on grounds of criminal offenses covered by articles 258 (3) and 438 (2) of the Criminal Code of Ukraine in accordance with articles 104, 105, 106, 223, 234, and 237 of the Criminal Procedure Code of Ukraine,

With the participation of an expert: *a senior officer from the organization and planning department at the staff of the Missile and Artillery Troops of the Ground Troops Command of the Ukrainian Armed Forces, Lieutenant Colonel Viktor Mykolayovych Levchenko*, born on December 1, 1980, military unit A0105 (t. m. 096-96-08-048), who was advised of his rights and obligations under Article 71 (4-5) of the Criminal Procedure Code of Ukraine.

The person taking part in the review was also advised of the requirement outlined in Art. 66 (3) of the Criminal Procedure Code of Ukraine concerning the obligation not to disclose any information pertaining to the procedural action.

During the investigation proceedings, expert V. M. Levchenko received for his perusal the materials of criminal case no. 2201505000000021 of January 13, 2015, namely:

- the scene inspection report (on the damaged bus and the civilians who died in it) of January 13, 2015, with annexes thereto, a layout diagram, and photoboards on 29 sheets (volume 1, 9-37);
- the scene inspection report (on the surrounding area, the craters at the scene from where metal objects had been removed) of January 13, 2015 with a layout diagram attached on 6 sheets (volume 1, 38-43);
- the inspection report (on the craters at the scene and metal objects removed from them) of January 14, 2015, with annexes thereto, a layout diagram, and photoboards on 8 sheets (volume 1, 71-78);
- the inspection report (all the craters that were formed in the area adjacent to the checkpoint) of January 16, 2015 without annexes on 11 sheets (volume 1, 118-128);
- the inspection report (specifying the angle of the entry of the shells with the participation of an expert from a missile and artillery battalion, military unit number A 2167, S. V. Dmitriyev) of January 16, 2015 with an area map attached on which the expert indicated the trajectory flown by the shells on 6 sheets (volume 1, 129-134);
- the report on the inspection of video recordings and the viewing of the video recordings made by surveillance cameras and materials pertaining to the conducted forensic examinations.

Having studied the aforesaid materials, expert V. M. Levchenko stated that the fragments that had been removed from the explosion site were fragments of an M 21 OF high-explosive fragmentation missile projectile and its component parts.

The metal fragments depicted on the photoboards attached to the inspection reports and the conclusion of an explosives expert no. 63 of January 18, 2015 were parts of the aforesaid shell's tail.

During the review, expert V. M. Levchenko, using

- an aiming circle AK-4;
- a ruler MPL-50;
- a range table for firing M-21 OF high-explosive fragmentation missile shells (published by the USSR Defense Ministry's Military Publishing House, 1975);

[signature]

- a Samsung tablet operating on the Army SOS software and a pencil – reported the following:

Considering the place where the high-explosive fragmentation missile shells exploded and the front of those shells' explosions, the **shell explosion** (crater) is taken to be the middle of the explosion front, which is marked in the scene inspection report of January 16, 2015 with the participation of expert S. V. Dmitriyev as **no. 2** (with coordinates x-6678, y-89,821) and the explosion's grid azimuth 6-32. The shell entered the ground at 52-55 degrees, with the average taken to be 53 degrees.

As per the regulations, high-explosive fragmentation missile shells can be fired from a BM-21 (combat vehicle) as follows: 1) without a locking ring, 2) with a small locking ring, and 3) with a large locking ring.

If a high-explosive fragmentation missile shell is used **without a locking ring**, its flight (fire) range will be 19 kilometers 200 meters. Taking into account explosion no. 2 (taken to be the middle of the explosion front), its grid azimuth (6-32), its angle of fall (53 degrees), which corresponds to a range of 19 kilometers 200 meters in the Range Table, it is possible to calculate (using rulers and a Samsung tablet operating on the Army SOS software) the location of the likely firing position from which the high-explosive fragmentation missile shells were fired.

The coordinates of the firing position will probably be as follows: x-91914 and y-01640, the height of 139 meters. On the area map, it is located in the eastern part of the town of Dokuchayevsk.

If a high-explosive fragmentation missile shell is used **with a small locking ring**, its flight (fire) range will be 15 kilometers 200 meters. Taking into account explosion no. 2 (taken to be the middle of the explosion front), its grid azimuth (6-32), and its angle of fall (53 degrees), which corresponds to a range of 15 kilometers 200 meters in the Range Table, it is possible to calculate (using rulers and a Samsung tablet operating on the Army SOS software) the location of the likely firing position from which the high-explosive fragmentation missile shells were fired.

The coordinates of the firing position will probably be as follows: x-88776 and y-99177, the height of 147 meters. On the area map, it is located in the south-western part of the town of Dokuchayevsk.

If a high-explosive fragmentation missile shell is used **with a large locking ring**, its flight (fire) range will be 11 kilometers 470 meters. Taking into account explosion no. 2 (taken to be the middle of the explosion front), its grid azimuth (6-32), its angle of fall (53 degrees), which corresponds to a range of 11 kilometers 470 meters in the Range Table, it is possible to calculate (using rulers and a Samsung tablet operating on the Army SOS software) the location of the likely firing position from which the high-explosive fragmentation missile shells were fired.

The coordinates of the firing position will probably be as follows: x-85836 and y-96883, the height of 180 meters. On the area map, it is located two kilometers to the south-east of the town of Novotroytske.

The location of firing positions no. 2 and no. 3 would be the closest to the contact line between the Ukrainian Armed Forces and illegal armed groups, and therefore, they are unlikely.

*I would like to note that the most probable firing position is firing position no. 1, because it is located the furthest away from the deployment area of the Ukrainian Armed Forces, and, therefore, the firing position of the "shooters" could not be quickly identified and response fire could not be opened. In order to install locking rings one does not need the knowledge of combat calculations or additional time. Moreover, in addition, in order to provide "cover" for and ensure the personal safety of the "shooters," they used the civilian infrastructure of the town of Dokuchayivsk. The aforesaid firing position does not need to be immediately rolled up and abandoned unlike the other two firing positions located on open terrain, where they could be quickly detected by the reconnaissance capabilities of the Ukrainian Armed Forces and inevitably attacked by response fire, which would have caused a significant loss of military equipment and personnel.*

Since, in the course of the review of the provided materials of the criminal case, no items were identified with an external appearance similar to that of metal fragments of locking rings, one **can assume that they were not used.**

I would like to note that the BM-21 Grad multiple rocket launcher has 40 guides. Since, according to the inspection report of January 16, 2015, there are 88 points of impact in the area adjacent to the checkpoint, one can conclude that the aforesaid shells had been fired from at least three BM-21 Grad multiple rocket launchers.

[signature]

Having inspected the damaged i-Van TATA commuter bus (state license plate AN 0985 AA), one can assume that such damage is typical of damage caused by an M-21 OF high-explosive fragmentation missile shell.

The inspection was conducted in Office no. 316 of the Main Military Prosecutor's Office of the Prosecutor General of Ukraine located at the address: Kyiv, vul. Klovsy Spusk, 36/1.

The report has been read, printed correctly, no comments received from a participant in the investigation proceedings.

**The expert:**

[signature:] V. M. Levchenko

(surname, patronymic)

[signature]

(signature)

*June 1, 2016*

**The inspection was conducted by:**

**Senior special investigator at Main Military Prosecutor's Office  
of the Prosecutor's Office of Ukraine, Colonel of Justice**

[signature]

**S. Onikeyenko**



# Annex 151

Expert Report, drafted by Serhiy Onikeyenko, Investigations Department  
Prosecutor's Office of Ukraine, and Viktor Levchenko, Lieutenant Colonel of the  
Ukrainian Armed Forces ( 1 June 2016)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



## REVIEW REPORT

The City of Kyiv

June 1, 2016

The review started at 12:00 p.m.

The review ended at 2:50 p.m.

Senior special investigator at the Investigations Department at the Main Military Prosecutor's Office of the Prosecutor's Office of Ukraine Serhiy Mykolayovych Onikeyenko in connection with the pretrial investigation in criminal case no. 2201505000000021 of January 13, 2015 on grounds of criminal offenses covered by articles 258 (3) and 438 (2) of the Criminal Code of Ukraine in accordance with articles 104, 105, 106, 223, 234, and 237 of the Criminal Procedure Code of Ukraine,

With the participation of an expert: *a senior officer from the organization and planning department at the staff of the Missile and Artillery Troops of the Ground Troops Command of the Ukrainian Armed Forces, Lieutenant Colonel Viktor Mykolayovych Levchenko*, born on December 1, 1980, military unit A0105 (t. m. 096-96-08-048), who was advised of his rights and obligations under Article 71 (4-5) of the Criminal Procedure Code of Ukraine.

The person taking part in the review was also advised of the requirement outlined in Art. 66 (3) of the Criminal Procedure Code of Ukraine concerning the obligation not to disclose any information pertaining to the procedural action.

During the investigation proceedings, expert V. M. Levchenko received for his perusal the materials of criminal case no. 2201505000000021 of January 13, 2015, namely:

- the scene inspection report (on the damaged bus and the civilians who died in it) of January 13, 2015, with annexes thereto, a layout diagram, and photoboards on 29 sheets (volume 1, 9-37);
- the scene inspection report (on the surrounding area, the craters at the scene from where metal objects had been removed) of January 13, 2015 with a layout diagram attached on 6 sheets (volume 1, 38-43);
- the inspection report (on the craters at the scene and metal objects removed from them) of January 14, 2015, with annexes thereto, a layout diagram, and photoboards on 8 sheets (volume 1, 71-78);
- the inspection report (all the craters that were formed in the area adjacent to the checkpoint) of January 16, 2015 without annexes on 11 sheets (volume 1, 118-128);
- the inspection report (specifying the angle of the entry of the shells with the participation of an expert from a missile and artillery battalion, military unit number A 2167, S. V. Dmitriyev) of January 16, 2015 with an area map attached on which the expert indicated the trajectory flown by the shells on 6 sheets (volume 1, 129-134);
- the report on the inspection of video recordings and the viewing of the video recordings made by surveillance cameras and materials pertaining to the conducted forensic examinations.

Having studied the aforesaid materials, expert V. M. Levchenko stated that the fragments that had been removed from the explosion site were fragments of an M 21 OF high-explosive fragmentation missile projectile and its component parts.

The metal fragments depicted on the photoboards attached to the inspection reports and the conclusion of an explosives expert no. 63 of January 18, 2015 were parts of the aforesaid shell's tail.

During the review, expert V. M. Levchenko, using

- an aiming circle AK-4;
- a ruler MPL-50;
- a range table for firing M-21 OF high-explosive fragmentation missile shells (published by the USSR Defense Ministry's Military Publishing House, 1975);

[signature]

- a Samsung tablet operating on the Army SOS software and a pencil – reported the following:

Considering the place where the high-explosive fragmentation missile shells exploded and the front of those shells' explosions, the **shell explosion** (crater) is taken to be the middle of the explosion front, which is marked in the scene inspection report of January 16, 2015 with the participation of expert S. V. Dmitriyev as **no. 2** (with coordinates x-6678, y-89,821) and the explosion's grid azimuth 6-32. The shell entered the ground at 52-55 degrees, with the average taken to be 53 degrees.

As per the regulations, high-explosive fragmentation missile shells can be fired from a BM-21 (combat vehicle) as follows: 1) without a locking ring, 2) with a small locking ring, and 3) with a large locking ring.

If a high-explosive fragmentation missile shell is used **without a locking ring**, its flight (fire) range will be 19 kilometers 200 meters. Taking into account explosion no. 2 (taken to be the middle of the explosion front), its grid azimuth (6-32), its angle of fall (53 degrees), which corresponds to a range of 19 kilometers 200 meters in the Range Table, it is possible to calculate (using rulers and a Samsung tablet operating on the Army SOS software) the location of the likely firing position from which the high-explosive fragmentation missile shells were fired.

The coordinates of the firing position will probably be as follows: x-91914 and y-01640, the height of 139 meters. On the area map, it is located in the eastern part of the town of Dokuchayevsk.

If a high-explosive fragmentation missile shell is used **with a small locking ring**, its flight (fire) range will be 15 kilometers 200 meters. Taking into account explosion no. 2 (taken to be the middle of the explosion front), its grid azimuth (6-32), and its angle of fall (53 degrees), which corresponds to a range of 15 kilometers 200 meters in the Range Table, it is possible to calculate (using rulers and a Samsung tablet operating on the Army SOS software) the location of the likely firing position from which the high-explosive fragmentation missile shells were fired.

The coordinates of the firing position will probably be as follows: x-88776 and y-99177, the height of 147 meters. On the area map, it is located in the south-western part of the town of Dokuchayevsk.

If a high-explosive fragmentation missile shell is used **with a large locking ring**, its flight (fire) range will be 11 kilometers 470 meters. Taking into account explosion no. 2 (taken to be the middle of the explosion front), its grid azimuth (6-32), its angle of fall (53 degrees), which corresponds to a range of 11 kilometers 470 meters in the Range Table, it is possible to calculate (using rulers and a Samsung tablet operating on the Army SOS software) the location of the likely firing position from which the high-explosive fragmentation missile shells were fired.

The coordinates of the firing position will probably be as follows: x-85836 and y-96883, the height of 180 meters. On the area map, it is located two kilometers to the south-east of the town of Novotroytske.

The location of firing positions no. 2 and no. 3 would be the closest to the contact line between the Ukrainian Armed Forces and illegal armed groups, and therefore, they are unlikely.

*I would like to note that the most probable firing position is firing position no. 1, because it is located the furthest away from the deployment area of the Ukrainian Armed Forces, and, therefore, the firing position of the "shooters" could not be quickly identified and response fire could not be opened. In order to install locking rings one does not need the knowledge of combat calculations or additional time. Moreover, in addition, in order to provide "cover" for and ensure the personal safety of the "shooters," they used the civilian infrastructure of the town of Dokuchayivsk. The aforesaid firing position does not need to be immediately rolled up and abandoned unlike the other two firing positions located on open terrain, where they could be quickly detected by the reconnaissance capabilities of the Ukrainian Armed Forces and inevitably attacked by response fire, which would have caused a significant loss of military equipment and personnel.*

Since, in the course of the review of the provided materials of the criminal case, no items were identified with an external appearance similar to that of metal fragments of locking rings, one **can assume that they were not used.**

I would like to note that the BM-21 Grad multiple rocket launcher has 40 guides. Since, according to the inspection report of January 16, 2015, there are 88 points of impact in the area adjacent to the checkpoint, one can conclude that the aforesaid shells had been fired from at least three BM-21 Grad multiple rocket launchers.

[signature]



Having inspected the damaged i-Van TATA commuter bus (state license plate AN 0985 AA), one can assume that such damage is typical of damage caused by an M-21 OF high-explosive fragmentation missile shell.

The inspection was conducted in Office no. 316 of the Main Military Prosecutor's Office of the Prosecutor General of Ukraine located at the address: Kyiv, vul. Klovsky Spusk, 36/1.

The report has been read, printed correctly, no comments received from a participant in the investigation proceedings.

**The expert:**

[signature:] V. M. Levchenko

(surname, patronymic)

[signature]

(signature)

*June 1, 2016*

**The inspection was conducted by:**

**Senior special investigator at Main Military Prosecutor's Office  
of the Prosecutor's Office of Ukraine, Colonel of Justice**

[signature]

**S. Onikeyenko**



# Annex 152

Case No. 757/21811/16-k, Order of the Pechersky District Court of Kyiv regarding temporary access to and seizure of document copies from TOV Lifecell (10 June 2016)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





LIFECCELL  
Limited Liability Company  
Incoming Ref. No. 16485-VK  
June 15, 2016

**PECHERSKY DISTRICT COURT OF KYIV**

Case No. 757/28211/16-k

**ORDER**

On June 10, 2016, S.Sh. Babenko, Investigating Judge at the Pechersky District Court of Kyiv, with the minutes kept by court clerk V.Yu. Kravchenko, with the participation of a party to the criminal proceedings – S.M. Onikiyenko, Senior Investigator of High-Profile Cases at the Central Military Prosecutor's Office of Ukraine, having examined in an open court hearing in the courtroom of the Pechersky District Court of Kyiv the motion filed by S.M. Onikiyenko, Senior Investigator of High-Profile Cases at the Central Military Prosecutor's Office of Ukraine, and approved by A.H. Voyevoda, Department Prosecutor at the Central Military Prosecutor's Office of Ukraine, requesting temporary access to items and documents containing secret information protected under law,

**HAS ASCERTAINED THE FOLLOWING:**

As part of proceedings in Criminal Case No. 2201505000000021 of January 13, 2015, the investigating judge of the Pechersky District Court of Kyiv received a motion filed by S.M. Onikiyenko, Senior Investigator of High-Profile Cases at the Central Military Prosecutor's Office of Ukraine, and approved by A.H. Voyevoda, Department Prosecutor at the Central Military Prosecutor's Office of Ukraine, requesting temporary access to items and documents containing secret information protected under law, i.e. a request to review and receive copies of documents in electronic and hardcopy form stored by the mobile telecom operator Lifecell LLC (registered office address: 11-A Solomyanska Street, Kyiv, 03100, with its place of business at 12 Mykoly Amosova Street, Kyiv, 03680), which contain information about telecom services provided to mobile subscribers who established connections via base stations of the mobile telecom operator Lifecell LLC with the following parameters: LAC (local area code) - 20505, CID - 3021, 3025, 4276, 4275, 3012, 3016, 3022, 3026, 3012, 3016, 3022, 3026 - for the period from January 12, 2015 to January 13, 2015.

The party to the criminal proceedings has substantiated the motion by citing the fact that the Investigative Office with the Directorate for Investigation of Crimes Against the Fundamentals of National Security of Ukraine, Peace, Safety of Mankind, and International Law and Order at the Central Military Prosecutor's Office of Ukraine is conducting a pretrial investigation in Criminal Case No. 2201505000000021 of January 13, 2015 involving an act of terrorism that resulted in human fatalities, a violation of the laws and customs of war in combination with homicide, which exhibits elements of criminal offenses punishable under Part 3 of Article 258 and Part 2 of Article 438 of the Criminal Code of Ukraine.

It follows from the files of the criminal case that an artillery attack was committed at 2:25 p.m. on January 13, 2015 by individuals unidentified by the pretrial investigation. The attack came from the direction of the northeastern outskirts of Dokuchaevsk, Donetsk Oblast, with the use of 120-mm unguided rocket-propelled high-explosive fragmentation projectiles M-21 OF (Model 9M22U) fired by at least three БМ -21 GRAD multiple rocket launchers. The attack targeted 2 commuter buses with civilians on the N-20 motorway connecting Slovyansk with Mariupol, at the exit from the town of Volnovakha.

This artillery attack damaged the commuter bus I-VAN Tata A0718 (number plates: AH 0985 AA) on its way from Zlatoustovka to Donetsk and inflicted shrapnel wounds on civilians, resulting in 12 fatalities among civilians, with 19 more individuals (including one officer of the Ukrainian Ministry of Internal Affairs) sustaining wounds of varying degrees of severity.

[Kyryliuk \*2606\*17203672\*1\*1\*]



It has been further noted that the documents and items containing said information are at the disposal of the telecom operator Lifecell LLC with its place of business at 12 Mykoly Amosova Street, Kyiv. In and of themselves and in combination with other items and documents of the criminal proceedings, they are instrumental to verifying the above-mentioned factual information.

Information received from the mobile operator can be used to prove facts and circumstances that have to be proven in the context of the criminal proceedings. In particular, it would be possible to identify mobile phones used by individuals unidentified by the investigation, who performed the attack, as well as their owners or users.

The investigator has requested that the motion be granted in order to ensure a full, objective, and comprehensive examination of all circumstances surrounding the act of terrorism that resulted in human casualties, and also to identify the individuals complicit in this criminal offense.

The investigator asserted the motion during the court hearing, claiming that there are enough reasons to believe that there is a real danger that the relevant information can be altered or destroyed.

The judicial examination has ascertained that the Investigative Office with the Directorate for Investigation of Crimes Against the Fundamentals of National Security of Ukraine, Peace, Safety of Mankind, and International Law and Order at the Central Military Prosecutor's Office of Ukraine is conducting a pretrial investigation in Criminal Case No. 2201505000000021 of January 13, 2015 involving an act of terrorism that resulted in human fatalities, a violation of the laws and customs of war in combination with homicide, which exhibits elements of criminal offenses punishable under Part 3 of Article 258 and Part 2 of Article 438 of the Criminal Code of Ukraine.

Under Article 159 of the Criminal Procedure Code of Ukraine, temporary access to items and documents involves a process by which the person or entity in possession of said items or documents enables a party to the criminal proceedings to review them, make copies of them, and seize them.

Temporary access to electronic data systems or parts thereof and mobile terminals of telecom systems is exercised by making a copy of data stored in such electronic data systems or parties thereof and mobile terminals of telecom systems without seizing them.

Temporary access to items and documents is exercised pursuant to an order of the investigating judge.

It follows from Clause 7 of Part 1 of Article 162 of the Criminal Procedure Code of Ukraine that secret information protected under law and contained in items and documents include information at the disposal of telecom operators and providers about calls, subscribers, telecom services provided, including telecom services used, their duration, content, transmission routes, etc.

Pursuant to Part 6 of Article 163 of the Criminal Procedure Code of Ukraine, the investigating judge shall issue an order granting temporary access to items and documents containing secret information protected under law if a party to criminal proceedings can prove that information contained in such items and documents can be used as evidence as well as the fact that the circumstances to be proven using said items and documents cannot be proven otherwise.

After hearing the arguments of the party to the criminal proceedings and considering the circumstances of the alleged criminal offense the way they are presented in the motion filed by the prosecutor as well as the legal substantiation of the motion, and having concluded that information about the subscribers mentioned in the motion can be instrumental to ascertaining the circumstances to be proven as part of the criminal proceedings, the investigating judge has concluded that the motion should be granted.

Guided by Articles 159, 160, 162, 163, 164, 166, and 309 of the Criminal Procedure Code of Ukraine, the investigating judge

**HAS DECIDED:**

To grant the motion.

To grant S.M. Onikiyenko, Investigator of High-Profile Cases at the Central Military Prosecutor's Office, in the context of Criminal Case No. 2201505000000021 of January 13, 2015 (with the right to delegate this authority to another field office pursuant to Part 3 of Article 40 of the Criminal Procedure Code of Ukraine) temporary access to the documents containing secret information protected under law, which are at the disposal of the mobile operator Lifecell LLC (registered office address: 11-A Solomyanska Street, Kyiv, 03100, with its place of business at 12 Mykoly Amosova Street, Kyiv, 03680), which contain information about telecom services provided to mobile subscribers who established connections via base stations of the mobile telecom operator Lifecell LLC with the following parameters: LAC (local area code) - 20505, CID - 3021, 3025, 4276, 4275, 3012, 3016, 3022, 3026, 3012, 3016, 3022, 3026 - for the period from January 12, 2015 to January 13, 2015.

To grant temporary access to documents containing information about the following:

- addresses of base stations and azimuths;
- types of connections (incoming and outgoing calls, SMS, MMS, GPRS, call forwarding);
- dates, times and duration of connections;
- addresses of the locations of mobile phone subscribers at the time of each incoming and outgoing telephone connection, incoming and outgoing SMS and MMS messages;
- identifying attributes of terminal equipment (Party A) (subscriber number, serial number, ICCID, IMSI numbers of the SIM card, IMEI);
- identifying attributes of the terminal with which the communication session is established (Party B), zero duration connections.

To establish the effective term of the order as one month, which shall run from the date of the order issued by the investigating judge.

In the event of noncompliance with the order granting temporary access to items and documents, the investigating judge—following a motion from the party to the criminal proceedings that has been granted access to such items or documents by an order—may issue an order authorizing a search in accordance with the provisions of this Code in order to locate and seize said items and documents.

This order is not subject to appeal.

Investigating Judge

[Signature]

S.Sh. Babenko

[Seal: Pechersky District Court of Kyiv, Ukraine]

The order has been drawn up in duplicate.

Copy 1 is kept in the file of judicial proceedings No. 757/28211/16-k.

Copy 2 has been made available to investigator S.M. Onikiyenko.

Investigating Judge

[Signature]

S.Sh. Babenko

[Seal: Pechersky District Court of Kyiv, Ukraine]

[Kyryliuk \*2606\*17203672\*1\*1\*]







# Annex 153

Case No. 757/28210/16-k, Order of the Pechersky District Court of Kyiv regarding temporary access to and seizure of document copies from PrAT MTS (11 June 2016)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



[Stamp: MTS UKRAINE. June 15, 2016. No. SD-16-19352]

[Handwriting: Anatoliy Adolfovych Savchuk, phone: (050) 110-34-49; call after lunch]



## PECHERSKY DISTRICT COURT OF KYIV

Case No. 757/28210/16-k

### ORDER

On June 10, 2016, S.Sh. Babenko, Investigating Judge at the Pechersky District Court of Kyiv, with the minutes kept by court clerk V.Yu. Kravchenko, with the participation of a party to the criminal proceedings – S.M. Onikiyenko, Senior Investigator of High-Profile Cases at the Central Military Prosecutor's Office of Ukraine, having examined in an open court hearing in the courtroom of the Pechersky District Court of Kyiv the motion filed by S.M. Onikiyenko, Senior Investigator of High-Profile Cases at the Central Military Prosecutor's Office of Ukraine, and approved by A.H. Voyevoda, Department Prosecutor at the Central Military Prosecutor's Office of Ukraine, requesting temporary access to items and documents containing secret information protected under law,

#### HAS ASCERTAINED THE FOLLOWING:

As part of proceedings in Criminal Case No. 2201505000000021 of January 13, 2015, the investigating judge of the Pechersky District Court of Kyiv received a motion filed by S.M. Onikiyenko, Senior Investigator of High-Profile Cases at the Central Military Prosecutor's Office of Ukraine, and approved by A.H. Voyevoda, Department Prosecutor at the Central Military Prosecutor's Office of Ukraine, requesting temporary access to items and documents containing secret information protected under law, i.e. a request to review and receive copies of documents in electronic and hardcopy form stored by the mobile telecom operator MTS Ukraine private joint-stock company with the following parameters: LAC (local area code) - 62470, CID - 9231 (azimuth 40), 9232 (azimuth 180), 9233 (azimuth 310), 14231 (azimuth 40), 14232 (azimuth 180), 14233 (azimuth 310), 42871 (azimuth 60), 42872 (azimuth 160), 42873 (azimuth 320), 17531 (azimuth 75), 17532 (azimuth 180), 17533 (azimuth 330), 15261 (azimuth 160), 15262 (azimuth 250), 15263 (azimuth 340), 42861 (azimuth 150), 42862 (azimuth 320), 42865 (azimuth 150), 42866 (azimuth 320) - for the period from January 12, 2015 to January 13, 2015.

The party to the criminal proceedings has substantiated the motion by citing the fact that the Investigative Office with the Directorate for Investigation of Crimes Against the Fundamentals of National Security of Ukraine, Peace, Safety of Mankind, and International Law and Order at the Central Military Prosecutor's Office of Ukraine is conducting a pretrial investigation in Criminal Case No. 2201505000000021 of January 13, 2015 involving an act of terrorism that resulted in human fatalities, a violation of the laws and customs of war in combination with homicide, which exhibits elements of criminal offenses punishable under Part 3 of Article 258 and Part 2 of Article 438 of the Criminal Code of Ukraine.

It follows from the files of the criminal case that an artillery attack was committed at 2:25 p.m. on January 13, 2015 by individuals unidentified by the pretrial investigation. The attack came from the direction of the northeastern outskirts of Dokuchaevsk, Donetsk Oblast, with the use of 120-mm unguided rocket-propelled high-explosive fragmentation projectiles M-21 OF (Model 9M22U) fired by at least three BM -21 GRAD multiple rocket launchers. The attack targeted 2 commuter buses with civilians on the N-20 motorway connecting Slovyansk with Mariupol, at the exit from the town of Volnovakha.

This artillery attack damaged the commuter bus I-VAN Tata A0718 (number plates: AH 0985 AA) on its way from Zlatoustovka to Donetsk and inflicted shrapnel wounds on civilians, resulting in 12 fatalities among civilians, with 19 more individuals (including [...])

To grant the motion.

To grant S.M. Onikiyenko, Investigator of High-Profile Cases at the Central Military Prosecutor's Office, in the context of Criminal Case No. 2201505000000021 of January 13, 2015 (with the right to delegate this authority to another field office pursuant to Part 3 of Article 40 of the Criminal Procedure Code of Ukraine) temporary access to the documents containing secret information protected under law, which are at the disposal of the mobile operator MTS Ukraine private joint-stock company (15 Leipzigka Street), which contain information about telecom services provided to mobile subscribers who established connections via base stations of the mobile telecom operator MTS Ukraine PJSC with the following parameters: LAC (local area code) - 62470, CID - 9231 (azimuth 40), 9232 (azimuth 180), 9233 (azimuth 310), 14231 (azimuth 40), 14232 (azimuth 180), 14233 (azimuth 310), 42871 (azimuth 60), 42872 (azimuth 160), 42873 (azimuth 320), 17531 (azimuth 75), 17532 (azimuth 180), 17533 (azimuth 330), 15261 (azimuth 160), 15262 (azimuth 250), 15263 (azimuth 340), 42861 (azimuth 150), 42862 (azimuth 320), 42865 (azimuth 150), 42866 (azimuth 320) - for the period from January 12, 2015 to January 13, 2015, inclusive, specifically:

- information about addresses of base stations and azimuths;
- types of connections (incoming and outgoing calls, SMS, MMS, GPRS, call forwarding);
- dates, times and duration of connections;
- addresses of the locations of mobile phone subscribers at the time of each incoming and outgoing telephone connection, incoming and outgoing SMS and MMS messages;
- identifying attributes of terminal equipment (Party A) (subscriber number, serial number, ICCID, IMSI numbers of the SIM card, IMEI);
- identifying attributes of the terminal with which the communication session is established (Party B), zero duration connections, with the possibility to seize them in both hardcopy and electronic versions.

To establish the effective term of the order as thirty days, which shall run from the date of the order issued by the investigating judge.

This order is not subject to appeal.

Investigating Judge

[Signature]

S.Sh. Babenko

[Seal: Pechersky District Court of Kyiv, Ukraine]

The order has been drawn up in duplicate.

Copy 1 is kept in the file of judicial proceedings No. 757/28210/16-k.

Copy 2 has been made available to investigator S.M. Onikiyenko.

[Kyryliuk \*2606\*17203949\*1\*1\*]



**DESCRIPTION**  
**of items and documents seized pursuant to an order of the investigating judge**

City of Kyiv

July 7, 2016

In pursuance of the June 10, 2016 order of the Pechersky District Court of Kyiv in Case No. 757/28210/16-k issued by investigating judge S.Sh. Babenko, an authorized representative of MTS Ukraine private joint-stock company, A.A. Savchuk, has provided information on a data medium (disk) bearing the following lettering: "TOK CD-R. Serial number 5L 24 No. 27 BD 23123" and the following inscription: "MTS Ukraine, No. 757/28210/16-k; CD/R/ 16/92521.2 07.07.2016"

(Listing of items and documents seized pursuant to the order of the investigating judge,  
including their individual features)

Receipt of the original list of items acknowledged by

MTS Ukraine representative

[Signature]

A.A. Savchuk

Senior Investigator of High-Profile Cases

at the Central Military Prosecutor's Office

of the Prosecutor General's Office of Ukraine [Signature]

S. Onikiyenko

(Investigator, job title, name of authority, signature, last name, initials)



# Annex 154

SSU Counterintelligence Department Letter No.212/8-28412 of 11 August 2016 to the  
Prosecutor General's Office of Ukraine

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document







SECURITY SERVICE OF UKRAINE  
**Counterintelligence Department**  
33 Volodymyrska Street, Kyiv, 01601.  
Phone: (044) 256-92-73  
Email: [dkr@ssu.gov.ua](mailto:dkr@ssu.gov.ua)

General Prosecutor's Office of Ukraine  
13/15 Riznytska Street, Kyiv, 01011

Code in the Uniform State Register of Businesses  
and Organizations of Ukraine [EDRPOU]: 00034074  
August 11, 2016, No. 2/2/8-28412  
Re: No. 10/4/1-4408-15 of July 11, 2016

Regarding implementation of the investigator's instructions  
(in follow-up to No. 2/2/8-28127 of August 8, 2016)

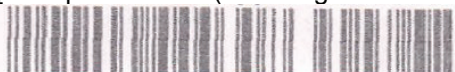
After conducting investigative (detective) activities requested by the Central Military Prosecutor's Office of the Prosecutor General's Office of Ukraine on July 11, 2016 via Letter No. 10/4/1-4408-15 (*Counterintelligence Department Incoming Ref. No. 3074-u and No. 3075-u of July 16, 2016*) in the context of Criminal Case No. 2201505000000021 of January 13, 2015, the Department of Counterintelligence has additionally ascertained a series of telephone numbers of the mobile operators Vodafone Ukraine PJSC and Lifecell LLC, which were recorded in the area of the northeastern outskirts of Dokuchaevsk, Donetsk Oblast, which is presumably the area from which the artillery attack came on January 13, 2015 on 2 commuter buses with civilians on the N-20 motorway connecting Slovyansk with Mariupol at the exit from the town of Volnovakha. More specifically:

1. Telephone numbers served by the mobile operator Vodafone Ukraine private joint-stock company:

380950436115,	380950817142,	380957048103,	380957563243,	380507796796,
380996293676,	380506937121,	380506244470,	380507008740,	380997688711,
380994597631,	380660952048,	380959102036,	380951227800,	380950434566,
380502682652,	380997121264,	380502378870,	380503280362,	380668506134,
380501935803,	380992727538,	380950863685,	380509061264,	380953557201,
380665229328,	380991233110,	380956006788,	380997018999,	380997198587,
380664361913,	380967395008,	380958837719,	380505248224,	380951009388,
380665131336,	380502537351,	380505567609,	380507011287,	380507076554,
380507649125,	380508116936,	380508140403,	380508440132,	380508455163,
380508746689,	380508812717,	380953424508,	380508795971,	380660821511,
380502208587,	380663445441,	380994854978,	380951492588,	380507566968,
380953244944,	380997171924,	380999259910,	380994481426,	380954243139,
380999081744,	380504731406,	380958626959,	380508818538,	380997612861,
380509170296,	380663419062,	380951113705,	380994705784,	380509604816,
380662362864,	380951726404,	380662033211,	380505411083,	380990478333,
380956261697,	380661271550,	380956497364,	380506138195,	380994125088,
380951349633,	380952590461,	380950435664,	380662130855,	380954041312,
380954519656,	380950371186,	380669127641,	380507056511,	380503265643,
380502180196,	380953144919,	380957591317,	380508877886,	380502830551,
380509692336,	380669496875,	380956136953,	380663768690,	380992508026,
380509854948,	380660760582,	380953894678,	380953471522,	380660099367,
380506472767,	380999504616,	380953108720,	380501673294,	380507405360,

[Handwriting: 10/4-2503-vkh-16, August 18, 2016]

[Stamp: M2 13/1/1(incoming Ref. No. 184356-16 of August 18, 2016)]



380955270597,	380662009997,	380958538883,	380953167121,	380669185331,
380952525685,	380958157673,	380663645102,	380502817600,	380953532266,
380505901248,	380505549512,	380999844430,	380505650352,	380953894780,
380506364493,	380501711058,	380506033731,	380502058108,	380956141421,
380666635084,	380502227874,	380955614123,	380506439964,	380953464139,
380506066075,	380507058935,	380958773832,	380995325525,	380993190713,
380505378890,	380991804175,	380508640720,	380667307905,	380666187382,
380668410967,	380993953294,	380669826276,	380669336424,	380993648609,
380663328063,	380509643100,	380665254666,	380502021931,	380952035712,
380662746238,	380664593340,	380506144100,	380666317857,	380952217331,
380957484410,	380954684409,	380665615266,	380999218535,	380669982599,
380506906608,	380662322593,	380950611332,	380509159049,	380952201597,
380506256620,	380505044299,	380992057244,	380950976824,	380500648570,
380992694957,	380958430317,	380956601439,	380991106956,	380501329373,
380957896939,	380507480911,	380505512742,	380958480090,	380994547860,
380666331003,	380667812683,	380953868595,	380664144697,	380500208619,
380507557603,	380997927044,	380502037087,	380956420051,	380505617305,
380951081525,	380955459925.			

2. Telephone numbers served by the mobile operator Lifecell limited liability company:

380637735409	380635044393,	380635045391,	380635219827,	380638805575,
380637067276	380734577353,	380639195586,	380939141279,	380634684508,
380939557311	380637904125,	380734508670,	380639393703,	380636867616,
380637109673	380938415139,	380637166345,	380632544174,	380939520272,
380637523625	380636790727,	380734533038,	380639279762,	380633031845,
380734539060	380930418910,	380638511766,	380936375400,	380938668498,
380938705403	380635284341,	380632959228,	380638659897,	380635206678,
380935974395	380634991833,	380639696745,	380634886762,	380933387179,
380939805773	380635508756,	380937511951,	380934451786,	380939467627,
380933984940	380634877304,	380634981272,	380634308931,	380639841642,
380931485952	380631203710,	380938926075,	380932722051,	380938767480,
380639547933	380635100110,	380635575479,	380635557558,	380938897275,
380632939315	380633882330,	380635658508,	380638712889,	380637816336,
380934473424	380936522107,	380930568881,	380936067825,	380933959862,
380632053748	380631579545,	380632413206,	380931317921,	380632715274,
380635572708	380637634943,	380637490719,	380637154585,	380632317132,
380939559339	380939244397,	380637433505,	380632205594,	380634883017,
380932270528	380935625889,	380639918541,	380635001632,	380639706925,
380936748907	380635585443,	380635585442,	380936270804,	380930591053,
380638035106	380638036883,	380930055871,	380637367942,	380638833585,
380637626311	380638833728,	380638833727,	380930054867,	380930055891,
380934414504	380638036229,	380638036228,	380637808660,	380637404921,
380936634299	380637109486,	380633895029,	380932707747,	380635972043.

Users of said phone numbers can be complicit in the above-mentioned crime.  
We provide this information to enable further procedural decision-making.

**First Deputy Chief of Department  
Colonel**

**[Signature]**

**V. Het**

# Annex 155

Ukrainian Military Intelligence Summary of Cross-Border Weapons Transfers  
(September 2016 to December 2016).

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



It has been found that weapons, military equipment, material, and fuel and lubricants have been supplied from Russian Federation territory to the temporarily occupied territories of Donetsk Oblast and Luhansk Oblast and that the [Ukrainian] border has been crossed by militia groups (during the period between September and December 2016) identified in intelligence and reconnaissance reports of the Main Intelligence Directorate of the Ministry of Defense of Ukraine.

<i>Item No.</i>	<i>Date documented</i>	<i>Supply flows and destination/ crossing points</i>	<i>Ways/ methods of supply</i>	<i>Quantity of weapons, military equipment, material, and fuel and lubricants and personnel numbers</i>
1	Sep. 02, 2016	ROVENKY	By rail	Five (5) tank cars loaded with fuel and lubricants (250 metric tons)
2		ILOVAYSK	By rail	Four (4) tank cars loaded with diesel fuel (200 metric tons); three (3) rail cars loaded with ammunition; two (2) T-72 tanks loaded on flat cars; two (2) trucks
3	Sep. 06, 2016	Via SNIZHNE to DONETSK	By road	Up to 450 armed service personnel
4	Sep. 07, 2016	KHARTSYZK	By rail	Four (4) tank cars loaded with diesel fuel (200 metric tons), three (3) tank cars loaded with gasoline (150 metric tons)
5		ILOVAYSK	By rail	Eight (8) BTR-80 armored personnel vehicles and 122 mm Gvozdika self-propelled artillery pieces loaded on flat cars; four (4) refrigerator cars carrying provisions
6	Sep. 09, 2016	ROVENKY	By rail	Twelve (12) tank cars loaded with fuel and lubricants (600 metric tons)
7		SNIZHNE	By rail	Eight (8) T-80 tanks, ten (10) armored personnel vehicles, and five (5) trucks loaded on flat cars
8	Sep. 10, 2016	ROVENKY	By rail	Six (6) tank cars loaded with fuel and lubricants (300 metric tons)
9		KHARTSYZK	By rail	Two (2) self-propelled artillery pieces, three (3) armored infantry carriers, and two (2) trucks loaded on flat cars; three (3) tank cars loaded with fuel and lubricants (150 metric tons)
10		ANTRATSIT	By road	Up to 80 armed service personnel
11		SHCHERBAK (Novoazovskyyi Raion [an administrative district and a part of an oblast])	By road	Up to 90 armed service personnel
12	Sep. 13, 2016	Via IZVARYNE in the direction of LUHANSK	Mixed convoy	Armored infantry carriers, armored personnel vehicles, and trucks, including those carrying artillery guns on trailers
13		ILOVAYSK	By rail	Five (5) rail cars loaded with ammunition:

<i>Item No.</i>	<i>Date documented</i>	<i>Supply flows and destination/ crossing points</i>	<i>Ways/ methods of supply</i>	<i>Quantity of weapons, military equipment, material, and fuel and lubricants and personnel numbers</i>
				two (2) rail cars loaded with 80 and 120 mm mortar projectiles; two (2) rail cars loaded with 122 and 152-mm rocket projectiles; one (1) car loaded with rocket projectiles for BM-21
14		KHARTSYZK	By rail	Three (3) Grad multiple rocket launchers; two (2) T-72 tanks; three (3) infantry fighting vehicle
15		ROVENKY	By rail	Twelve (12) tank cars loaded with fuel and lubricants
16	Sep. 17, 2016	DEBALTSEVE	By rail	70 metric tons of ammunition for multiple rocket launchers and 150 metric tons for self-propelled artillery pieces
17	Sep. 20, 2016	NOVOASOVSK	By road	Up to 100 armed service personnel
18	Sep. 26, 2016	KHARTSYZK	By rail	Six (6) tank cars loaded with fuel and lubricants (300 metric tons: four (4) tank cars loaded with diesel fuel and two (2) with gasoline); three (3) T-80 tanks, two (2) Tigr armored vehicles, and two (2) military communications vehicles (KamAZ-mounted)
19		In the direction of DONETSK and AMVROSIYIVKA	Mixed convoys	Up to 50 pieces of military equipment, including three (3) multiple rocket launchers
20	Oct. 03, 2016	ROVENKY	By rail	Six (6) tank cars loaded with fuel (300 metric tons)
21		ILOVAYSK	By rail	Three (3) T-80 tanks loaded on flat cars; six (6) tank cars loaded with fuel and lubricants (four (4) with diesel fuel and two (2) with gasoline, for a total of 300 metric tons); three (3) covered rail cars
22		SVERDLOVSK	By rail	Two (2) 122 mm Grad multiple rocket launchers and three (3) armored infantry carriers loaded on flat cars; six (6) tank cars loaded with fuel and lubricants (300 metric tons); three (3) covered rail cars
23	Oct. 06, 2016	MARKYNE	By road	Twenty-five (25) pieces of military equipment, including 122 mm D-30 howitzers, self-propelled artillery pieces, and Osa anti-aircraft missile systems
24		HUSELSHCHIKOVE	By road	Up to 80 armed service personnel
25	Oct. 08, 2016	SVERDLOVSK	By rail	Eight (8) tanks loaded on flat cars; ten (10) rail cars loaded with ammunition (400 metric tons) and spare parts for armored combat vehicles
26		ILOVAYSK	By rail	Twenty (20) tanks and five (5) 122 mm Grad multiple rocket launchers loaded on

<i>Item No.</i>	<i>Date documented</i>	<i>Supply flows and destination/ crossing points</i>	<i>Ways/ methods of supply</i>	<i>Quantity of weapons, military equipment, material, and fuel and lubricants and personnel numbers</i>
				flat cars; eight (8) tank cars loaded with fuel and lubricants (400 metric tons)
27	Oct. 12, 2016	SVERDLOVSK	By rail	Two (2) 122 mm Grad multiple rocket launchers and three (3) armored infantry carriers loaded on flat cars; six (6) tank cars loaded with fuel and lubricants (300 metric tons); three (3) freight rail cars
28		KHARTSYZK	By rail	Six (6) tank cars loaded with diesel fuel (300 metric tons) and two (2) with gasoline (100 metric tons)
29	Oct. 17, 2016	To DOVZHANSKA NOVA railroad station (DOVZHANSK Raion)	By rail	Six (6) tank cars loaded with fuel and lubricants (300 metric tons); two freight rail cars
30		LUHANSK	By rail	Eleven (11) tank cars loaded with fuel and lubricants (550 metric tons)
31		ILOVAYSK	By rail	Six (6) BMP-2 armored infantry carriers and six (6) BMD-2 airborne assault vehicles loaded on flat cars
32	Oct. 21, 2016	Via ILOVAYSK, after unloading, in the direction of MOSPINE and DONETSK	By rail, by road	Ten (10) rail cars loaded with ammunition (400 metric tons)
33	Oct. 21, 2016	AMVROSIYIVKA	By rail	Four (4) rail cars loaded with ammunition (160 metric tons)
34	Nov. 07, 2016	KADIYIVKA	By rail	Two (2) rail cars loaded with 122 mm rocket projectiles
35		ILOVAYSK	By rail	Twelve (12) military equipment pieces loaded on flat cars
36		KHARTSYZK	By rail	Fourteen (14) freight rail cars: five (5) loaded with ammunition; three (3) loaded with spare parts for armored combat vehicles; one (1) loaded with batteries; three (3) loaded with cold-weather military uniforms
37	Nov. 09, 2016	DOKUCHAYEVSK	By rail	Five (5) rail cars loaded with ammunition (200 metric tons)
38	Nov. 14, 2016	To DOVZHANSKA NOVA railroad station (DOVZHANSK Raion) in the direction of SOROKINE	By rail, by road	Two (2) tanks
39		Via PEREVALSK in the direction of LUHANSK	By road	Up to 80 armed service personnel

<i>Item No.</i>	<i>Date documented</i>	<i>Supply flows and destination/ crossing points</i>	<i>Ways/ methods of supply</i>	<i>Quantity of weapons, military equipment, material, and fuel and lubricants and personnel numbers</i>
40	Nov. 18, 2016	To DOVZHANSKA NOVA railroad station (DOVZHANSK Raion)	By rail	Five (5) tanks, seven (7) 122 mm Grad multiple rocket launchers, and two (2) command and staff vehicles loaded on flat cars
41		YASYNUVATA	By rail	Eighteen (18) tank cars loaded with fuel and lubricants (900 metric tons)
42	Nov. 22, 2016	KHARTSYZK	By rail	Nine (9) tank cars loaded with fuel and lubricants (450 metric tons); three (3) rail cars loaded with tank spare parts
43		ILOVAYSK	By rail	Six (6) rail cars loaded with ammunition (240 metric tons)
44	Dec. 10, 2016	YASYNUVATA	By rail	Four (4) tanks loaded on flat cars

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***Main Intelligence Directorate of  
the Ministry of Defense of Ukraine***



# Annex 156

Record of the results of a search operation conducted by the Department of Surveillance of the SSU, prepared by R.O. Narusevych, field agent with the 8th sector of the 2nd directorate of the Criminal Investigations Department of the SSU (16 September 2016)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



**RECORD**  
**Of the Results of a Technical Investigations Event**

City of Kyiv

September 16, 2016

Began at 9 a.m. on 09.16.2016

Ended at 11:30 a.m. on 09.16.2016

I, the authorized operative of Section 8, 2<sup>nd</sup> Directorate (Counterintelligence) of the Security Service of Ukraine, Senior Lieutenant R.O. Narusevych, in the service office No. 415-1 (5/7 Patorzhynskogo Street), pursuant to the provisions of Article 7(6) of the Law of Ukraine “On Counterintelligence Operations” and in accordance with the decisions of the Deputy Chairman of the Kyiv Court of Appeal M.V. Pryndyuk, dated 10.15.2014, No. 01-8509TsT (from 10.15.2014 to 12.15.2014); dated 12.10.2014, No. 01-10470TsT (from 12.10.2014 to 02.10.2015); dated 02.04.2015, No. 01-1060TsT (from 02.04.2015 to 04.04.2015); dated 03.26.2015, No. 01-2433TsT (from 03.26.2015 to 05.26.2015); dated 05.20.2015, No. 01-3995TsT (from 05.20.2015 to 07.20.2015); dated 07.07.2015, No. 01-5443TsT (from 07.07.2015 to 09.07.2015); decisions of the investigative judge of the Kyiv Court of Appeal Ya.V. Glynyany dated 08.27.2015, No. 01-6838TsT (from 08.27.2015 to 10.27.2015 ) and 12.9.2015, No. 01-9576TsT (from 12.9.2015 to 02.09.2016); decisions of the investigative judge of the Kyiv Court of Appeal Ya.V. Golovachov dated 10.19.2015, No. 01 -8317TsT (from 10.19.2015 to 12.19.2015 ) and 01.29.2016, No. 01-453TsT (from 01.29.2016 to 03.29.2016), during the period from 12.27.2014 to 03.15.2016; decision of the investigative judge of the Kyiv Court of Appeal M.V. Pryndyuk dated 10.15.2014, No. 01-8511TsT (from 10.15.2014 to 12.15.2014 ), during the period from 12.07.2014 to 12.14.2014, as per the results of the technical investigations measures by the Security Service of Ukraine across the communications systems and channels, while looking for signs and facts of terrorist and other unlawful activities during the period from 27.12.2014 to 15.03.2016, put together this record to the effect that in the course of conducting said measures specific data was gathered that, in accordance with Article 10(1) of the Law of Ukraine “On Investigative Operations” and Article 256(1) of Ukraine’s Code of Criminal Procedure could be used for the purposes of pre-trial investigations in Criminal Case No. 2201505000000021 of 01.13.2016 with respect to the unidentified person with the call sign of “**Yust**” belonging to the terrorist organization DNR (Donetsk People's Republic) who used the mobile phone No. 380509604816 (mobile phone number of the cellular operator MTS).

Materials of the technical investigations event were obtained from the technical investigations action by the Security Service of Ukraine on a DVD-R disk, register Nos. 3849 and 3852 of 04.11.2016 (to incoming DKR No. 10691 of 09.05.2016) designated as “secret” (declassified as per acts No. 2/2/8-16915v and 16916v of 09.14.2016).

1. LEGEND: “**Yust**”—unidentified party using the call sign of “Yust”; **Subject**—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 10:31:35, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**”

[stamp:]                      Main Investigations Directorate  
Of the Security Service of Ukraine  
To Incoming No. 7600  
09.20.2016

to the mobile No. 380635045391 used by an unidentified person; the subscribers had the following conversation (duration: 00 min 52 sec):

**Subject:** Yes.

**Yust:** Comrade Colonel, are you anywhere near Dokuchayevsk?

**Subject:** Will be in a moment, why?

**Yust:** Why don't you drive by the commander's office, I'll show you a tanker who is f\*cking blue in the ass.

**Subject:** Oh, I am gonna...

**Yust:** With weapons, [but] in civvies.

**Subject:** Yura, I am gonna go pick up a tanker.

**Yust:** Uh-huh.

**Subject:** ... The political officer or whoever, and bring them over. Hold him right there. I am gonna swing by the commander's office, yes.

**Yust:** Understood, Comrade Colonel.

**Subject:** Uh-huh.

2. LEGEND: "**Yust**"—unidentified party using the call sign of "Yust"; "**Batyushka**" (Priest)—unidentified party using the call sign of Batyushka; "**Male Voice**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:07:43, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" from the mobile phone No. 380508746689 used by the unidentified party using the call sign of "**Batyushka**"; the subscribers had the following conversation (duration: 2 min 09 sec):

**Yust:** Yes, Batyushka.

**Batyushka:** Look, the first one that you dictated to me [is] 9492. Did you dictate it right?

**Yust:** Yes, yes.

**Batyushka:** You dictated 92-94.

**Yust:** 94-92.

**Batyushka:** (talking away from the receiver) He is saying 94 is first.

**Yust:** Yes.

**Batyushka:** So it appears we are standing behind Berezovy.

**Yust:** Yes, yes.

**Batyushka:** The tractor and equipment depot, behind Berezovy, but not the turnoff to Dokuchayevsk at all.

**Yust:** Yes, yes.

**Batyushka:** Behind Berezovy, shooting at a farm.

**Yust:** Yes.

**Batyushka:** [It's] all good [then], let's go to work.

**Yust:** Yes, look, the first there is a township, by the name of Slavnoye too, it seems (unintelligible).

**Batyushka:** I am gonna whack [it], here... fretting around.

**Male voice:** Hello, the thing is that, look... what [you] transmitted, if you read it in the same order you transmitted it, then the first target we have is not the checkpoint at all, but rather 2 kilometers away; there, behind Berezovy, [there is] a tractor and machinery depot, and the second target then appears to

be in the middle of Dokuchayevsk rather than Slavnoye; I suspect you mixed them up (unintelligible)... the first target [is] 9294.

**Yust:** What do you mean I mixed them up?

**Male voice:** Look, I am going to read it [back] to you, but you look it up on the map yourself [too].

**Yust:** Slavnoye

**Male voice:** Slavnoye

**Yust:** Slow down then, I want to say something too.

**Male voice:** Yes, yes.

**Yust:** As you go down from Berezovy, the first turn is to Dokuchayevsk.

**Male voice:** The first turn is to Dokuchayevsk; so if that's the 92-94 square, and Slavnoye is the 01-93 square.

**Yust:** 92-94 and the beginning of Slavnoye.

**Male voice:** All right, I got the 01-93 square, that's it, good.

**Yust:** Take care.

3. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:42:45, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380508440132 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 17 sec):

**Yust:** Yes.

**Subject:** San-Sanych

**Yust:** Huh?

**Subject:** Get me connected to the mortarmen right away. Let them dial me ASAP.

4. LEGEND: "**Yust**"—unidentified party using the call sign of "Yust"; "**Volk**" (Wolf)—unidentified party using the call sign of "Batyushka" [sic].

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:47:43, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" from the mobile phone No. 380662362864 used by an unidentified party using the call sign of "**Volk**"; the subscribers had the following conversation (duration: 0 min 37 sec):

**Volk:** Hello, Yuri Nikolayevich, this is Volk.

**Yust:** Do you have everything ready?

**Volk:** Yes, by one o'clock they will be completely ready.

**Just:** Give them my phone number, to the battery commander.

**Volk:** One second.

**Yust:** Let him call me and report when ready.

**Volk:** Understood. Right now, right?

**Yust:** Well not right now (unintelligible) call.

**Volk:** Got it, will do now.

5. LEGEND: **“Yust”**—unidentified party using the call sign of “Yust”; **“Batyushka”** (Priest)—unidentified party using the call sign of “Batyushka.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:48:35, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of **“Yust”** from the mobile phone No. 380951726404 used by the unidentified party using the call sign of Batyushka; the subscribers had the following conversation (duration: 00 min 46 sec):

**Yust:** Yes, speaking.

**Batyushka:** Hello.

**Yust:** Yes.

**Batyushka:** So, I am in a tank, to check things out, about to move out to the firing line and do some spotting.

**Yust:** Yes, Batya, go right ahead, but don't you forget you have to be on the drill ground at one [o'clock].

**Batyushka:** Well I am here, I am in command at this (unintelligible).

**Yust:** Yes, go ahead.

**Batyushka:** Only [we] had to move out to the green, where the little gifts were; [they] will guide us [from] there and [do] the work.

**Yust:** Go ahead, we will be [there?] at one [o'clock] too.

**Batyushka:** All right, will report.

**Yust:** Go ahead.

**Batyushka:** Everything OK.

6. LEGEND: **“Yust”**—unidentified party using the call sign of Yust; **“Subject”**—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:53:02, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of **Yust** from the mobile phone No. 380637490719 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 20 sec):

**Yust:** Yes, speaking.

**Subject:** (unintelligible) We are ready to start.

**Yust:** Got it. Wait for me, [I'll] be there soon.

7. LEGEND: **“Yust”**—unidentified party using the call sign of Yust; **“Subject”**—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:54:54, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of **“Yust”** to the mobile phone No. 380662033211 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 31 sec):

**Subject:** Speaking, Comrade (unintelligible)

**Yust:** Where the f\*ck is communications with Stas? Where the f\*ck is communications with Eyes?

**Subject:** Let me check.

**Yust:** Get me connected.

8. LEGEND: **“Yust”**—unidentified party using the call sign of “Yust”; **“Subject”**—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:55:32, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of **“Yust”** to the mobile phone No. 380505411083 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 34 sec):

**Subject:** Hello, yes.

**Yust:** Yes, speaking.

**Subject:** Commander, this (unintelligible) deuce of mine is ready.

**Yust:** All right, I got it, and where the f\*ck is it?

**Subject:** What’s that?

**Yust:** Did you come out with the eyes or not?

**Subject:** No, I have no such eyes.

**Yust:** All right, I got it.

**Subject:** I will now...

**Yust:** All right, all right, I got it. Take care.

**Subject:** Uh-huh.

9. LEGEND: **“Yust”**—unidentified party using the call sign of Yust; **“Stas”**—unidentified party using the call sign of Stas.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 11:56:55, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of **“Yust”** to the mobile phone No. 380990478333 used by an unidentified party using the call sign of Stas; the subscribers had the following conversation (duration: 2 min 21 sec):

**Stas:** Speaking.

**Yust:** Uh-huh, greetings (unintelligible).

**Stas:** Yes.

**Yust:** Are you there?

**Stas:** No, not there. We have just come. That car gave us the jitters like no one’s business.

**Yust:** Oh, f\*ck, Stas, you out of your f\*cking minds there or something?

**Stas:** Hello, commander, I can’t figure this f\*cking sh\*t out myself either, what the f\*ck is going on. No time for anything.

**Yust:** Let the f\*cking arties (artillerists) get working, I need coordinates, f\*ck and frack your mothers.

**Stas:** F\*ck!

**Yust:** F\*ck, Stas, when did you get the order?

**Stas:** Well, I did get it, with those f\*cking reports, but those f\*cking tanks, I've had it with them. Total f\*cking horror!

**Yust:** Where are you now?

**Stas:** At Omunalny already. Loading up and leaving.

**Yust:** On the f\*cking double, get there; half a f\*cking hour delay; I will hold the f\*cking fire.

**Stas:** Understood, and where do I meet the guide (unintelligible)?

**Yust:** Hello?

**Stas:** Do I meet the guide at the passing point?

**Yust:** Come again?

**Stas:** Do I meet the guide at the passing point?

**Yust:** Get the f\*ck going, to Yasnoye, on the f\*cking double.

**Stas:** All right, be there momentarily.

10. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:00:07, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380637490719 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 45 sec):

**Subject:** Yes, speaking.

**Yust:** Yes, I hear you.

**Subject:** Hello.

**Yust:** Yes, yes, speaking.

**Subject:** Battery ready to start working at 13:00 hours.

**Yust:** Got it.

**Subject:** Do we open up when ordered, or do we wait?

**Yust:** Yes, when ordered. Wait, I am coming now.

**Subject:** Understood, standing by on the line, locked and loaded.

11. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:13:25, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of Yust from the mobile phone No. 380956497364 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 29 sec):

**Yust:** Yes.

**Subject:** Hello, battalion commander, look, there was this bus with officers moving, I had a report [it] turned towards Berezovo.

**Yust:** Understood. We are going to start working now. All movements stop at my order.

**Subject:** Understood, battalion commander. Just don't forget to let us know when to halt all traffic.



**Yust:** All right, take care.

**Subject:** All right.

12. LEGEND: “**Yust**”—unidentified party using the call sign of Yust; “**Opasny**” (Dangerous)—unidentified party using the call sign of Opasny.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:16:35, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**” from the mobile phone No. 380661271550 used by an unidentified party using the call sign of “**Opasny**”; the subscribers had the following conversation (duration: 1 min 16 sec):

**Opasny:** Hello, Opasny?

**Yust:** Opasny, what’s your wavelength?

**Opasny:** (unintelligible)

**Yust:** Come again?

**Opasny:** 136-122-upper.

**Yust:** One second.

**Opasny:** Select 136-100.

**Yust:** One second (turning on the radio in the background), 136-100 selected (talking into the radio: Checking, attention! Open up on my order).

13. LEGEND: “**Yust**”—unidentified party using the call sign of Yust; “**Subject**”—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:19:08, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of Yust to the mobile phone No. 380637490719 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 30 sec):

**Subject:** Yes.

**Yust:** Hello.

**Subject:** Yes.

**Yust:** Let’s get started!

**Subject:** Received (in the background: Load them up!)

14. LEGEND: “**Yust**”—unidentified party using the call sign of Yust; “**Opasny**” (Dangerous)—unidentified party using the call sign of Opasny.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:23:06, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**” to the mobile phone No. 380637490719 used by an unidentified party using the call sign of “**Opasny**”; the subscribers had the following conversation (duration: 0 min 56 sec):

**Opasny:** Speaking.

**Yust:** (unintelligible)

**Opasny:** Hello.

**Yust:** (unintelligible)

**Opasny:** Hold on, one more time, Yust told me to stand by.

**Yust:** I did not say stand by, I said let's get started. That's me, Yust. I say get started.

**Opasny:** We are standing by for orders. Now it's let [them] pass, now it's open up. We will begin later

**Yust:** Are you Opasny?

**Opasny:** Yes.

**Yust:** F\*ck, I (illegible) your number, sorry. We are all waiting until the artillery is done.

**Opasny:** Waiting until the artillery is done, then we will get started.

**Yust:** Yes.

15. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Batyushka**" (Priest)—unidentified party using the call sign of Batyushka.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:24:19, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380508746689 used by the unidentified party using the call sign of "**Batyushka**"; the subscribers had the following conversation (duration: 7 min 27 sec):

**Yust:** Batyushka, let's get started.

**Batyushka:** All right, do you want the first ranging [shot]?

**Yust:** Yes, first ranging [shot], go ahead. I'll be watching.

**Batyushka:** Go (away from the receiver: Go, Igoryok, send the first ranging [shot], Igoryok), 38 seconds.

**Yust:** Batya, correct 100 to the right.

**Batyushka:** (Away from the receiver: 100 to the right, go one, Igoryok).

**Yust:** Batya, gimme two volleys here.

**Batyushka:** (Away from the receiver: two volleys there, please!) So how does it look there?

**Yust:** One sec.

**Batyushka:** So how is it?

**Yust:** Batya, now let's move a little further than 100.

**Batyushka:** (Igoryok, minus 100)

**Yust:** 150 further.

**Batyushka:** 150 further. Just one or all of them?

**Yust:** Gimme all.

**Batyushka:** Entire battery.

**Yust:** Go!

**Batyushka:** What, 2 batteries?

**Yust:** Hello (unintelligible).

**Batyushka:** Yes.

**Yust:** What's there?

**Batyushka:** One by one or another [volley]?

**Yust:** One by one, Opasny [sic]. What's the holdup?  
**Batyushka:** What's there?  
**Yust:** One second. All right, Opasny, oh, I mean Batyushka, gimme 300 to the left.  
**Batyushka:** 300 to the left.  
**Yust:** (unintelligible) off it went, you hear?  
**Batyushka:** So how does it look, tell me.  
**Yust:** Well, [you] hit something BK.  
**Batyushka:** Aimed for BK, hit BK.  
**Yust:** Uh-huh.  
**Batyushka:** I sent my bird up, the bird is there with you too. Look, [I] sent some more.  
**Yust:** Exit 3, (unintelligible) 4.  
**Batyushka:** [Is it] all right?  
**Yust:** Yes.  
**Batyushka:** I have three [tubes] working, I can do a double, or I could also do eight and nine.  
**Yust:** Hello, Batyushka, put three volleys there and go.  
**Batyushka:** (away from the receiver: 3 volleys there, and [then we are] leaving.)

16. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:32:29, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" from the mobile phone No. 380956497364 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 13 sec):

**Yust:** Bars, cut it off!

**Subject:** Yes, commander.

17. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Opasny**" (Dangerous)—unidentified party using the call sign of Opasny.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 12:46:06, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380637490719 used by an unidentified party using the call sign of "**Opasny**"; the subscribers had the following conversation (duration: 1 min 00 sec):

**Opasny:** Yes, speaking.

**Yust:** Hello.

**Opasny:** Yes.

**Yust:** Opasny, when you are ready for target No. 2, call me.

**Opasny:** Wind it up, we are leaving.

**Yust:** I am saying call me when you are ready at your second firing position.

**Opasny:** Give me the number, it shows private subscriber, I don't have your number.

**Yust:** Oh f\*ck, do you have a pencil?

**Opasny:** We are loading up [and] pulling up stakes.

**Yust:** One second, I am gonna send you a blank sms.

**Opasny:** Got it.

**Yust:** 48-16 are my last digits.

**Opasny:** Got it.

18. LEGEND: “**Yust**”—unidentified party using the call sign of Yust; **Subject**—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 13:54:11, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**” to the mobile phone No. 380637490719 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 51 sec):

**Subject:** Yes, speaking.

**Yust:** So what have you got there?

**Subject:** [We are] loading.

**Yust:** No eyes, so we’ll have to make do with the sights.

**Subject:** All right, have a go at it, at the station.

19. LEGEND: “**Yust**”—unidentified party using the call sign of Yust; “**Batyushka**” (Priest)—unidentified party using the call sign of Batyushka.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 13:55:14, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**” to the mobile phone No. 380508746689 used by the unidentified party using the call sign of “**Batyushka**”; the subscribers had the following conversation (duration: 4 min 16 sec):

**Batyushka:** Yes.

**Yust:** Batyushka, you ready?

**Batyushka:** I am.

**Yust:** All right, give me two cucumbers, I am watching.

**Batyushka:** All right, here they come, watch (away from the receiver: Igoryok (unintelligible) watch). Two right away, or maybe one ranging [shot] first?

**Yust:** All right, [let’s] do one.

**Batyushka:** (away from the receiver: give me one, ranging) explosion... off it goes, just you look at it.

**Yust:** I am watching, where’s the explosion, where? That was just the sound.

**Batyushka:** I can feel that explosion.

**Yust:** Oh, wait-wait-wait, I see it now. Batyushka, give me one a little closer.

**Batyushka:** How much?

**Yust:** 200?

**Batyushka:** (away from the receiver: minus 200)

**Yust:** Yes. Oops, and here’s one coming for us.

**Batyushka:** (unintelligible)

**Yust:** It went elsewhere, but I don’t see no f\*cking explosions.

**Batyushka:** Where are you at?

**Yust:** At Mukhomolny.

**Batyushka:** Got it (unintelligible).

**Yust:** What's the story with the eyes out front? We're gonna dial the second [pair of] eyes, Batya.

**Batyushka:** Do that.

**Yust:** I'll call you right back.

20. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Batyushka**" (Priest)—unidentified party using the call sign of Batyushka.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:02:14, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380508746689 used by the unidentified party using the call sign of "**Batyushka**"; the subscribers had the following conversation (duration: 0 min 34 sec):

**Batyushka:** Yes.

**Yust:** Now wait, it went close to the town, you need to put them further [away], Batyushka. Let's make it plus 150.

**Batyushka:** Shit, guys, you better give me the corrections pronto, I can't sit here long.

**Yust:** It's the bad comms, comms, commms, Batyushka. Give me plus 150, they started moving. You have a radio?

(In the background: Gun!)

**Yust:** Batyushka, to Yust.

**Batyushka:** Yes, yes.

**Yust:** Hello.

**Batyushka:** Yes, yes.

**Yust:** All right, shoot now (unintelligible).

**Batyushka:** You want to contact me on the radio? You have to get up on the roof to try to contact me. There's iron everywhere [here], it blocks the signal.

**Yust:** None of it is good (away from the receiver: Send two volleys to the same spot.)

**Yust:** Send two volleys to the same spot.

**Batyushka:** Two volleys to the same spot.

(On the radio, in the background: Tell Batyushka 350 to the left).

**Yust:** 350 to the left.

**Voice in the background:** 350 to the left, one volley.

**Batyushka:** 1 volley there.

**Yust:** Yes.

**Batyushka:** What is it? Speak!

**Voice on the radio in the background:** (unintelligible)

**Yust:** Batyushka, cease fire!

**Batyushka:** Battery, unload!

21. LEGEND: **“Yust”**—unidentified party using the call sign of Yust; **“Subject”**—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:12:53, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of **“Yust”** from the mobile phone No. 380632317132 used by an unidentified party; the subscribers had the following conversation (duration: 1 min 01 sec):

**Yust:** Speaking.

**Subject:** Listen, battalion commander, we are at the hill, [and] we have tanks and automatic grenade launchers firing on us. Mortars fell short of them.

**Yust:** Fell short?

**Subject:** They did.

**Yust:** All right, I got it, hold on.

**Subject:** They are behind the 198<sup>th</sup>, if [you are] facing them now, it’s across the field.

**Yust:** We see them, we do.

**Yust:** Dangerous to Yust.

(In the background: (unintelligible)).

**Yust:** What is the approximate distance?

**Subject:** Well, the field is a kilometer two.

**Yust:** (speaking to Opasny on the radio) Opasny, increase distance by 1 kilometer.

Opasny in the background: 1 km.

22. LEGEND: **“Yust”**—unidentified party using the call sign of Yust; **“Angel”**—unidentified party using the call sign of Angel.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:31:52, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of **“Yust”** to the mobile phone No. 380662033211 used by the unidentified party using the call sign of **“Angel”**; the subscribers had the following conversation (duration: 0 min 23 sec):

**Angel:** Speaking, comrade major!

**Yust:** Angel, get in touch with Spas. Let him contact me ASAP.

**Angel:** Received.

23. LEGEND: **“Yust”**—unidentified party using the call sign of Yust; **“Spas”**—unidentified party using the call sign of Spas.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:35:36, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of **“Yust”** from the mobile phone No. 380956261697 used by the unidentified party using the call sign of **“Spas”**; the subscribers had the following conversation (duration: 0 min 37 sec):

**Yust:** Yes, speaking.

**Spas:** Hello.  
**Yust:** (unintelligible)  
**Spas:** Commander, this is Spas.  
**Yust:** Yes, Spas, get yourself (unintelligible)...  
**Spas:** I have wheels.  
**Yust:** Get yourself to the commander's office ASAP.  
**Spas:** Understood. On my way.

24. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Mareman**"—unidentified party using the call sign of Mareman.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:36:19, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380508818538 used by the unidentified party using the call sign of "**Mareman**"; the subscribers had the following conversation (duration: 0 min 37 sec):

**Mareman:** Hello.  
**Yust:** Yes, Mareman, go ahead.  
**Mareman:** So, Nikolayevich, I am taking my people off combat readiness, the ones that are standing [by]?  
**Yust:** Yes, go ahead, let them stand down.  
**Mareman:** Uh-huh, good.

25. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Opasny**" (Dangerous)—unidentified party using the call sign of Opasny.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:43:47, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380637490719 used by an unidentified party using the call sign of "**Opasny**"; the subscribers had the following conversation (duration: 0 min 38 sec):

**Opasny:** Speaking.  
**Yust:** Yes, Opasny, speak.  
**Opasny:** (Unintelligible) Tulchiki ["people from Tula"? –Tr. Note] need to be picked up. How are they out there, where are they?  
**Yust:** Yes, yes, yes.  
**Opasny:** Should I send a vehicle to the crossing?  
**Yust:** Say it again, I didn't get that.  
**Opasny:** Should I send a vehicle for them to the crossing?  
**Yust:** Yes.  
**Opasny:** All right, we are at the base. Everyone's here (unintelligible) 22.  
**Yust:** Yes, all right.  
**Opasny:** Over and out.

26. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:51:46, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**” from the mobile phone No. 380956497364 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 26 sec):

**Yust:** Yes, speaking.

**Subject:** Hello, battalion commander, should I let people through?

**Yust:** Yes, yes, let them through.

**Subject:** All right, fine.

27. LEGEND: “**Yust**”—unidentified party using the call sign of Yust; “**Subject**”—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 14:52:27, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**” to the mobile phone No. 380956261697 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 32 sec):

**Subject:** Speaking.

**Yust:** Hello, hello.

**Subject:** Speaking.

**Yust:** And where’s Spas?

**Subject:** Spas is here. Who is this?

**Yust:** Yust.

**Subject:** Oh, I see. [He] has just driven up.

**Yust:** Are you here already, at the commander’s office?

**Subject:** Yes, yes, [I] have just arrived.

**Yust:** All right, take care.

28. LEGEND: “**Yust**”—unidentified party using the call sign of Yust; “**Subject**”—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 15:29:09, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of “**Yust**” from the mobile phone No. 380502180196 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 44 sec):

**Yust:** Yes, honey.

**Subject:** How are you? Are you all right?

**Yust:** Yes.

**Subject:** You busy?

**Yust:** Hello.

**Subject:** Hello.

**Yust:** I am driving now, I am on my way to the base.

**Subject:** Oh, all right, I see.



**Yust:** [We] blew a Ukropian checkpoint to hell.  
**Subject:** Which one?  
**Yust:** For the guys (unintelligible) Ukrops.  
**Subject:** Blew it up? Good boys!  
**Yust:** I'll be back soon and tell you about it.  
**Subject:** Please do, and here's to you, my sweet.

29. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 16:14:49, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" from the mobile phone No. 380632317132 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 35 sec):

**Subject:** With your permission, can I go home for like, an hour and a half, to do my laundry?

**Yust:** From what unit?

**Subject:** That was us just pulling back, to Slavnoye. This is Surgeon's platoon.

**Yust:** So let the platoon commander call Sergey Vasilyevich and make a note of it.

**Subject:** Uh-huh, fine.

30. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 16:28:29, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" from the mobile phone No. 380950436115 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 54 sec):

**Yust:** Speaking, Comrade Colonel!

**Subject:** Yura, have you left yet?

**Yust:** Well, I am leaving in about 15 minutes. [I'll] just get the keys... (unintelligible).

**Subject:** So what about that Batyushka there? How many guns does he have?

**Yust:** I don't even know, Comrade Colonel, but I think he was using three guns today.

**Subject:** And who is he?

**Yust:** I don't even know (unintelligible).

**Subject:** All right, I am waiting for you at my place.

**Yust:** Working with Batyushka. I didn't get that.

**Subject:** All right, I am waiting for you at my place.

**Yust:** Got it.

31. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 16:54:08, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of Yust to the mobile phone No. 380635045391 used by an

unidentified party; the subscribers had the following conversation (duration: 0 min 33 sec):

**Subject:** Yura!

**Yust:** Yes, speaking, Comrade Colonel.

**Subject:** Who is that f\*cking Batyushka who shelled Volnovakha from Dokuchayevsk today, that sh\*t?

**Yust:** I'll be at the boss' [office] soon. The commander has already asked me. I'll be there in 10 minutes.

**Subject:** All right, I am about to come back from the Headquarters, I'll call you then. Take care.

**Yust:** Got it.

32. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Subject**"—unidentified party.

Summary of the information obtained during the measures conducted:

On 01.13.2015, at 17:49:08, a call was made to the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" from the mobile phone No. 380635045391 used by an unidentified party; the subscribers had the following conversation (duration: 0 min 15 sec):

**Subject:** Where are you?

**Yust:** At my place.

**Subject:** Go [see] the commander, now.

**Yust:** Understood. On my way.

33. LEGEND: "**Yust**"—unidentified party using the call sign of Yust; "**Opasny**" (Dangerous)—unidentified party using the call sign of Opasny.

Summary of the information obtained during the measures conducted:

On 01.14.2015, at 10:51:01, a call was made from the mobile phone No. 380509604816 used by the unidentified party using the call sign of "**Yust**" to the mobile phone No. 380637490719 used by an unidentified party using the call sign of "**Opasny**"; the subscribers had the following conversation (duration: 1 min 27 sec):

**Opasny:** Yes, speaking.

**Yust:** Hello, Opasny.

**Opasny:** Yes.

**Yust:** Sound the alarm for three crews, man the main firing position and open up on the checkpoint that we gave a workout to yesterday.

**Opasny:** Uh-huh.

**Yust:** This intersection here.

**Opasny:** Uh-huh.

**Yust:** Take 1.5 km to the left.

**Opasny:** 2 km?

**Yust:** Come again?

**Opasny:** Well (unintelligible) to the left... how many [mortar] rounds should we take? Hello... hello!

**Yust:** 60

**Opasny:** 60 rounds.

**Yust:** Discharge 60, report when ready.

**Opasny:** Time for manning the position?

**Yust:** Right now, get going ASAP. Battle stations, and then remain on standby. Take a reserve, another 60.

**Opasny:** Received.

**Yust:** A total of 120, discharge 60 when ready and keep 60 in reserve.

**Opasny:** Received.

**Yust:** Take care.

Additionally, the disks have other materials that are of relevance for ascertaining the circumstances of the crime and identifying the perpetrators.

**Addendum:** 2 (two) DVD-Rs, register Nos. 3849, 3852 of 04.11.2016, declassified.

**Authorized Operative of Section 8,  
2<sup>nd</sup> Directorate (Counterintelligence)  
of the Security Service of Ukraine,**

**Senior Lieutenant**

[signature]

**R.O. Narusevych**

September 16, 2016

Register No. 2/2/8-31825



# Annex 157

Record of inspection conducted by I.V. Budnyk, Captain of Justice and Senior Investigator with the 5th Investigative Office at the 1st Pretrial Investigation Directorate of the Central Investigative Directorate of the SSU (26 September 2016)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



## RECORD OF EXAMINATION

City of Kyiv

September 26, 2016

Examination started at 09:20 a.m.

Examination ended at 11:20 a.m.

Captain of Justice Ihor Volodymyrovych Budnyk, Senior Investigator with the 5<sup>th</sup> Investigative Office of the 1<sup>st</sup> Pretrial Investigation Directorate at the Central Investigative Directorate of the Security Service of Ukraine, examined web pages on the world wide web (the Internet) located at the following addresses in his office No. 307 at the Central Investigative Directorate of the Security Service of Ukraine as part of the pretrial investigation of Criminal Case No. 2201505000000021 of January 13, 2015 in keeping with the requirements of Articles 104, 105, 106, 107, 223, and 237 of the Criminal Procedure Code of Ukraine:

[https://www.facebook.com/%D0%A3%D0%B4%D0%B0%D1%80%D0%BD%D0%B0%D1%8F-%D0%93%D1%80%D1%83%D0%BF%D0%BF%D0%B0-%D0%94%D0%BE%D0%BD%DQ%B1%D0%B0%D1%81%D1%81%D0%649030605187825/;](https://www.facebook.com/%D0%A3%D0%B4%D0%B0%D1%80%D0%BD%D0%B0%D1%8F-%D0%93%D1%80%D1%83%D0%BF%D0%BF%D0%B0-%D0%94%D0%BE%D0%BD%DQ%B1%D0%B0%D1%81%D1%81%D0%649030605187825/) B0-

[https://www.facebook.com/profile.php?id100003972898539&fref=pb&hc\\_location=profile\\_browser:](https://www.facebook.com/profile.php?id100003972898539&fref=pb&hc_location=profile_browser:)

[https://vk.com/newsdnr.](https://vk.com/newsdnr)

### Brief description:

The unit has been formed to protect civilians against armed aggression by the Junta and criminal gangs.

### Output data:

You can join the unit or receive information on how to help the unit by calling this number: +380509604816.

### Our account details:

Sberbank of Russia

Sort Code [MFO]: 320627

Acc. 26255000958920

Yandex.Money wallet: 410012319532538

Wallets of the Strike Force of Donbas

R996149854922 – roubles

Z264583773501 – dollars

E154815946611 – euros

U392980192863 – hryvnias

The wallets can be topped up at any payment terminal.

Western Union transfer: Yuriy Nikolaevich Shpakov

Detailed description: The unit has been formed to protect civilians against armed aggression by the Junta and criminal gangs. It is tasked with organizing the efforts of all anti-fascist groups and coordinating charitable organizations capable of assisting peaceful civilians of Donbas.





# Annex 158

SSU Counterintelligence Department Letter No. 212/8-33394 of 4 October 2016 to the Pretrial Investigation Directorate of the Central Investigative Directorate of the SSU

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Mr. I. Ye. Yanovskyi  
[signature] October 6, 2016

SECURITY SERVICE OF UKRAINE  
Counterintelligence Department  
**Second Division**  
33 Volodymyrska Street, Kyiv, 01601  
Tel. (044) 256-9273

Copy No. 1

Attention: Colonel of Justice V. V. Sychevskyi  
Director, First Pretrial Investigation Department  
Main Investigation Directorate  
Security Service of Ukraine

Mr. D. V. Zyuzya

No. 212/8–33394 of October 04, 2016  
Re. No. 6/5647–R of September 05, 2016

[signature] October 07, 2016  
R. O. [illegible]  
[signature] October 05, 2016

Re. Execution of Investigating Officer's Instructions

Dear Vitaliy Viktorovych:

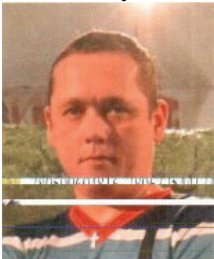
The Second Division of the Counterintelligence Department has reviewed Instructions No. 6/5647–R issued on September 05, 2016 by the First Pretrial Investigation Department, Main Investigation Directorate of the Security Service of Ukraine, in criminal proceeding No. 2201505000000021 registered on January 13, 2015 in the Unified Registry of Pretrial Investigations based on the elements of criminal offenses under Article 258 (3) and Article 438 (2) of the Criminal Code of Ukraine.

Based on the results of the investigative procedures performed, it has been found that the call signs identified in the Investigating Officer's Instructions are used by the following members of the 5<sup>th</sup> Separate Motor Rifle Brigade, "Oplot" [*Stronghold*], of the 1<sup>st</sup> Army Corps of the "Donetsk People's Republic" (DPR) terrorist organization who may be involved in the commission of the aforesaid criminal offenses:



1. The call sign "**Tykhon**" is used by **Mykhaylo Hennadiyovych Tikhonov**, a citizen of Ukraine, born on August 04, 1967 in the urban-type settlement of Komsomolske, Zmiyivskiyi Raion [administrative district], Kharkiv Oblast [administrative region] and registered at the following address: number 33 Frunze Street, Apt. 24, Komsomolske Urban-type Settlement, Zmiyivskiyi Raion, Kharkiv Oblast, possibly residing at number 104 Tkachenka Street, City of Donetsk, passport of a citizen of Ukraine MK 416447 issued by Zmiyivskiyi Raion Office of the Kharkiv Oblast Department of the Ministry of Internal Affairs of Ukraine, Taxpayer ID 2468705579, uses (used) the following mobile phone numbers: 380950436115, 380635219827, 380957048103, 380506906608, 380950817142, 380950434573, 380957048106, 380713015217 and e-mail address at [lenka1011980@mail.ru](mailto:lenka1011980@mail.ru).

In November of 2015, M. H. Tikhonov was elected to the so-called "People's Council" of the "DPR" terrorist organization. In 2015, he held the position of Commanding Officer of the 5<sup>th</sup> Separate Motor Rifle Brigade, "Oplot", of the 1<sup>st</sup> Army Corps of the "DPR" terrorist organization. On June 29, 2015, by Order No. 269 issued by O. V. Zakharchenko, Head of the "DPR" terrorist organization, M. H. Tikhonov was removed from the aforesaid position and appointed Director of the military educational institution called "Donetsk Higher Combined Services Command Academy of the "DPR" Armed Forces." He holds the military rank of colonel with the "DPR" terrorist organization.



2. The call sign "**Yust**" is used by **Yuriy Mykolayovych Shpakov**, a citizen of Ukraine, born on May 31, 1979 in the City of Donetsk and registered at the following address: number 13 Henerala Kozyrya Street, Apt. 52, City of Donetsk, Taxpayer ID 2900501878, uses (used) the following mobile phone numbers: 380509604816 and 380632544174.

[stamp:] [illegible] No. 8052 dated October 05, 2015 [illegible] 2 [illegible]

As of February 2015, the aforesaid citizen held the position of the so-called “Military Commandant” of the City of Dokuchayevsk, Donetsk Oblast, temporarily occupied by the militants of the “DPR” terrorist organization. As of July 2015, he held the position of Commanding Officer of the 1<sup>st</sup> Battalion of the “DPR” terrorist organization.

3. The call sign “**Volk**” [*Wolf*] is used by **Oleh Viktorovych Bardashevskiy**, a citizen of Ukraine, born on July 21, 1979 in the urban-type settlement of Romaniv, Zhytomyr Oblast, registered at the following address: number 18 Lesi Ukrayinky Street, Apt. 33, Taxpayer ID 2905621733, uses (used) the following mobile phone numbers: 380683167385, 380679298580, 380508312187, 380639841830, 380731643332, 380975115572 as well as Internet accounts with the following URLs: <https://vk.com/id173148801> and <https://ok.ru/profile/558755952766>. Owns (uses) the following motor vehicles: a grey Volkswagen Polo, VIN xw8zz61zdg057678, license plate number AM 3253 AK, and Honda Civic.

As of December 2015, O. V. Bardashevskiy has been appointed to the position of support platoon leader, 5<sup>th</sup> Separate Motor Rifle Brigade, “Oplot”, of the 1<sup>st</sup> Army Corps of the “DPR” terrorist organization.

4. The call sign “**Zakhar**” is used by **Anatoliy Oleksandrovykh Zakharchenko**, a citizen of the Russian Federation (Republic of Bashkortostan), who uses (used) the following mobile phone numbers: 380635045391 and 380938767480, as of May 2015 member of the 5<sup>th</sup> Separate Motor Rifle Brigade, “Oplot”, of the 1<sup>st</sup> Army Corps of the “DPR” terrorist organization. Married to Halyna Dmytrivna [Zakharchenko], with daughter Yuliya (who is studying at the State Medical University of Novosibirsk) and son Oleksiy (currently serving in the military in Novosibirsk).

5. The call sign “**Batyushka**” [*Father*] is possibly used by **Anatoliy Vasylyovych Hukov**, a citizen of Ukraine, born on January 01, 1943, who uses (used) the following mobile phone number: 380951726404.

6. The call sign “**Boroda**” [*Beard*] is possibly used by **Oleksandr Oleksandrovykh Bulashev**, a citizen of Ukraine, born on October 18, 1977, who uses (used) the following mobile phone number: 380508440132.

7. The call sign “**Opasnyi**” [*Dangerous*] is possibly used by **Vitaliy Anatoliyovych Poroshyn**, a citizen of Ukraine, born on January 21, 1988, who uses (used) the following mobile phone number: 380637490719.

8. The call sign “**Udav**” [*Constrictor*] is possibly used by **Yevhen Oleksiyovych Melnyk**, a citizen of Ukraine, born on September 04, 1988, who uses (used) the following mobile phone number: 380956432144.

9. The call sign “**Batya**” [*Daddy*] is possibly used by **Yuriy Veniaminovych Chaykovskiy**, a citizen of Ukraine, born on December 29, 1969, who uses (used) the following mobile phone numbers: 0951726404, 0734133951, and 0956261697.

As for identification of the members of the 5<sup>th</sup> Separate Motor Rifle Brigade, “Oplot”, of the 1<sup>st</sup> Army Corps of the “DPR” terrorist organization using the call signs “Bars” [*Snow Leopard*], “Spas” [*Savior*], “Angel” [*Angel*], “Karas” [*Carp*], “Tor” [*Thor*], “Mariman” [*Mariner*], and “Khirurg” [*Surgeon*], we will inform you additionally.

Respectfully,

[signature]

**Colonel O. Shvaykovskiy**  
**Deputy Director of the Department**

# Annex 159

Crime scene examination record prepared by A.S. Bakovsky, Major of Justice and Senior Investigator with the 3rd Office of the 1st Pretrial Investigation Directorate at the Central Investigative Directorate of the Security Service of Ukraine (dated 20 Janu

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**RECORD OF INCIDENT SCENE  
INSPECTION**

City (village) Kyiv

January 20, 2017

Inspection started at "21":"06". Inspection finished at "22":"19"

Senior special investigator, section 3, directorate 1 of pre-trial investigations at the Main Directorate for Investigations of the Security Service of Ukraine

Major of Justice A.S. Bakhovsky

on the grounds of a pre-trial investigation in criminal proceedings No 2201600000000466

(indicate judicial order in the case of residential or other personal property inspections, or, in the case

of criminal proceedings, refer to an incident report)

pursuant to Articles 104, 105, 106, 234, 237, 223 of the Criminal Procedures Code of Ukraine:

In the presence of witnesses:

1) Roman Mykolayovych Olekha, DOB 07.28.1996

(full name, date of birth, address)

registered at Apartment 8, 13 vul. Gagarina, Voloshevka village, Kyiv Region

2) Vladyslav Yuriyovych Faychuk, DOB 11.25.1995

(full name, date of birth, address)

Registered at Apartment 139, 31 vul. Zakrevskogo, Kyiv

who have been advised of their rights and obligations under Articles 11, 13, 15 and 223 of the Criminal Procedures Code of Ukraine.

[signature]

[signature]

With the participation of the victim

---//----

(full name, date of birth, address)

who has been advised of their rights and obligations under Article 56 Part 1, 2 and Article 57 of the Criminal Procedures Code of Ukraine

With the participation of suspect: [signatures]

S.V. Zhirenko DOB 03.01.1980, D.D. Yakob DOB 11.01.1978

(full name, date of birth, address)

who have been advised of their rights and obligations under Article 42 Parts 3, 5, 6 and 7 of the Criminal Procedures Code of Ukraine

With the participation of defense attorney:

---//----

(full name, date of birth, address)

who has been advised of their rights and obligations under Articles 46 and 47 of the Criminal Procedures Code of Ukraine.

With the participation of representative:

---//----

(full name, date of birth, address)

who has been advised of their rights and obligations under Articles 44 Part 5, Article 58 Part 4 and Article 59 Part 2 of the Criminal Procedures Code of Ukraine.

With the participation of expert:

Y.V. Valynevych, DOB 03.23.1991, M.Y. Ustymenko, DOB 11.05.1972

(full name, date of birth, address)

who has been advised of their rights and obligations under Article 71, Parts 4 and 5 of the Criminal Procedures Code of Ukraine

[signature]

[signatures]

[signature]

With the participation of the ~~owner (user) of the accommodation or other personal property~~  
SBU employees V.L Fesenko, A.O. Patsalay, I.V. Budnyk  
 (full name, date of birth, address)

---

Prior to the inspection, the above individuals were advised of their right to be present during every action taken in the course of an inspection and to make statements which are subject to mandatory inclusion in the record. The persons participating in the inspection were also advised of their duty not to disclose the details of this procedural action as required by Article 66 Part 3 of the Criminal Procedure Code of Ukraine and of the recording equipment used and the terms and procedure of their use:

Photography with telephone serial No R586503VKIZ  
 (details of recording or storage devices used during procedural action, signatures of individuals)

Samsung SM-6925F

The inspection has established the following:  
 (indicate address of residential accommodation or other personal property)

The scene of the incident is the backyard of the building located at 16A vul. Ivana Kudri, Kyiv.  
Found near the doors of the first entrance (from left to right) in this courtyard were citizens of Ukraine Svyatoslav Valeriyovych Zhirenko, DOB 03.01.1980 registered at Apartment 2, 18 vul. Lenina, Kirovske, Donetsk Region and Dmytro Dmytrovych Yakob, DOB 11.01.1978 registered at Apartment 80, 24 vul. Sudaksa, Alushta, Autonomous Republic of Crimea.

Found next to the above citizens were a black bag and a white plastic bag bearing the logo of the Ashan supermarket and the slogan "Hit the prices."

S.V. Zhirenko reported that the above black bag belongs to him and consented to its inspection. The following was found later in the bag:

1. An employment termination letter No ARK 05271 addressed to S.V. Zhirenko, 1 page;
2. Vehicle registration certificate No F836244 (Lithuanian Republic)
3. Power of attorney for driving the Skoda reg JHC-615 car, 1 page
4. Documents in a foreign language for the Skoda reg JHC-615 car No 364067, 1 page
5. 300 (three hundred) US dollars
6. 976 (nine hundred and seventy-six) hryvnias

[signatures]



7. Holder for SIM card tel no +79107360794

Next, the leading specialist of department 6, forensic and special analysis center No. 4 (ISTE SBU), Senior Lieutenant Yevhen Valeriyovych Valynevych (3 vul. Vasylenka, Kyiv) and expert consultant at department 6, forensic and special analysis center No 4 (ISTE SBU) Maksym Yevhenovch Ustymenko conducted an inspection and analysis of the above plastic bag both visually and with the aid of a portable X-ray scanner, Scanna W550SU, serial No X0331772.

During the inspection and analysis, it was established that the plastic bag contained the following: a roll of brown scotch tape and a plastic food container measuring 14 x 10 x 6 cm approximately. The following was found inside the container when opened: a plastic grey and yellow substance (about 300–400 g in weight). Inside the substance was a cylindrically shaped magnet (5 cm in diameter and 2 cm in height) and a brown cylindrical object 7 cm in diameter and 0.9 cm approximately in height) that looked like an electric detonator with two white wires protruding at one end. The end of one of the wires was connected to a metal cylindrically shaped object.

In order to avoid a possible uncontrolled explosion, the cylindrical object that looked like an electric detonator and the magnet were removed separately from the plastic substance. In addition, the cylindrically shaped metal object located at the end of the electric detonator wire was cut off from the object that looked like an electric detonator, and the two wire ends were joined together. The above actions were performed by specialist M.Y. Ustymenko. The specialists said that the plastic substance, magnet and electric detonator bore the characteristics of an improvised explosive device.

1. In the course of the incident scene inspection, the objects named in points 1-7 were retrieved and



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Found during inspection *noted in the text of the record*  
(indicate traces and objects found during inspection)

Retrieved during inspection: *noted in the text of the record*  
(indicate what was found and sealed and in which order)

Technical devices used during inspection: *photography*  
(indicate use of photography or video recording, other technical and specialist devices and their tech. features)

The record has been read and recorded *no statements, comments or additions received*  
(comments from participants in the inspection)

**Participants:**

- |   |                              |             |
|---|------------------------------|-------------|
| 1. <u><i>S.V. Valynevych</i></u><br>(full name) | /[signature]/<br>(signature) |             |
| 2. <u><i>M.Y. Ustymenko</i></u><br>(full name)  | /[signature]/<br>(signature) |             |
| <i>I.V. Budnyk</i>                              | [signature]                  |             |
| <i>V.L. Fesenko</i>                             | [signature]                  | [signature] |

**Witnesses:**

- |  |                              |
|--|------------------------------|
| 1. <u><i>R.M. Olekha</i></u><br>(full name)  | /[signature]/<br>(signature) |
| 2. <u><i>V.Y. Faychuk</i></u><br>(full name) | /[signature]/<br>(signature) |

**Inspection conducted by:**

*Senior special investigator*  
*Main Directorate for Investigations,*  
*Major of Justice*

*A. Bakhovsky*

[signatures]



# Annex 160

Extract from Criminal Proceedings No. 12017050140000085

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Extract from criminal proceedings No. 12017050140000085

No. 1

Date statement or information was received or discovered from another source: 02.01.2017

Claimant or victim: report from companies, institutions, organizations or officials (code)

Date of entry in the Unified Register of Pre-trial Investigations: 02.01.2017 22:52:21

Outcome of investigation:

Legal qualification: (Criminal Code of Ukraine 2001) Article 258 Part 3

Description:

In the shelling of Avdiyivka city, Donetsk Region on 02.01.2017 the following servicemen of the 72nd Mechanized Brigade of the Ukrainian Armed Forces were wounded: V.M. Malinovsky, V.V. Donik, I.V. Demydov, I.A. Bokhmut, R.Y. Matyushenko, V.O. Karpov, A.D. Skobanyuk, S.A. Fedorenko, V.M. Khmylorchuk, S.A. Kvitko, A.P. Mykhaylyuk and Morozov. Also wounded were civilians O.V. Gordeyev, V.P. Tarasov and Ye.Ye. Gordeyeva. Servicemen of the 72nd Mechanized Brigade of the Ukrainian Armed Forces L.V. Dergach and R.V. Bublienko received multiple shrapnel wounds which caused their death, also civilian K.Kh. Volkova received multiple shrapnel wounds which have caused her death. In addition, the shelling of Avdiyivka city, Donetsk Region on 02.01.2017 caused the following damage: to No. 39 in Sverdlova Street, No. 64, 65, 66, 67, 75, 84 and 126 in Turgeneva Street, No. 68, 89, 95, 96, 97, 101, 103, 113, 105, 107, 108 in Krasnoarmiyska, No. 192, 194a, 204, 204a, 239 and 265a in Kolosova, No. 51 in Yasynuvatsky Lane, No. 74 and 9 in Lermontova Street, No. 45 in Zelena Street, No. 75, 80, 84a, 100, 96, 92, 102, 98 and 83 in Zavodska Street and No. 64a in Metalurgiv Street; No. 96 in Zakhidna Street has been destroyed, a garage at 68 Krasnoarmiyska Street is damaged; an outbuilding at 57 vul. Shevchenko is destroyed, a garage at 10 vul. Bilenkogo is damaged; damage has been also caused to No. 204, 257a, 224, 208, 200, 214, 226 and 269 in Kirov Street and to No. 86 at Pushkin Street; and an unexploded shell has been discovered on the roof of No. 59 vul. Sportyvna.

Suspect notified of a suspicion, outcomes of investigation and information about any special pre-trial investigation with regard to this person:

Legal entity subject to criminal proceedings and legal entity representative:

Pre-trial investigation authority: Avdiyivsky police precinct of the Pokrovsky police department, Main National Police Directorate in Donetsk Region

Investigator: Y.Y. Ponomarenko

Prosecutor: D.O. Panasenko

Registrar signature \_\_\_\_\_ [signature] \_\_\_\_\_ O.M. Ustymenko  
Deputy head of investigations department  
02.03.2017



1201705014000085



# Annex 161

Records of Site Inspection, drafted by A. Zaychik (1 February 2017)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



[....]

The inspection has established the following: \_\_\_\_\_  
(please state the address of the house or other private property)

*The object of the inspection is the outdoor section of the site at 97 vul. Metallurgov, Avdiyivka. The inspection established the following: damage to the [illegible] (throughout). The wall of the house is destroyed and there is damage to the roof. There is also extensive damage to the grounds.*

*This concludes the inspection. No comments have been received.*

*Participants:* [signature] *A.L. Zaychik*

*Investigator* [signature] *Y. Ponomarenko*



# Annex 162

Records of Site Inspection, drafted by N. Protsyk, Senior Investigator (1 February 2017)

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[....]

The inspection has established the following: *A one-story building No 100*

(please state the address of the house or other private property)

*at Zavodska Street in Avdiyivka, Donetsk Region. The following damage was found in the course of the inspection:*

*The wooden windows are missing glass, there is damage to the roof where some of the tiles are missing, the front door is misshapen and there is damage to the brickwork. The wooden entrance from the house to the veranda is damaged. The brickwork of the outdoor kitchen is damaged along the perimeter, its roof is destroyed and windows smashed, the shed is destroyed.*

*Aleksandr Nikolayevich Khodeyev*

[signature]

*Sr investigator*

[signature]

*N.N. Protsyk*

[....]

The inspection has established the following: *A one-story building at No 96*

(please state the address of the house or other private property)

*In Zavodska Street, Avdiyivka, Donetsk Region.*

*The inspection revealed the following damage: the house is completely destroyed, the outbuildings are completely destroyed.*

*D.A. Khodeyev*

[signature]. *This is an accurate record.*

*Sr investigator*

[signature]

*N.N. Protsyk*



# Annex 163

Records of Site Inspection, drafted by Y. Ponomarenko, Senior Investigator (1  
February 2017)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



[....]

The inspection has established the following: \_\_\_\_\_  
(please state the address of the house or other private property)

*The object of the inspection is the outdoor section of the site at 101 vul. Metallurgov, Avdiyivka. The following was established after an inspection of the grounds: damage to two bedroom windows with metal frames, the sauna behind the house is destroyed, the PVC window in the attic is smashed and the shed roof is destroyed.*

*No other damage has been found. A pet dog at the above address has been killed.*

*This concludes the inspection.*

*Participants:* [signature]

*Investigator* [signature] *Y. Ponomarenko*

[....]

The inspection has established the following: \_\_\_\_\_  
(please state the address of the house or other private property)

*The object of the inspection is the outdoor section of the site at 105 vul. Metallurgov, Avdiyivka. The inspection established the following damage: two windows have been smashed in the hallway; also the shed roof has been damaged. There are multiple shell craters in the vegetable garden.*

*This concludes the inspection.*

*Participants: 1) [signature]*

*Investigator [signature] Y. Ponomarenko*

[....]

The inspection has established the following: The object of the inspection is a private house  
(please state the address of the house or other private property)  
*at 64A vul. Metallurgov, Avdiyivka. An inspection of the grounds established the following: to the right of the entrance there is a crater measuring 90 cm x 50 cm. There is a cylindrically shaped metal object stuck in the crater. The inspection of the grounds also established the following damage: the veranda is destroyed, the windows in the house are smashed, the shed and the roof of the house are destroyed.*

*Photos have been taken. Some of the shell fragments hit a tree.*

*Participants:*            1)    [signature]

*Investigator*                            [signature]                            *Y. Ponomarenko*

[...]

*I would like to say that own a house at 107 Metallurgov Street which is unoccupied.*

*Around 0700 on 02.01.2017 a Grad shell hit the ground in front of my house. The fragments and the shock front smashed 5 windows in the house. The front porch is destroyed, and the fragments damaged the roof.*

*The wooden shed has collapsed and the gate has been damaged by fragments. Four windows have been smashed in the outdoor kitchen, and its roof is also damaged.*

*Nobody was hurt as a result.*

*This is an accurate record of my oral statement. I have read this record.*

[signature]

*Investigator*

[signature]

*Y.Y. Ponomarenko*

# Annex 164

Extract from Criminal Proceedings No. 12017050140000081 (6 February 2017)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





No 1

Date statement or information was received or discovered from another source: 01.30.2017

Claimant or victim: report from companies, institutions, organizations or officials (code)

Date of entry in the Unified Register of Pre-trial Investigations: 01.30.2017 3:38:59 p.m.

Outcome of investigation:

Legal qualification: (Criminal Code of Ukraine 2001) Article 258 Part 3

Description:

On 01.30.2017 the duty unit at the Avdiyivsky police precinct of the Pokrovsky police department, Main National Police Directorate in Donetsk Region, received a message from the Avdiyivka city commandant that soldiers of the Armed Forces of Ukraine Yaroslav Yaroslavovych Pavlyuk and V.V. Shamray were killed in action on 01.30.2017 in the morning during a battle in the Industrial Zone of the city of Avdiyivka. Also the following were wounded: I.Ye. Voloshyn, V.V. Mushyn, V.M. Mishchuk, O.O. Nikolayev, A.V. Mukhin, A.A. Plesunov, V.I. Melnyk, M.O. Tyshchenko, V.V. Zubko, P.I. Kachur, D.V. Krynytsyn, D.V. Chernets, P.P. Ryabykh, S.O. Parkhomenko and D.V. Malyshko. The following buildings were damaged in the city of Avdiyivka: 94 in Kolosova Street, 72 and 79 in Lermontova street, 31 in Komunalna Street, 2/31 Kvartal Budivelnykiv and 42, 44 in Zelena Street. Electric cables supplying power to Avdiyivka were also damaged.

Suspect notified of a suspicion, outcomes of investigation and information about any special pre-trial investigation with regard to this person:

Legal entity subject to criminal proceedings and legal entity representative:

Pre-trial investigation authority: Avdiyivsky police precinct of the Pokrovsky police department, Main National Police Directorate in Donetsk Region

Investigator: O.M. Ustyenko

Prosecutor: D.O. Panasenko

Registrar signature                      [signature]\_\_\_\_ O.M. Ustyenko  
Deputy head of investigations department  
02.06.2017





# Annex 165

Record of Inspection of the Internet Pages, Carried by D.V. Zyuzia, Lt. Colonel of Justice and Senior Special Investigator, Section 1 of Department 5, Pre-Trial Investigations, Directorate 1 at the Main Directorate for Investigations of the Security Servi

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## Record of inspection

Kyiv

February 9, 2017

Inspection started at “14”：“15”  
Inspection finished at “17”：“30”

Senior special investigator, section 1 of department 5, pre-trial investigations directorate 1 at the Main Directorate for Investigations of the Security Service of Ukraine, Lt-Col of Justice D.V. Zyuzia, acting in connection with a pre-trial investigation in criminal proceedings No 22015050000000021 concerning elements of the crimes provided for under Article 258 Part 3, Article 258<sup>3</sup> Part 1 and Article 438 Part 2 of the Criminal Code of Ukraine and entered into the Unified Register of Pre-trial Investigations on 1/13/2015, with the purpose of gathering evidence as well as finding and recording information about the circumstances in which the criminal offences were committed and pursuant to Articles 104, 105, 106, 223 and 237 of the Criminal Procedures Code of Ukraine carried out an inspection of internet pages in Room No 104 of the Main Directorate for Investigations of the Security Service of Ukraine at 4 vul. Iryninska, Kyiv.

The inspection was conducted using personal computer PEOM No 19957. The system block is connected to the internet via a modem and is located in the internet studio of the Main Directorate for Investigations of the Security Service of Ukraine at 4 vul. Iryninska, Kyiv.

### The inspection established the following:

The object of inspection is 7 internet pages at the following addresses:

1. <http://penza.rfn.ru/rnews.html?id=25936&cid=7>
2. <http://penza.rfn.ru/rnews.html?id=25828&cid=7>
3. <http://www.pravdanews.ru/topic/5537.html>
4. <http://www.penzapress.ru/lentanovostei/2011/02/21/13313524>
5. <http://gostorgi.ru/441998052>
6. <http://pravdanews.ru/topic/5623.html>
7. [http://tv-express.ru/news\\_info/16635/](http://tv-express.ru/news_info/16635/)

The Opera browser was launched to enable viewing these on a computer, the address of web page no 1 from the above list was pasted into the address field after which the Enter button was pressed. Once the first web page was loaded, the other web pages listed above were opened in the same manner in the subsequent windows of the web browser.

Loading the first web page at <http://penza.rfn.ru/rnews.html?id=25936&cid=7> establishes that it is the information portal of the Penza state broadcasting company

[...]

Opening the fourth window of the web browser with the fourth web page at <http://www.penzapress.ru/lentanovostei/2011/02/21/13313524> establishes this to be the internet version of the Penza Press news agency which has a news article entitled “Anatoly Sinelnikov heads Penza military commissariat.”

A detailed viewing of the article establishes that it was published on 2/21/2011. The above article says that Anatoly Sinelnikov, 47, was appointed on February 11 as the Penza Region military commissar. Sinelnikov previously served in various posts in the military units of Siberia, the Urals and the Far East, with the latest post being that of a brigade commander in Yekaterinburg. Also, while viewing the article it was established that Anatoly Sinelnikov holds service awards and an Order of Courage.

[...]

Screenshot of the internet page




The fifth web browser window opens to web page 5 loaded from <http://gostorgi.ru/441998052>, establishing that this is a page from the internet newspaper Konkursnye Torgi [Competitive Bidding] which contains information on the customer in a tender for the purchase of timber and construction materials.

A detailed viewing of the web page establishes that the customer in the tender quoted as 44-1998052 of 11/21/2014 is Russian Federation military unit No. 3280 whose contract manager is Aleksei Anatoliyevich Sinelnikov. The above internet page also lists A.A. Sinelnikov’s telephone number as +79222962689.

Internet newspaper

## Konkursnye Torgi

Tenders Search   Quote   223-F3   Purchase Plans   Archive   Reports  
[Quotations](#) / [List of quotations](#) / [Quote 44-1998052](#)   [Log in](#) | [Sign up](#) | [Forgot password?](#)

-  [Subscriber suite](#)  
Set your subscriber profile
-  [Registration](#)  
Register to pay and access new tenders
-  [Pay subscription fee](#)  
View bill, enter payment number

Tender (quote request) 44-1998052 of 11/21/2014  
**Timber and building materials Description of purchased item is given in the specification attached to quote documentation**  
Region 66 – [Sverdlovsk Region](#)  
Customer level – Federal  
Contract lot price (million rubles) – 0.089

### General information

**Notification number:** 0362100028014000049  
**Name of purchased item:** Timber and building materials Description of purchased item is given in the specification attached to quote documentation.  
**How will supplier (contractor) be determined?**

---

Request quote

**Who is the purchaser:** Customer

### Contact information

**Organization name:** military unit 3280

**Correspondence address:** 6 Dzerzhinskogo, Novouralsk, Sverdlovsk Region, 624131, Russian Federation

**Physical location:** 6 Dzerzhinskogo, Novouralsk, Sverdlovsk Region, 624131, Russian Federation

**Responsible official:** Boris Mikhailovich Zemlyanov

**Email address:** Chast3280@rambler.ru

**Contact telephone No:** 7-912-6202387

**Fax:** 7-34370-98769

**Information about contract service and contract manager:**

Contract manager: A.A. Sinelnikov. Official responsible for drafting documentation: B.M. Zemlyanov military unit 3280

Registered address: 6 ul. Dzerzhinskogo, Novouralsk, Sverdlovsk Region, 624131, Russian Federation. Correspondence address: 6 ul. Dzerzhinskogo, Novouralsk, Sverdlovsk Region, 624131, Russian Federation Telephone (fax): 8 (34370) 9-87-69. Email: Chast3280@rambler.ru

**Additional information:** +79222962689 Aleksei Anatoliyevich Sinelnikov

### Screenshot of internet page

The sixth web browser window opens to web page 6 loaded from <http://pravdanews.ru/topic/5623.html>, establishing that it is a news center called Penzenskaya Pravda featuring the news article “Retired Colonel Anatoly Sinelnikov takes up post of military commissar.”

A detailed viewing of the article establishes that it was published on 2/24/2011 at 3:48 p.m. The article says Anatoly Sinelnikov and his wife were born in Shemysheyka District, Penza Region and that three of his family are in the army—he, his wife and his son—while his daughter is at school.

[...] Retired Colonel Anatoly Sinelnikov takes up post of military commissar

February 24, 2011, 3:48 p.m.

[Print version](#)



And he found the time to meet the regional media.

At his first news conference, he said the military commissariat was open to cooperation with the press: — “If you have any questions, please contact us directly for comment, but please don’t use unverified

information.”

Anatoly Aleksandrovich said there would be events held in the near future aimed at raising the department’s profile. Call-up work remains a priority. Young people should realize that army service is not only a duty, but an honorable obligation. This requires efforts to step up patriotic education.

The new military commissar said that no reshuffle was being planned in the leadership of the military commissariat.

— “The staff are doing their work. Only those shirking their duties may lose their jobs.”

Journalists asked what Anatoly Aleksandrovich thought of the new army uniform designed by Valentin Yudashkin.

— “The old guard are better used to the old uniform, but young people like the new one. Personally, I really like the new parade uniform,” he confessed.

Journalists were curious about the military commissar’s private life. Anatoly Sinelnikov said he and his wife were both born in Shemysheyka District, Penza Region. Three members of his family are in the army, including his son and his wife. His daughter is at school.

### Screenshot of the internet page.

The seventh web browser window opens to web page 7 loaded from [http://tv-express.ru/news\\_info/16635/](http://tv-express.ru/news_info/16635/), establishing that it is the site of the Express broadcasting company, News from Penza and Region, featuring the article “New regional military commissar Anatoly Sinelnikov meets journalists.”

[...]

given in the specification attached to quote documentation”, size 176 kB; Retired Colonel Anatoly Sinelnikov takes up post of military commissar\_News\_News from Penza and Region – Penzenskaya Pravda” size 656 kB; “New regional military commissar Anatoly Sinelnikov meets journalists – EXPRESS TV”, size 200kB.

After the inspection, the above files were copied onto a “Verbatim” CD-R optical disc appended to this record.

The inspection took place in mixed artificial and natural light.

#### *Appendix:*

1. “Verbatim” CD-R optical disc

Inspection conducted, record compiled by:

**Senior special investigator, section 1  
Department 5, pre-trial investigations directorate 1,  
Main Directorate for Investigations,  
Security Service of Ukraine  
Lieutenant-Colonel of Justice**

[signature]

**D. Zyuzia**



# Annex 166

Record of Inspection of Materials Obtained As a Result of a Covert Detective Activity, Carried by D.V. Zyuzia, Lt. Colonel of Justice and Senior Special Investigator, Section 1 of Department 5, Pre-Trial Investigations, Directorate 1 at the Main Directora

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

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**RECORD**  
**of inspection of materials obtained as a result of a covert detective activity**

Kyiv

February 18, 2017

Inspection started: 09:05 a.m.  
Inspection finished: 06:30 p.m.

Senior special investigator, department 5, pre-trial investigations directorate 1 at the Main Directorate for Investigations of the Security Service of Ukraine, Lt-Col of Justice D.V. Zyuzya, acting in connection with a pre-trial investigation in criminal proceedings No 2201505000000021 concerning elements of crimes provided for under Article 258 Part 3, Article 258<sup>3</sup> Part 1 and Article 438 Part 2 of the Criminal Code of Ukraine and entered into the Unified Register of Pre-trial Investigations on 1/13/2015, with the purpose of gathering evidence as well as finding and recording information about the circumstances in which the criminal offences were committed and pursuant to Articles 104, 106, 223 and 237 of the Criminal Procedures Code of Ukraine, carried out an inspection of materials obtained as a result of a covert detective activity, in Room No 104 of the Main Directorate for Investigations of the Security Service of Ukraine at 4 vul. Iryninska, Kyiv. The said materials are stored on a Verbatim DVD-R device, registered as No 4602 on 11/21/2016, which is appended to the outcome of covert detective activity record No 2/2/8-3629nt of February 15, 2017.

The inspection was conducted using personal computer PEOM No 19957. After loading the disc into the optical drive it was established that the disc has a total of 13,295 files with the total volume of 2394859215 bytes. The audio files have been listened to, with selected content of conversations included in this record.

1. Designations: **“Zakhar”** – Colonel of the Russian Armed Forces A.A. Sinelnikov, **“Yust”** – the commandant of Dokuchayevsk, Maj Yury Mykolayovych Shpakov.

Information obtained during the activity:

At 10:08:44 a.m. on 1/18/2015 (*session duration: 00:01:38*), the mobile telephone number **380509604816** used by **“Yust”** received a phone call from **“Zakhar”** using mobile telephone number **380635045391**. The callers had the following conversation:

**“Yust”**: Go ahead, Colonel, Sir.

**“Zakhar”**: Well, what’s the situation? Go ahead and report. Can you see a fucking thing over there?

**“Yust”**: They’re throwing ammonite on over there.

**“Zakhar”**: Ah.

**“Yust”**: They’re throwing on ammonite from the slag heap.

**“Zakhar”**: They’re using ammonite?

**“Yust”**: Yes, only they’re throwing it on from the slag heaps. We can't get close.

**“Zakhar”**: Understood, understood.

**“Yust”**: They’ve set up some surprises.

**“Zakhar”**: Ok, get those people under cover. They’re just fucking distracting you. Hold the (inaudible), that’s the first thing. And second, it’s inactive – a road of dust, an inactive factory.

**“Yust”**: They’re not showing themselves.

**“Zakhar”**: Huh?

**“Yust”**: They’re not showing themselves over there. They’re not shelling from there.

**“Zakhar”**: But step up the surveillance. The most important thing right now is surveillance.

[...]

At 12:32:57 p.m. on 1/19/2015 (*session duration 00:00:44*), the mobile telephone number **380635045391** used by “**Zakhar**,” received a call from “**Wife**” using mobile telephone number **79374339293**. The callers had the following conversation:

“**Zakhar**”: Hello.  
“**Wife**”: Hello.  
“**Zakhar**”: Hi. Happy holiday.  
“**Wife**”: Hi. Thanks. You too.  
“**Zakhar**”: How are things?  
“**Wife**”: All right. So far, so good.  
“**Zakhar**”: Well, you’re doing great.  
“**Wife**”: I’m in the city. I arrived with Kolya this morning.  
“**Zakhar**”: Yes, I know. Kolya called me.  
“**Wife**”: Uh-huh.  
“**Zakhar**”: Well, Ok. So, is everything all right?  
“**Wife**”: Yes, everything is fine  
“**Zakhar**”: Ok then. I’ll call you in the evening.  
“**Wife**”: Uh-huh. Ok.  
“**Zakhar**”: Bye.

8. Designations: “**Zakhar**” – Colonel of the Russian Armed Forces A.A. Sinelnikov, “**Valera**” – an unidentified person named Valera.

Information obtained during the activity:

At 8:50:31 p.m. on 1/19/2015 (*session duration 00:04:39*), the telephone number **380635045391** used by “**Zakhar**” received a call from an unidentified person named Valera “**Valera**,” mobile telephone number **79055897802**. The callers had the following conversation:

“**Valera**”: Hi.  
“**Zakhar**”: Hi. Happy [Orthodox] Epiphany.  
“**Valera**”: You too. Did you manage to take a dip at least?  
“**Zakhar**”: Yes, in the wash basin. In the wash basin, you hear?  
“**Valera**”: Well, that’s ok, too.  
“**Zakhar**”: So, did you drive somewhere?  
“**Valera**”: Where? For a dip?  
“**Zakhar**”: Yes, yes.  
“**Valera**”: No, I only did it in the bath myself.  
“**Zakhar**”: Well done, anyway. After midnight all water is holy.  
“**Valera**”: Yeah, I just got back from work and took a dip. The water was warm, not cold, but still...  
“**Zakhar**”: Well done. So how is the weather?  
“**Valera**”: It’s around zero or one above. Freezing.  
“**Zakhar**”: It’s a madhouse, Valera.  
“**Valera**”: Is it all pretty serious over there?  
“**Zakhar**”: It’s all so damn unclear. People are just killing each other.  
“**Valera**”: Who’s killing whom?  
“**Zakhar**”: It isn’t clear. Some say this many, others say that many.  
“**Valera**”: Yeah.  
“**Zakhar**”: Yeah, they’re torturing each other with information. They’re trying to stir things up, engaging in incitement.  
“**Valera**”: I see.  
“**Zakhar**”: So there you have it.  
“**Valera**”: So, are you going to be stuck there a long time?  
“**Zakhar**”: I don’t think it will be long. I don’t want to stay here long. I realized that it’s just the usual fucked up situation here.  
“**Valera**”: As far as your situation is concerned.

[...]

**“Zakhar”**: Are you getting ready?

**“Wife”**: Yes, I’m making “Olivier” salad. We’re going to make French-style potatoes in the oven. I’m about to put it in.

**“Zakhar”**: Uh-huh, have you got it down already?

**“Wife”**: Yes, I’m peeling the potatoes now, and I’ll put them in at 5:00.

**“Zakhar”**: And for the leg? Did they bring it yet?

**“Wife”**: No, not yet.

**“Zakhar”**: Call Slava. Let Slava call. Tell that Belov guy.

**“Wife”**: Ruslan called me himself when I was in Yekaterinburg.

**“Zakhar”**: Uh-huh.

**“Wife”**: He asked me to take a precise measurement and send it to him. So I did.

**“Zakhar”**: Ok, good. What else?

**“Wife”**: How are you doing?

**“Zakhar”**: So far, so good.

**“Wife”**: Everything’s fine. The bills came for the apartment. I went and paid the electricity, the rent, and the Internet bill.

**“Zakhar”**: All right, Dmitriyevna. Give me a call in the evening if anything comes up.

**“Wife”**: Ok, when Yulka gets here we’ll give you a call.

**“Zakhar”**: After 8:00, ok?

**“Wife”**: Uh-huh, ok.

**“Zakhar”**: Ok, I’m sending you hugs and kisses. Bye.

10. Designations: **“Zakhar”** – Colonel of the Russian Armed Forces A.A. Sinelnikov, **“Wife”** – his wife Valentina, **“Daughter”** – his daughter Yulia.

Information obtained during the activity:

At 8:21:00 p.m. on 1/20/2015, the telephone number **380635045391** used by **“Zakhar”** received a call from **“Wife”**, using mobile telephone number **79374339293**. During the conversation, **“Wife”** passed the mobile telephone to daughter **Yulia**. The callers had the following conversation:

**“Wife”**: Hello

**“Zakhar”**: Hello, girls.

**“Wife”**: Hi.

**“Zakhar”**: How are things with you, my girls?

**“Wife”**: Fine. We had dinner already. Everything is fine.

**“Zakhar”**: Without the boys?

**“Wife”**: Yes, without them, for Yule.

**“Daughter”**: Hello. Hi, Papa.

**“Zakhar”**: Hi, honey. How are you?

**“Daughter”**: How are things?

**“Zakhar”**: So far, so good, daughter.

**“Daughter”**: What are you up to?

**“Zakhar”**: Nothing, really. Watching TV.

**“Daughter”**: Watching TV?

**“Zakhar”**: Uh-huh. Over the Internet.

**“Daughter”**: Ah. Have you blown all the money on your iPhone over there?

**“Zakhar”**: Not really. What am I supposed to do?

**“Daughter”**: I just think you’re going to blow it all.

**“Zakhar”**: How are things on the personal front?

**“Daughter”**: Fine.

**“Zakhar”**: Is it love, my daughter? Is it love or what?

**“Daughter”**: What love? Give me a break.

**“Zakhar”**: You seem to see each other pretty often. It’s probably love.

**“Daughter”**: Love? What are you talking about?



# Annex 167

Expert Conclusion No. 77, drafted by M. Ustymenko and A. Pavlenko, Ukrainian Scientific Research Institute for Special Equipment and Forensic Expert Examinations, Security Service of Ukraine (3 March 2017)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

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**Expert conclusion No. 77 of March 3, 2017 based on materials of the criminal case No. 120170514000000074, in particular the documents related to the explosion at 86 Kolosova Str., Avdiivka and objects that resemble parts of a Grad projectile collected at the said site.**

CONCLUSIONS:

1. Based on the results of site inspection and collected objects it is established that the reason for explosion was detonation of a unmanaged high-explosive fragmentation projectile M-21 OF.

2. Based on the results of site inspection and inspection of the collected objects it is possible to identify a particular kind and type of ammunition, which is a 122 mm unmanaged high-explosive fragmentation projectile M-21 OF (product 9M22U). This projectile was shoot from a multiple rocket launching system BM 21 "Grad".

3. The objects that were collected during site inspection and provided for expert examination have the following markings: "10 -", "K 50 B C H", "K 78 B C H 7", "469", "T 1 G GR". It does not appear possible to answer the question about the meaning of these markings due the reasons described in the research part [of this expert conclusion].

4. Objects No.No. 1 - 5, and 8 are parts of a body of a 122 mm unmanaged high-explosive fragmentation projectile M-21 OF (product 9M22U); object No. 6 is part of a standard package of a stabilization unit of an unmanaged high-explosive fragmentation projectile M-21 OF (product 9M22U), the purpose of which is to stabilize projectile flight; object No. 7 is a nozzle cover of a stabilization unit of an unmanaged high-explosive fragmentation projectile M-21 OF.

5. The capacity of one unit of ammunition (unmanaged high-explosive fragmentation projectile M-21 OF) is 9.344 kg in the TNT [trinitrotoluol] equivalent.

6-7. Based on the information from the record of inspection of February 21, 2017, in which a specialist participated, copies of the chart of site inspection at 86 Kolosova Str., Avdiivka (addendum to the record of inspection of February 21, 2017) it is established that:

- the directional (horizontal) angle of a trajectory of fall of the projectile (unmanaged high-explosive fragmentation projectile M-21 OF) is 140-145°;

- it is impossible to identify the angle of impact of the projectile (unmanaged high-explosive fragmentation projectile M-21 OF), because of significant deformation of the site of projectile impact due to the fact that a considerable period of time has passed after the shelling (the shelling took place on January 27, 2017, and the site inspection took place on February 21, 2017);

- the shelling was likely conducted from the territory of the Budyonivskyi District of the city of Donetsk, Donetsk Region from the distance of no less than 10,000 meters.

Experts: M. Ustymenko  
A. Pavlenko  
[Seal and signatures]



# Annex 168

Expert Conclusion No. 78, drafted by M. Ustymenko and A. Pavlenko, Ukrainian Scientific Research Institute for Special Equipment and Forensic Expert Examinations, Security Service of Ukraine (3 March 2017)

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**Expert conclusion No. 78 of March 3, 2017 based on materials of the criminal case No. 120170514000000074, in particular the documents related to the explosion at 85 Zavodska Str., Avdiivka.**

CONCLUSIONS:

1. Based on the results of site inspection it is established that the likely reason of explosion was detonation of a piece of ammunition - an unmanaged high-explosive fragmentation projectile M-21 OF (product 9M22U). This projectile was shoot from a multiple rocket launching system BM 21 "Grad".

2. Based on the results of the site inspection it was established that the shelling was likely conducted from the territory of the airport of the city of Donetsk, Donetsk Region from the distance of no less than 10,000 meters.

3. Based on the results of the site inspection it is established that the directional (horizontal) angle of a trajectory of fall of the projectile (unmanaged high-explosive fragmentation projectile M-21 OF) is 140-145°; it is impossible to identify the angle of impact of the projectile, because of significant deformation of the site of projectile impact due to the fact that a considerable period of time has passed after the shelling (the shelling took place on January 27, 2017, and the site inspection took place on February 21, 2017).

Experts: M. Ustymenko  
A. Pavlenko  
[Seal and signatures]



# Annex 169

Expert Conclusion No. 79, drafted by M. Ustymenko and A. Pavlenko, Ukrainian Scientific Research Institute for Special Equipment and Forensic Expert Examinations, Security Service of Ukraine (3 March 2017)

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**Expert conclusion No. 79 of March 3, 2017 based on materials of the criminal case No. 120170514000000074, in particular the documents related to the explosion at 83 Zavodska Str., Avdiivka.**

CONCLUSIONS:

1. Based on the results of site inspection it is established that the likely reason of explosion was detonation of a piece of ammunition - an unmanaged high-explosive fragmentation projectile M-21 OF (product 9M22U). This projectile was shoot from a multiple rocket launching system BM 21 "Grad".

2. Based on the results of the site inspection it was established that the shelling was likely conducted from the territory of the Budyonivskyi District of the city of Donetsk, Donetsk Region from the distance of no less than 10,000 meters.

3. Based on the results of the site inspection it is established that the directional (horizontal) angle of a trajectory of fall of the projectile (unmanaged high-explosive fragmentation projectile M-21 OF) is 140-145°; it is impossible to identify the angle of impact of the projectile, because of significant deformation of the site of projectile impact due to the fact that a considerable period of time has passed after the shelling (the shelling took place on January 27, 2017, and the site inspection took place on February 21, 2017).

Experts: M. Ustymenko  
A. Pavlenko  
[Seal and signatures]



# Annex 170

Expert Conclusion No. 80, drafted by M. Ustymenko and A. Pavlenko, Ukrainian Scientific Research Institute for Special Equipment and Forensic Expert Examinations, Security Service of Ukraine (3 March 2017)

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**Expert conclusion No. 80 of March 3, 2017 based on materials of the criminal case No. 120170514000000074, in particular the documents related to the explosion at 96 Zavodska Str., Avdiivka.**

CONCLUSIONS:

1. Based on the results of site inspection it is established that the likely reason of explosion was detonation of a piece of ammunition - an unmanaged high-explosive fragmentation projectile M-21 OF (product 9M22U). This projectile was shoot from a multiple rocket launching system BM 21 "Grad".

2. Based on the results of the site inspection it was established that the shelling was likely conducted from the territory of the Budyonivskyi District of the city of Donetsk, Donetsk Region from the distance of no less than 10,000 meters.

3. Based on the results of the site inspection it is established that the directional (horizontal) angle of a trajectory of fall of the projectile (unmanaged high-explosive fragmentation projectile M-21 OF) is 140-145°; it is impossible to identify the angle of impact of the projectile, because of significant deformation of the site of projectile impact due to the fact that a considerable period of time has passed after the shelling (the shelling took place on January 27, 2017, and the site inspection took place on February 21, 2017).

Experts: M. Ustymenko  
A. Pavlenko  
[Seal and signatures]



# Annex 171

Expert Conclusion No. 81, drafted by M. Ustymenko and A. Pavlenko, Ukrainian Scientific Research Institute for Special Equipment and Forensic Expert Examinations, Security Service of Ukraine (3 March 2017)

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**Expert conclusion No. 81 of March 3, 2017 based on materials of the criminal case No. 120170514000000074, in particular the documents related to the explosion at 8 Mendeleev Str., Avdiivka.**

CONCLUSIONS:

1. Based on the results of site inspection it is established that the likely reason of explosion was detonation of a piece of ammunition - an unmanaged high-explosive fragmentation projectile M-21 OF (product 9M22U). This projectile was shoot from a multiple rocket launching system BM 21 "Grad".

2. Based on the results of the site inspection it was established that the shelling was likely conducted from the territory of the Kyivskyi or Voroshylovskyi Districts of the city of Donetsk, Donetsk Region from the distance of no less than 10,000 meters.

3. Based on the results of the site inspection it is established that the directional (horizontal) angle of a trajectory of fall of the projectile (unmanaged high-explosive fragmentation projectile M-21 OF) is 140-145°; it is impossible to identify the angle of impact of the projectile, because of significant deformation of the site of projectile impact due to the fact that a considerable period of time has passed after the shelling (the shelling took place on January 27, 2017, and the site inspection took place on February 21, 2017).

Experts: M. Ustymenko  
A. Pavlenko  
[Seal and signatures]



# Annex 172

Record of examination of a CD performed by S.O. Husarov, Senior Lieutenant of Justice and Senior Investigator of the 1st Office of the 5th Department at the 1st Pretrial Investigation Directorate of the Central Investigative Directorate of the SSU  
(4 May)

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## RECORD OF EXAMINATION

City of Kyiv

May 04, 2017

Examination began at 2 PM  
Examination ended at 4:16 PM

Senior Lieutenant of Justice Serhiy Oleksandrovykh Husarov, Senior Investigating Officer of Unit 1, 5<sup>th</sup> Department of Pretrial Investigations of the Main Investigation Directorate of the Security Service of Ukraine, in criminal proceeding No. 2201505000000021, in Office No. 104 of the Main Investigation Directorate of the Security Service of Ukraine located at number 4 Irynynska Street, City of Kyiv, acting in compliance with Articles 104, 105, 106, 223, and 237 of the Criminal Procedure Code of Ukraine, has examined a black CD-R compact disk marked by hand “MTS Ukrayina,” No. 757/40989/16-K and GD/KI-P/16/11394 of September 15, 2016, collected as a result of temporary access to objects and documents at MTS Ukrayina Private Joint Stock Company.

### The examination has shown the following:

A black CD-R compact disk marked by hand “MTS Ukrayina,” No. 757/40989/16-K and GD/KI-P/16/11394 of September 15, 2016. An examination of said compact disk has shown that it contains an Excel file named 25803.xlsx.

The file named 25803.xlsx contains information on communications of subscriber Yuriy Mykolayovych Shpakov [at number] 380509604816, provision of telecommunications services at telephone numbers over the period from January 01, 2015 to March 01, 2015, on 254 spreadsheets (out of 10692 spreadsheets), including information on services received, their duration, transmission routes, IMEI of mobile terminals, and transceiver locations.

Number 380509604816

Date and time	Duration	Tel. A	IMEI	Location	Tel. B
Jan. 13, 2015 10:31 AM	32	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION (AVANGARD STADIUM)	380635045 391
Jan. 13, 2015 11:08 AM	108	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION (AVANGARD STADIUM)	380508746 689
Jan. 13, 2015 11:42 AM	9	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION (AVANGARD STADIUM)	380508440 132
Jan. 13, 2015 11:47 AM	28	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION (AVANGARD STADIUM)	380662362 864
Jan. 13, 2015 11:48 AM	38	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION (AVANGARD STADIUM)	380951726 404
Jan. 13, 2015 11:53 AM	9	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION (AVANGARD STADIUM)	380637490 719
Jan. 13, 2015	11	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK	380662033

[signature]

Continued: Record of Examination of May 04, 2017

11:55				REGION (AVANGARD STADIUM)	211
13.01.2015 11:55 AM	24	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION (AVANGARD STADIUM)	380505411 083
13.01.2015 11:58 AM	65	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION, OKTYABRSKAYA ST. (CORPORATE SWITCHBOARD, DOKUCHAYEVSK FLUX DOLOMITE WORKS)	380990478 333
13.01.2015 12:00 PM	26	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION, 96 LENINA ST. (BOILER ROOM SMOKESTACK)	380637490 719
13.01.2015 12:13 PM	23	380509604816	35201806783917	YASNOYE VILLAGE, CITY OF DOKUCHAYEVSK, DONETSK REGION (DONBASS-AGRO LLC PRODUCTION FACILITY)	380956497 364
13.01.2015 12:16 PM	54	380509604816	35201806783917	YASNOYE VILLAGE, CITY OF DOKUCHAYEVSK, DONETSK REGION (DONBASS-AGRO LLC PRODUCTION FACILITY)	380661271 550
13.01.2015 12:19 PM	13	380509604816	35201806783917	BERYOZOVYOYE VILLAGE, MARYINSKYI DISTRICT, DONETSK REGION (TRACTOR CREW)	380637490 719
13.01.2015 12:23 PM	42	380509604816	35201806783917	YASNOYE VILLAGE, CITY OF DOKUCHAYEVSK, DONETSK REGION, (DONBASS-AGRO LLC PRODUCTION FACILITY)	380637490 719
13.01.2015 12:24 PM	436	380509604816	35201806783917	YASNOYE VILLAGE, CITY OF DOKUCHAYEVSK, DONETSK REGION, (DONBASS-AGRO LLC PRODUCTION FACILITY)	380508746 689
13.01.2015 12:32 PM	5	380509604816	35201806783917	YASNOYE VILLAGE, CITY OF DOKUCHAYEVSK, DONETSK REGION, (DONBASS-AGRO LLC PRODUCTION FACILITY)	380956497 364
13.01.2015 12:46 PM	35	380509604816	35201806783917	CITY OF DOKUCHAYEVSK, DONETSK REGION, 96 LENINA ST. (BOILER ROOM SMOKESTACK)	380637490 719
13.01.2015 1:54 PM	32	380509604816	35201806783917	OLENOVKA URBAN-TYPE SETTLEMENT, VOLNOVAKHSKYI DISTRICT, DONETSK REGION, 147 POCHTOVAYA STREET (BREAD PRODUCTS FACILITY)	380637490 719
13.01.2015 1:55 PM	232	380509604816	35201806783917	LUGANSKOYE VILLAGE, MARYINSKYI DISTRICT, DONETSK REGION, 1 LAZO STREET (LUGANSKOYE LLC)	380508746 689
13.01.2015	266	380509604816	35201806783917	CITY OF DONETSK, DONETSK REGION, 25 ELEKTROVOZNAYA STREET (SMOKESTACK)	380508746

Senior Investigating Officer [signature] S. Husarov

*Continued: Record of Examination of May 04, 2017*

01.03.2015 11:11 PM	0	380509604816	35201806783917	CITY OF DONETSK, DONETSK REGION, 10 ZHOVTNYA STREET (COMMUNITY CENTER)	380953144 919
01.03.2015 11:32 PM	1658	380509604816	35201806783917	CITY OF DONETSK, DONETSK REGION, 86 KVITNEVA STREET (COKE AND CHEMICAL EQUIPMENT PLANT OPEN JOINT STOCK COMPANY)	MTS.INTE RNET

Examination performed and record executed by:

[signature]

**Senior Lieutenant of Justice  
Senior Investigating Officer of Unit 1  
5<sup>th</sup> Department of Pretrial Investigations  
Main Investigation Directorate  
Security Service of Ukraine**

**S. Husarov**





# Annex 173

Expert Opinion No. 19/11-1/11-8-3/9-14/1/3-CE17, State Scientific Research Forensic Expert Center of the Ministry of Internal Affairs of Ukraine (17 May 2017)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

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**MINISTRY OF INTERNAL AFFAIRS OF UKRAINE  
STATE SCIENTIFIC RESEARCH CENTER  
OF FORENSIC EXPERTS**

10 Bohomoltsya Street, Kyiv, 01024  
Tel. (044) 405-74-69  
dndekc@mvs.gov.ua

**EXPERT OPINION**

May 17, 2017

City of Kyiv

No. 19/11-1/11-8-3/9  
-14-1/3-SE/17

On January 24, 2017, the Explosives Analysis Unit of the Explosives Laboratory; the Physical and Chemical Analysis Unit of the Material, Substance, and Product Analysis Laboratory; and the Trace Evidence and Fingerprint Examination Sector of the Trace Evidence and Fingerprint Examination and Analysis Unit of the Forensic Analysis Laboratory of the State Scientific Research Center of Forensic Experts [SSRC-FE] of the Ministry of Internal Affairs of Ukraine received an order dated January 24, 2017, for performing an explosives and fingerprint analysis, issued by Major of Justice O. V. Stukovenko, Senior Investigator, in a criminal proceeding registered on December 18, 2016, with the Unified Registry of Pretrial Investigations under No. 2201600000000466, accompanied by cover letter No. 6/399 of January 24, 2017, from Unit 3 of the First Pretrial Investigation Department of the Main Investigation Directorate of the Security Service of Ukraine.

A comprehensive explosives and fingerprint analysis was assigned to [the following individuals]: Vasyl Petrovych Moroz, Director, Explosives Analysis Unit of the Explosives Laboratory of the SSRC-FE for the Ministry of Internal Affairs of Ukraine, who has degrees in both engineering and law, is a licensed forensic expert authorized to perform explosives analyses per Expert Specialty 5.2 "Analysis of Explosive Devices and Explosion Residue and Circumstances" (Certificate No. 14759 issued on September 07, 2016, by the Expert Qualification Commission of the Ministry of Internal Affairs of Ukraine), and has served as an expert from 2005 to 2011 and since 2016; Oleksandr Vyacheslovovych Morodetskyi, Principal Forensic Expert for the Physical and Chemical Analysis Unit of the Material, Substance, and Product Research Laboratory of the SSRC-FE for the Ministry of Internal Affairs of Ukraine, who has a degree in chemistry, is a licensed forensic expert authorized to perform explosives analyses per Expert Specialty 5.1 "Analysis of Explosive Substances and Explosion and Shot Products" (Certificate No. 13800 issued on May 13, 2015, by the Expert Qualification Commission of the Ministry of Internal Affairs of Ukraine), and has served as an expert since 2010; Vitaliy Yevhenovych Nepomnyashchyi, Forensic Expert for the Physical and Chemical Analysis Unit of the Material, Substance, and Product Research Laboratory of the SSRC-FE for the Ministry of Internal Affairs of Ukraine, who has a degree in physics, is a licensed forensic expert authorized to perform material, substance, and product analyses per Expert Specialty 8.9 "Analysis of Metals and Alloys" (Certificate No. 14327 issued on February 22, 2016, by the Expert Qualification Commission of the Ministry of Internal Affairs of Ukraine), and has served as an expert since 1994; . . . [text cut off], Deputy Head of the Trace Evidence and Fingerprint Examination and Analysis Unit, Head of the Trace Evidence and Fingerprint Examination Sector, [...]

[seal:]

"FOR EXPERT OPINIONS  
Explosives Analysis Unit, Explosives Laboratory  
SSRC-FE for the Ministry of Internal Affairs of Ukraine"

**Forensic Experts:** [signature] **V. P. Moroz**  
[signature] **V. Ye. Nepomnyashchyi**

[signature] **O. V. Morodetskyi**  
[signature] **A. V. Shchhavelev**

[...] of Ukraine No. 0177716, marked “5.1 Expert Opinion No. 19/11-1/11–8-3/9–14-1/3–SE/17 dated May 17, 2007 [sic], criminal proceeding No. 2201600000000466 Forensic Expert /signature/ O. V. Morodetskyi” (Images Nos. 150–153 of the Illustrative Table) and shall be returned to the initiator of the forensic analysis together with the Expert Opinion.

The following is enclosed with the Expert Opinion:

1. Illustrative Table on 75 sheets.
2. Special Packets Nos. 2158563, 0315141, and 0177716 of the Expert Service of the Ministry of Internal Affairs of Ukraine.
3. Two (2) Hazard Category Confirmation Letters, each on 1 sheet.

### OPINION REPORTS:

#### Forensic Analysis of Explosive Devices and Explosion Residue and Circumstances:

1) The adhesive tape roll, the plastic container, the PVV-5A plastic-based explosive substance, the neodymium magnet and the YeD-K3-5PM electric detonator with a portion of a male connector electric contact connected to one of the wires, which have been provided to the experts for analysis, could all constitute components of an improvised explosive device.

2) Each individual object provided for analysis (the 0.5 L plastic food storage container; the PVV-5A plastic-based explosive substance; the uncased cylindrical neodymium magnet; the YeD-K3-5PM protective, short time-delay electric detonator; and a portion of a male connector electric contact) has been manufactured industrially. Some of them have been modified by hand (see the analytical section). However, if used as components of an explosive device, the latter should be classified as an improvised explosive device.

3) The objects provided to the experts include an industrially manufactured plastic-based explosive substance, PVV-5A, which is classified as a normal-strength blasting explosive. As received by the experts, the substance weighed 281 g. However, based on the materials provided to the experts, it should be noted that before samples were taken for analysis the PVV-5A plastic-based explosive substance weighed 282 g.

4) A brown cylindrical object with wires, featuring a cylindrical metal object connected to the end of one of the wires, is a YeD-K3-5PM protective, short time-delay electric detonator (containing the explosive substance hexogen [3, 12]) with a portion of a male connector electric contact connected manually to one of the wires (also known as a portion of a cylindrical contact pair).

5) If an explosive device were to be built using the objects provided for analysis, such device would consist of the following:

- a case for housing the device components, i.e., the 0.5 L plastic food storage container;

[seal:] “FOR EXPERT OPINIONS  
Explosives Analysis Unit, Explosives Laboratory  
SSRC–FE for the Ministry of Internal Affairs of Ukraine”

**Forensic Experts:** [signature] V. P. Moroz  
[signature] V. Ye. Nepomnyashchy

[signature] O. V. Morodetskyi  
[signature] A. V. Shchhavelev

- an explosive charge, i.e., the industrially manufactured plastic-based explosive substance, PVV-5A;
- a blasting fuze, i.e., the YeD-K3-5PM electric detonator with a portion of the contact assembly;
- a device to be used for securing to surfaces attracted by a magnetic field, i.e., the uncased cylindrical neodymium magnet;
- a reliable means of holding the body together and securing the magnet to it, i.e., a brown polymer-based single-coated adhesive tape (Scotch tape).

The above improvised explosive device is based on the following operating principle: when a flow of direct current of at least 1 A is used to energize the electric detonator wires, the electric detonator is fuzed, which, in turn, causes a blast of the explosive charge. The method used to set off such a potential improvised explosive device will be electrical. In other words, in order to make sure that the device does set off (explode), a source of electric current will be required so that a flow of direct current of at least 1 A is used to energize the electric detonator wires.

6) The individual who has fabricated the explosive device (or prepared the structural elements required to put together the explosive device) had certain skills; however, such skills can hardly be described as systematic professional or special skills of a demolition expert.

7) If an explosive device were to be built using the objects provided for analysis (the 0.5 L plastic food storage container; the PVV-5A plastic-based explosive substance; the uncased cylindrical neodymium magnet; the YeD-K3-5PM protective, short time-delay electric detonator; and a portion of a male connector electric contact), such device would be sufficient to ensure an explosion subject to availability of an electric current source to energize the electrical wires of the YeD-K3-5PM electric detonator with an electric current of at least 1 A.

8) Based on the results of the experimental explosions performed, it can be asserted that if a device like that were to be attached to the exterior surface of the bottom of a motor vehicle, the vehicle would sustain serious damage that would make its further operation impossible. Human injury or death can be caused by a high-explosive blast at a distance of up to 1 m, with a lethal injury potentially inflicted on a human being at a distance of up to 0.62 m. The impact of shock wave hazards on human health, with an explosive charge like that blasted in an open terrain in the absence of any fragmentation effect, will carry on at a distance of up to 10.2 m from the explosion site. Even though the explosive device itself has no fragmentation effect, if exploded under the bottom of a motor vehicle (installation of an explosive device at a place like that is brought about by a combination of its structural elements (see the analytical section)), both the life and health of any individuals located inside the vehicle could be threatened by the so-called “secondary fragments” caused by the rupture of structural elements at the bottom of the vehicle and by the effect of the shock wave.

9) Nokia 105 mobile phone (Object No. 7) with a battery (Object No. 8) and a suitable SIM card provided by the mobile communications operator

[seal:] “FOR EXPERT OPINIONS  
Explosives Analysis Unit, Explosives Laboratory  
SSRC–FE for the Ministry of Internal Affairs of Ukraine”

**Forensic Experts:** [signature] V. P. Moroz  
[signature] V. Ye. Nepomnyashchy

[signature] O. V. Morodetskyi  
[signature] A. V. Shchhavelev

may be used as a component part of improvised explosive devices. Clarification of matters related to the suitability of SIM card No. 2300387603136 provided with the telephone falls outside the scope of the expert's competence.

#### **Forensic Analysis of Explosive Substances and Explosion and Shot Products:**

1) The fragments of fingernail plates identified in the order for performing an analysis as "Fingernail Clippings from S. V. Zhyrenko's Right and Left Hands" and provided for analysis show traces of a hexogen-based plastic explosive substance containing polyisobutylene and distillate petroleum oil. This component composition is characteristic of PVV-5A plastic-based explosive substance.

The fragments of fingernail plates identified in the order for performing an analysis as "Fingernail Clippings from D. D. Yakob's Right and Left Hands" and provided for analysis show no traces of explosive substances.

The gauze swab identified in the order for performing an analysis as "Wipe Samples from Citizen S. V. Zhyrenko's Hands" and provided for analysis show traces of a hexogen-based explosive substance and traces of distillate oil.

The gauze swab identified in the order for performing an analysis as "Wipe Samples from Citizen D. D. Yakob's Hands" and provided for analysis show traces of a hexogen-based explosive substance and traces of distillate oil.

The black mittens provided for analysis show traces of a hexogen-based explosive substance and traces of distillate petroleum oil and a residual petroleum product.

2) The substance whose traces have been identified in the order for performing an analysis as "Fingernail Clippings from S. V. Zhyrenko's Right and Left Hands" and provided for analysis is of the same generic type as the substance identified in the order for performing an analysis as "Grayish Yellow Plastic-based Substance in a Plastic Container Collected in the Process of Examination on January 20, 2017" and provided for analysis.

Identification of the common generic type of the light-yellow substance provided for analysis and the substance whose traces have been identified in the order for performing an analysis as "Wipe Samples from Citizen S. V. Zhyrenko's Hands and Wipe Samples from Citizen D. D. Yakob's Hands" has been impossible due to the inadequate amount of the substance identified in the traces left on the aforesaid gauze swabs.

#### **Forensic Analysis of Fingerprints:**

1) The interior surfaces of the container collected on January 20, 2017, in the process of examination of the scene outside number 16-A Ivana Kudri Street in the City of Kyiv show no papillary patterns and unidentifiable hand prints have been discovered on the interior surface of the container cover under analysis.

2) No answer to the question, "Were the hand prints left on the plastic container containing a grayish yellow substance left by Svyatoslav Valeriyovych Zhyrenko, born on March 1, 1980,

[seal:] "FOR EXPERT OPINIONS  
Explosives Analysis Unit, Explosives Laboratory  
SSRC-FE for the Ministry of Internal Affairs of Ukraine"

**Forensic Experts:** [signature] V. P. Moroz  
[signature] V. Ye. Nepomnyashchy

[signature] O. V. Morodetskyi  
[signature] A. V. Shchhavelev

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Dmytro Dmytrovych Yakob, born on November 1, 1978, or any other persons?” can be given due to the fact that no papillary hand patterns were found on the interior surfaces of the container, while hand prints of an unidentifiable person were found on the interior surface of the container under analysis.

[seal:] “FOR EXPERT OPINIONS  
Explosives Analysis Unit, Explosives Laboratory  
SSRC-FE for the Ministry of Internal Affairs of Ukraine”

**Forensic Experts:**

[signature] **V. P. Moroz**  
[signature] **O. V. Morodetskyi**  
[signature] **V. Ye. Nepomnyashchy**  
[signature] **A. V. Shchhavelev**

[seal:] “FOR EXPERT OPINIONS  
Explosives Analysis Unit, Explosives Laboratory  
SSRC-FE for the Ministry of Internal Affairs of Ukraine”

**Forensic Experts:** [signature] **V. P. Moroz** [signature] **O. V. Morodetskyi**  
[signature] **V. Ye. Nepomnyashchy** [signature] **A. V. Shchhavelev**





# Annex 174

Expert Opinion No. 76/4, Ukrainian Research Institute for Special-Purpose  
Equipment and Forensic Examinations of the Security Service of Ukraine (31 July  
2017)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





SECURITY SERVICE OF UKRAINE  
Ukrainian Scientific Research Institute of  
Special Technologies and Forensic Experts  
**EXPERT OPINION**

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July 31, 2017

City of Kyiv

No. 76/4

Copy No. 1

The following experts of the 4<sup>th</sup> Center (Center of Forensic and Special Experts) of the Ukrainian Scientific Research Institute of Special Technologies and Forensic Experts of the Security Service of Ukraine:

- Nataliya Anatoliyivna Kovalchuk, with a degree in languages and literature and qualified as forensic expert for examination of phonoscopic documents, who has served as an expert since 2013, licensed to perform phonoscopic examinations per Specialty 7.3 “Linguistic Analysis of Oral Speech,” certificate No. 539 of April 23, 2014 (valid until April 23, 2019);
- Vitaliy Mykolayovych Mahera, with a degree in engineering and qualified as forensic expert for examination of phonoscopic documents, who has served as an expert since 1989, licensed to perform phonoscopic examinations, certificates No. 322 of April 16, 2008 per Specialty 7.2 “Speaker Analysis Based on Physical Parameters of Oral Speech, Acoustic Signals, and the Environment” (valid until March 13, 2018), and No. 323 of April 16, 2008 per Specialty 7.1 “Technical Analysis of Video and Audio Recording Materials and Tools” (valid until March 13, 2018);

acting on the basis of order dated May 25, 2017 to perform examination of video and audio recordings issued by Lt. Col. of Justice D. V. Zyuzya, Senior Investigating Officer in Major Cases of Unit 5 of the First Pretrial Investigation Department of the Main Investigation Directorate of the Security Service of Ukraine based on the materials of criminal proceeding No. 2201505000000021 registered on January 13, 2015 in the Unified Registry of Pretrial Investigations based on the elements of criminal offense under Article 27 (3), Article 258 (3), Article 258<sup>3</sup> (1), and Article 437 (2) of the Criminal Code of Ukraine, and on the elements of crime under Article 438 (2) of the Criminal Code of Ukraine, have performed an expert examination of audio recording materials.

I have been advised of the criminal liability for making deliberately misleading reports under Article 384 of the Criminal Code of Ukraine and for failure, without good reason, to perform my obligations under Article 385 of the Criminal Code of Ukraine:

[signature] N. A. Kovalchuk

[signature] V. M. Mahera

[illegible seal and stamp]

The following questions were posed to the experts (cited from the order):

“Does Anatoliy Oleksandrovych Sinelnikov, a citizen of the Russian Federation, born in 1964, participate in the conversations recorded in the audio recordings identified as the following files:

18\_01\_2015\_10\_08\_44\_r37pnm\_P24-267r1\_(SBD)19133664\_00.wav,

18\_01\_2015\_10\_21\_35\_r37pnm\_P24-267r1\_(SBD)19139485\_00.wav,

18\_01\_2015\_11\_18\_51\_r37pnm\_P24-267r1\_(SBD)19210\_00.wav,

28\_01\_2015\_07\_51\_38\_r37pnm\_P24-267r1\_(SBD)162740457\_00.wav,

29\_01\_2015\_13\_15\_47\_r37pnm\_P24-267r1\_(SBD)163154423\_00.wav,

30\_01\_2015\_11\_56\_08\_r37pnm\_P24-267r1\_(SBD)165420138\_00.wav

(recorded on DVD-R data media, addendum to the record of covert investigations of February 15, 2017)? If so, what words and phrases did he utter in the aforesaid audio recordings?”

The facts of the proceedings are known to the experts within the scope of information provided in the order to perform an expert examination.

Taking into account that establishing the truth in the case in hand will require special knowledge in the area of phonoscopy and pursuant to the requirements of Articles 110, 242, and 243 of the Criminal Procedure Code of Ukraine, a forensic phonoscopic expert examination was ordered to be performed by the experts of the Ukrainian Scientific Research Institute of Special Technologies and Forensic Experts of the Security Service of Ukraine.

Together with the order to perform an expert examination, the experts were provided the following materials:

Record of the results of covert investigation dated February 15, 2017, Main Investigation Directory, Security Service of Ukraine incoming No. 1328 of February 17, 2017, on 29 sheets, with an addendum — one (1) DVD-R disk;

Record of examination of January 05, 2017, on 12 sheets, with an addendum — one (1) Verbatim optical CD-R disk.

## ANALYSIS

### 1. EXTERNAL REVIEW OF THE MATERIALS SUBMITTED FOR ANALYSIS:

According to Letter No. 6/3069-R of May 26, 2017, materials in the form of two (2) optical disks were provided for analysis.

Descriptions of the materials submitted for analysis and their photos are submitted in Addendum 1 to the Expert Opinion.

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[signature]

## 5. WORD-FOR-WORD IDENTIFICATION OF THE CONTENT OF THE CONVERSATIONS

In order to answer the question posed in the order regarding which words and phrases were uttered by A. O. Sinelnikov, the content of the conversations submitted for analysis has been identified word for word. Identification of the content of the conversations was performed at an auditory level of perception by an expert using a set of techniques for lowering the level of interference and noises.

Phonograph software for phonogram analysis and processing was used to establish the content of the conversations.

Addendum 2 sets forth the word-for-word content of the conversations submitted for analysis.

Experts: [signature] N. A. Kovalchuk  
[signature] V. M. Mahera

## CONCLUSIONS

The speech of A. O. Sinelnikov is present in the conversations recorded in the files (see Table 8 below):

Table 8

DF No.	File
DF1	18_01_2015_10_08_44_r37pnm_P24-267r1_(SBD)19133664_00.wav
DF2	18_01_2015_10_21_35_r37pnm_P24-267r1_(SBD)19139485_00.wav
DF3	18_01_2015_11_18_51_r37pnm_P24-267r1_(SBD)19210_00.wav
DF4	28_01_2015_07_51_38_r37pnm_P24-267r1_(SBD)162740457_00.wav
DF5	29_01_2015_13_15_47_r37pnm_P24-267r1_(SBD)163154423_00.wav
DF6	30_01_2015_11_56_08_r37pnm_P24-267r1_(SBD)165420138_00.wav

The words and phrases uttered by A. O. Sinelnikov are set forth in Addendum 2 to the Expert Opinion under D1 Index.

Addenda: 1. Illustrative Table of materials submitted for analysis, on 2 sheets.  
2. Word-for-word content of the conversations, on 4 sheets.

Experts: [signature] N. A. Kovalchuk  
[signature] V. M. Mahera



# Annex 175

Ukrainian Military Intelligence Summary of Cross-Border Weapons Transfers  
(September 2017 to December 2017).

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





Summary data regarding confirmed deliveries of weapons, military hardware, military supplies, fuel and lubricants from Russian Federation territory to the temporarily occupied territory of the Donetsk and Luhansk Regions and border crossings by armed formations during the period from January 1 to December 31, 2017

No.	Date of documentation	Delivery direction, destination (crossing) points	Means (methods) of delivery	Quantity of armaments, military hardware, military-use materials, fuel and lubricants, and personnel	Supporting evidence
1.	01/12/17	via IZVARYNE to LUHANSK	rail	seven tank cars of fuel and lubricants (350 tonnes)	
2.	01/15–16/17	ROVENKY	rail	14 tank cars of fuel and lubricants (700 tonnes)	
3.	01/18/17	ILOVAYSK	rail	17 tank cars of fuel and lubricants (280 tonnes of gasoline and 570 tonnes of diesel fuel)	
4.	01/20/17	DEBALTSEVE	rail	three freight cars (90 tonnes) of ammunition	
5.	01/20-23/17	YASYNUVATA	rail	2000 tonnes of fuel and lubricants	
6.	01/25/17	ROVENKY	rail	seven tank cars of fuel and lubricants (around 350 tonnes)	
7.	01/27/17	ROVENKY	rail	eight tank cars of fuel and lubricants (around 400 tonnes)	
8.	01/29/17	ILOVAYSK	rail	10 tank cars of fuel and lubricants (around 500 tonnes)	
9.	01/29/17	LUHANSK	rail	20 railroad tank cars of fuel and lubricants	
10.	02/06/17	LARYNE Railway Station (southeastern outskirts of DONETSK)	rail	10 freight cars of ammunition (300 tonnes)	
11.	02/07/17	via DOVZHANSKYI in the direction of LUHANSK	motor vehicle	two 122-mm Grad multiple rocket launchers, one infantry fighting vehicle, six trucks	
12.	02/07/17	via DMYTRIVKA in the direction of STEPANIVKA	motor vehicle	six 152-mm Akatsiya self-propelled guns and 10 trucks	
13.	02/07/17	via SOROKYNE to the Kruhlyk firing range	motor vehicle	25 tanks, eight APCs, two 122-mm Gvozdyyka self-propelled guns	
14.	02/08/17	via IZVARYNE in the direction of LUHANSK	motor vehicle	eight KamAZ-63968 Typhoon-K armored trucks	
15.	02/08/17	via MAKSYMIV to NOVOAZOVSK	motor vehicle	four 122-mm Grad multiple rocket launchers	
16.	02/08/17	AMVROSIYIVKA	rail	echelon with military hardware (seven flat cars, tented hardware)	
17.	02/10/17	KHARTSYZK	rail	two flat cars with military hardware (tented)	

18.	02/10/17	ILOVAYSK	rail	10 freight cars (300 tonnes) of ammunition for 120-mm mortars and 122/152-mm artillery systems	
19.	02/10/17	DOVZHANSK via VOZNESENIVKA	motor vehicle	two refuelers and four trucks of ammunition.	
20.	02/16/17	KHARTSYZK	rail	five freight cars of ammunition: one with shells for 203-mm Pion self-propelled guns, one with 152-mm artillery systems, and one with 122-mm Grad multiple rocket launchers, as well as two freight cars with rounds for tanks.	
21.	02/21/17	DOVZHANSK	motor vehicle	seven trucks of ammunition	
22.	02/21/17	DOVZHANSK	motor vehicle	two 122-mm Gvozdyka self-propelled guns on rollers	
23.	02/21/17	ROVENKY	rail	12 tank cars of fuel and lubricants (720 tonnes)	
24.	02/23/17	ILOVAYSK	rail	19 tank cars of fuel and lubricants (1140 tonnes)	
25.	02/27/17	via LEONOVE in the direction of ROVENKY	motor vehicle	column of military hardware (up to 50 trucks with trailers)	
26.	03/03/17	via IZVARYNE in the direction of LUHANSK	motor vehicle	ten trucks with personnel and eight infantry fighting vehicles on towing vehicles	
27.	03/11/17	via IZVARYNE to LUHANSK	rail	10 tank cars with diesel fuel (600 tonnes)	
28.	03/12/17	ILOVAYSK	rail	nine tank cars of fuel and lubricants (540 tonnes)	
29.	03/13/17	via IZVARYNE to LUHANSK	rail	seven tank cars with diesel fuel (420 tonnes)	
30.	03/13/17	via GUKOVO (RF) to DOVZHANSK	motor vehicle	five 122-mm Grad multiple rocket launchers and two trucks of ammunition for them	
31.	03/12-13/17	DYAKOVE in the direction of DEBALTSEVE	motor vehicle	12 trucks of ammunition (three with 125-mm shells and 120-mm mines; six – with 82-mm mines)	
32.	03/17-18/17	via DIBRIVKA in the direction of DMYTRIVKA	motor vehicle	eight trucks of ammunition (20 tonnes)	
33.	03/21/17	ROVENKY	rail	eight tank cars of fuel and lubricants (480 tonnes)	
34.	03/23/17	ILOVAYSK	motor vehicle	two tank cars (112 tonnes) and seven refuelers (117 tonnes) of fuel and lubricants	
35.	03/24/17	ILOVAYSK	rail	eight tanks and five infantry fighting vehicles on flat cars	
36.	03/24/17	ROVENKY	rail	nine tank cars of fuel and lubricants (540 tonnes)	
37.	03/24/17	Via IZVARYNE and USPENKA	motor vehicle	63rd “humanitarian convoy” (40 motor vehicles, including 10 support vehicles; over 500 tonnes of cargo)	
38.	03/27/17	via IZVARYNE and USPENKA	motor vehicle	three trucks with artillery ammunition.	

39.	03/27/17	from DOVZHANSK in the direction of LUHANSK	motor vehicle	two trucks of ammunition and two buses with personnel (affiliation being verified)	
40.	03/31/17	ILOVAYSK	rail	20 tank cars of fuel and lubricants (1200 tonnes) and five freight cars with artillery ammunition (150 tonnes)	
41.	04/05/17	via IZVARYNE to LUHANSK	rail	12 tank cars with diesel fuel (720 tonnes)	
42.	04/08/17	via IZVARYNE to LUHANSK	rail	ten tank cars of fuel and lubricants (600 tonnes)	
43.	04/15/17	USPENKA	rail	16 armored vehicles on rollers	
44.	04/20/17	ROVENKY	rail	14 tank cars of fuel and lubricants (up to 840 tonnes)	
45.	05/06/17	ILOVAYSK	rail	nine tank cars of fuel and lubricants (up to 515 tonnes) and eight freight cars with supplies	
46.	05/07/17	DOVZHANSK	motor vehicle	two trucks with 152-mm artillery shells	
47.	05/07/17	via GUKOVO in the direction of LUHANSK	motor vehicle	ten 122-mm Grad multiple rocket launchers	
48.	05/12/17	DOVZHANSK	motor vehicle	two AT with cartridges for small firearms, anti-tank and mortar shells	
49.	05/16-17/17	ILOVAYSK	rail	54 freight cars with supplies: motors and spare parts for armored vehicles	
50.	05/22/17	DONETSK	rail	over 20 freight cars and flat cars (artillery systems, including 122-mm Grad multiple rocket launchers and ammunition for them)	
51.	05/24/17	ILOVAYSK	rail	nine railroad freight cars of ammunition	
52.	05/26-28/17	ROVENKY	rail	nine tank cars of fuel and lubricants (540 tonnes)	
53.	05/26-28/17	via DYAKOVE	rail	30 units of military hardware, including tanks, APCs, and 152-mm Giatsint-B self-propelled guns	
54.	05/30/17	ILOVAYSK	rail	nine freight cars of ammunition (270 tonnes)	
55.	05/31/17	MOSPYNE	rail	11 tank cars of fuel and lubricants (660 tonnes) and three freight cars with components for weapons and military hardware	
56.	06/07/17	ILOVAYSK	rail	10 freight cars of ammunition (300 tonnes)	
57.	06/13/17	ILOVAYSK	rail	10 freight cars of ammunition (300 tonnes)	
58.	06/13/17	IZVARINE-LUHANSK	motor vehicle	two Pantsir-S1 missile systems, bus with personnel	
59.	06/14/17	ILOVAYSK	rail	five freight cars of ammunition (150 tonnes)	

60.	06/15/17	NOVOAZOVSK, LUHANSK, ALCHEVSK, BRYANKA, KADIYIVKA	motor vehicles consisting of 66 <sup>th</sup> “humanitarian convoy”	19 Granat-1 and Granat-2-type UAVs from Navodchik-2 complexes	
61.	07/05/17	LUHANSK	motor vehicle	four trucks of fuel and lubricants and three trucks of ammunition	
62.	07/05/17	DEBALTSEVE	rail	seven freight cars, flat cars with ammunition and military hardware, two tank cars with diesel fuel (120 tonnes) and railway crane	
63.	07/05/17	KHARTSYZK	rail	four tank cars with diesel fuel (240 tonnes) and four flat cars with military hardware (two self-propelled guns and two 122-mm Grad multiple rocket launchers)	
64.	07/04/17	VOZNESENIVKA	rail	12 freight cars with military property and spare parts for weapons and military hardware	
65.	07/07/17	MAKIYIVKA	rail	six freight cars of ammunition (180 tonnes)	
66.	07/07/17	ILOVAYSK	rail	seven flat cars with military hardware: three infantry fighting vehicles-1, four launchers, probably 220-mm Uragan multiple rocket launchers	
67.	07/11/17	DEBALTSEVE	rail	two freight cars of ammunition (60 tonnes)	
68.	07/17/17	ILOVAYSK	rail	five freight cars of ammunition (150 tonnes)	
69.	07/19/17	ROVENKY	motor vehicle	three trucks of ammunition	
70.	07/19-21/17	DOVZHANSK	motor vehicle	trucks with 120-mm mortar shells	
71.	07/22/17	via VOZNESENIVKA	rail	12 tank cars of fuel and lubricants (690 tonnes)	
72.	07/27/17	DOVZHANSK	motor vehicle	two trucks with 120-mm shells	
73.	07/29/17	ROVENKY	rail	11 tank cars of fuel and lubricants (660 tonnes)	
74.	07/29/17	DOVZHANSK	motor vehicle	two 122-mm Grad multiple rocket launchers	
75.	07/30/17	ROVENKY	rail	10 tank cars of fuel and lubricants (582 tonnes)	
76.	07/31/17	ILOVAYSK	rail	8 tank cars of fuel and lubricants (480 tonnes) and 4 infantry fighting vehicles-2	
77.	08/03/17	ROVENKY	rail	21 tank cars of fuel and lubricants (1260 tonnes)	
78.	08/05/17	ROVENKY	rail	13 tank cars of fuel and lubricants (780 tonnes)	
79.	08/07/17	ILOVAYSK	rail	10 tank cars of fuel and lubricants (600 tonnes) and 10 freight cars of ammunition (300 tonnes)	
80.	08/09/17	ROVENKY	rail	10 tank cars of fuel and lubricants (600 tonnes)	
81.	08/15/17	ILOVAYSK	rail	six tank cars of fuel and lubricants (360 tonnes) and three freight cars with spare parts for armored vehicles	
82.	08/15/17	DOVZHANSK	rail	three T-72 tanks, 122-mm Grad multiple rocket launchers	

83.	08/15/17	MYKHAYLIVKA	rail	two freight cars of ammunition (60 tonnes)	
84.	08/19/17	ROVENKY	rail	19 tank cars of fuel and lubricants (1140 tonnes)	
85.	08/20-21/17	LUHANSK	rail	13 tank cars of fuel and lubricants (780 tonnes)	
86.	08/21/17	ROVENKY	rail	13 tank cars of fuel and lubricants (780 tonnes)	
87.	08/23/17	ROVENKY	rail	9 tank cars of fuel and lubricants (540 tonnes)	
88.	08/22-24/17	from DOVZHANSK in the direction of – LUHANSK and DONETSK	rail	3 tank cars of fuel and lubricants (180 tonnes), five T-72 tanks	
89.	08/27/17	ROVENKY	rail	8 tank cars of fuel and lubricants (480 tonnes)	
90.	09/03/17	DONETSK	rail	24 tank motors and spare parts	
91.	09/2-3/17	DONETSK	rail	around 20 motors and other components for the repair of tanks and other heavy hardware	
92.	09/07/17	ROVENKY	rail	11 tank cars of fuel and lubricants (660 tonnes)	
93.	09/10/17	ROVENKY	rail	eight tank cars of fuel and lubricants (480 tonnes)	
94.	09/14-15/17	ROVENKY	rail	five tank cars of fuel and lubricants (300 tonnes)	
95.	09/14-15/17	DOVZHANSK	motor vehicle	four Ural trucks with personnel (up to 100 persons)	
96.	09/15, 17, 19/17	ROVENKY	rail	27 tank cars of fuel and lubricants (1620 tonnes)	
97.	09/22/17	via USPENKA in the direction of AMVROSIYIVKA	motor vehicle	five tanks, three infantry fighting vehicles, six Kamaz trucks	
98.	09/24/17	via IZVARYNE in the direction of LUHANSK	motor vehicle	three T-72 tanks, three trucks of ammunition for them	
99.	09/29/17	ROVENKY	rail	four tank cars of fuel and lubricants (240 tonnes), five trucks on flat cars	
100.	10/02/17	DONETSK	motor vehicle	twenty 12.7-mm sniper rifles and ammunition for them	
101.	10/02/17	SUKHODILSK	rail	10 freight cars of ammunition (300 tonnes)	
102.	10/09-10/17	ILOVAYSK	rail	three freight cars of ammunition (90 tonnes)	
103.	10/12/17	KHARTSYZK	rail	six freight cars of ammunition (180 tonnes) and five tank cars of fuel and lubricants (300 tonnes)	
104.	10/14/17	via Chervona Mohyla Railway Station (VOZNESENIVKA)	rail	12 tank cars of fuel and lubricants (715 tonnes)	
105.	10/21/17	via IZVARYNE to VEDMEZHE	rail	two 122-mm Grad multiple rocket launchers	
106.	10/23/17	ILOVAYSK	rail	echelon with military hardware (four Ural trucks) and freight cars with winter uniforms and food products	

107.	11/13/17	LUHANSK	motor vehicle	three R-142NMR combined radio sets, two 1V172-2 unified command and observation vehicles	
108.	12/17/17	DONETSK (Mushketove Station)	rail	six freight cars with supplies	
109.	12/23-24/17	DOVZHANSK	motor vehicle	14 Kamaz trucks (12 with personnel and two with 122/152-mm shells)	
110.	12/23-24/17	DOVZHANSK	motor vehicle	four 122-mm Grad multiple rocket launchers	
111.	12/23-24/17	DOVZHANSK	rail	echelon including flat cars with five 122-mm Grad multiple rocket launchers and two infantry fighting vehicles-2	
112.	12/25/17	via AMVROSIYIVKA	rail	echelon with weapons and military hardware (42 flat cars), including ten 122-mm Grad multiple rocket launchers	

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***Department of Information and Analytical Support at the Main Intelligence Directorate of the Ministry of Defense of Ukraine***

# Annex 176

Expert Opinion No. 120-B/1818-X, Ministry of Internal Affairs of Ukraine Odesa  
Expert Criminal Forensic Research Center (24 November 2017)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

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an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





**MINISTRY OF INTERNAL AFFAIRS OF UKRAINE**  
**ODESA EXPERT CRIMINAL**  
**FORENSIC RESEARCH CENTER**

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**EXPERT CONCLUSION**

11. 24.2017

Odesa

No 120-B/1818-X

The Odesa Expert Criminal Forensic Research Center of the Ministry of Internal Affairs of Ukraine received on 09.13.2017 a resolution dated 07.27.2017 issued by senior forensic investigator Senior Lieutenant of Justice M.I. Kasadzhik of the investigations department at the Odesa Regional directorate of the Security Service of Ukraine, as part of criminal proceedings entered in the Unified Register of Pre-trial Investigations on 07.24.2017 as No 12017160500004222, and accompanied by letter No 68/16/4633 of 07.27.2017 from the investigations department of the Odesa Regional Directorate of the Security Service of Ukraine, requesting a comprehensive forensic explosives analysis and an analysis of explosive substances.

The task of forensic analysis was assigned to the chief forensic explosives expert of the explosives and fire forensics sector at the Odesa Expert Criminal Forensic Research Center of the Ministry of Internal Affairs of Ukraine, Sergiy Viktorovich Pogorily, who has a higher education degree in engineering and is a qualified forensic expert certified to conduct forensic analysis according to expert specialism “No 5.2. Investigation of explosive devices, traces and circumstances of an explosion” (forensic expert qualification certificate No 14425 issued by the Expert Qualifications Commission of the Ministry of Internal Affairs of Ukraine on 04.07.2016) and employed as an expert since 1998; and the deputy head – head of the physics and chemistry research sector, department of materials, substances and devices research at the Odesa Expert Criminal Forensic Research Center of the Ministry of Internal Affairs of Ukraine, Vasyl Ivanovych Yeshtokin, who has a higher education degree in chemical technology and is a qualified forensic expert certified to conduct forensic analysis according to expert specialism No 5.1 “Investigation of explosive substances and products of explosion and gunfire” (certificate of conformity No 1306 issued by the Expert Qualifications Commission of the Ministry of Internal Affairs of Ukraine on 12.15.2015) and employed as an expert since 1996.

They have been advised of the criminal liability for a deliberately false conclusion under Article 384 and unjustified refusal to perform assigned duties under Article 385 of the Criminal Code of Ukraine.

**Forensic experts:** [signature] **S.V. Pogorily**

[signature] **S.V. Pogorily**

[signature] **V.I. Yetoshkin**

[signature] **V.I. Yetoshkin**

[seal:] Odessa Expert Criminal Forensic Research Center  
of the Ministry of Internal Affairs of Ukraine  
No 20: for expert conclusions

**Background on the case:** (known from the investigator's resolution to request a forensic analysis, style and spelling as per original): the pre-trial investigation has established that, on 07.24.2017, a VAZ model 2101 car, reg 882-87AH, which was parked at the curbside in front of 30 Zhukovskogo Street, Odesa, exploded around 10:30.

Among the items found during an inspection of the scene of the incident on 07.24.2017 was a metal canister, fire debris, electrical components in the form of wires, a light diode and an inductor, fragments of a mobile phone, distilled and dry residue, car fragments and metal components.

The pre-trial investigation requires ascertaining whether the above items refer to ammunition, explosives, explosive substances or explosive devices and whether they contain traces of explosive substances.

**The following was submitted for forensic analysis:**

- A sealed plastic bag of the VTS NP of Ukraine No AB 003599 containing a cabin fragment from the VAZ model 2101 car, reg 882-87AH with thermal damage;
- A sealed plastic bag of the VTS NP of Ukraine No AB 042019 containing a metal canister from the trunk of the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018831 containing a residue solution from the bodywork of the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018832 containing dry residue from the left rear fender of the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018833 containing a distilled water residue from the left rear fender of the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018835 containing metal fragments and three wire fragments joined together;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018836 containing fragments of spectacles;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018965 containing metal fragments collected from the damaged floor of the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018979 containing an ash tray found near the building at 20 vul. Zhukovskogo, Odesa;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018980 containing plastic and metal fragments from the road in Zhukovskogo Street;

**Forensic experts:** [signature] **S.V. Pogorily** [signature] **V.I. Yetoshkin**

[seal:] Odessa Expert Criminal Forensic Research Center  
of the Ministry of Internal Affairs of Ukraine  
No 20: for expert conclusions

- A sealed plastic bag of the VTS NP of Ukraine No AB 003691 containing fragments of paper found in the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 003696 containing fire debris from the left rear fender of the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018825 containing three batteries and parts of an electronic device;
- A sealed plastic bag of the VTS NP of Ukraine No AB 018824 containing fragments of a plate found in the driver's seat in the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine No AB 003692 containing books found in the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine, seal No 1072429 containing lining from the rear left section of the VAZ model 2101 car, reg 882-87AH;
- A sealed plastic bag of the VTS NP of Ukraine, seal No 1072431 containing fire debris;
- A copy of the incident scene inspection record of 07.24.2017 with an appendix, on 17 pages;
- A copy of M.V. Melnyk's statement of 07.26.2017, on 10 pages.

**The following questions were put forward for investigation:**

1. Do the objects submitted for investigation (fragments, debris, shards, fire debris) contain traces of explosive substances, and if yes, which ones?
2. Was the VAZ model 2101 car, reg 882-87AH parked at the curbside in front of 30 Zhukovskogo Street, Odesa blown up around 10:30 on 07.24.2017, and if yes, what explosive device was detonated, what is its design mass in the trotyl (TNT) equivalent and what are its typical destructive effects?
3. What were the structural components of the explosive device detonated around 10:30 on 07.24.2017 in the VAZ model 2101 car, reg 882-87AH which was parked at the curbside in front of 30 Zhukovskogo Street, Odesa (explosive charge, means of initiating the explosive substance, activation method, casing, detonation method, etc) and how was it manufactured (was it industrial or improvised)?
4. Are the objects submitted for investigation parts of an explosive device?
5. If the explosion was caused by ammunition, what type is it (grenades, mines, shells etc.)?

**Forensic experts:** [signature] **S.V. Pogorily** [signature] **V.I. Yetoshkin**

[seal:] Odessa Expert Criminal Forensic Research Center  
of the Ministry of Internal Affairs of Ukraine  
No 20: for expert conclusions



[...]

## CONCLUSIONS

1. The objects submitted for investigation – a cotton wool pad with residue from the bodywork of VAZ model 2101 car, reg 882-87AH; plastic and metal fragments from the road in Zhukovskogo Street; metal fragments collected from the damaged floor of the VAZ model 2101 car, reg 882-87AH; and fragments of paper found in the VAZ model 2101 car, reg 882-87AH – were found to contain traces of a brisant explosive substance: trotyl (TNT).

2. An explosive device placed inside the VAZ model 2101 car, reg 882-87AH was detonated at the scene of the incident in front of 30 vul. Zhukovskogo, Odesa.

It does not appear possible to answer the part of the investigator's question: what is the design mass of the explosive device in the trotyl (TNT) equivalent?

The explosive device used has the following typical destructive effects: the brisant effect – penetration of the car cabin, the fougasse effect and shock wave effect – destruction, deformation and fragmentation of cabin components, and the thermal effect: the ignition and burning of car fuel.

3-4. The explosive device used consisted of the casing of the explosive device – the casing of a TM-62P3 antitank mine, the explosive charge – trotyl (TNT), the detonation device – an EDP (EDP-r) electric detonator, the executive mechanism (target sensor) – a modified mobile (cell) phone – and an electricity source – a Krona battery marked 6LR61. The activation method was electric and the manufacturing method was improvised.

5. An improvised explosive device was used at the scene of the incident, activated by electric means.

**Forensic experts:**

[signature] **S.V. Pogorily**

[signature] **V.I. Yetoshkin**

[seal:] Odesa Expert Criminal Forensic Research Center  
of the Ministry of Internal Affairs of Ukraine:  
No 20: for expert conclusions

**Forensic experts:** [signature] **S.V. Pogorily**

[signature] **V.I. Yetoshkin**

[seal:] Odessa Expert Criminal Forensic Research Center  
of the Ministry of Internal Affairs of Ukraine  
No 20: for expert conclusions



# Annex 177

Record of Incident Scene Inspection, drafted by Major of Justice A. S. Bakhovsky,  
Senior Special Investigator, Security Service of Ukraine (20 December 2017)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





**RECORD OF INCIDENT SCENE  
INSPECTION**

City (village) Kyiv

January 20, 2017

Inspection started at "21": "06". Inspection finished at "22": "19"

Senior special investigator, section 3, directorate 1 of pre-trial investigations at the Main Directorate for Investigations of the Security Service of Ukraine

Major of Justice A.S. Bakhovsky

on the grounds of a pre-trial investigation in criminal proceedings No 2201600000000466

(indicate judicial order in the case of residential or other personal property inspections, or, in the case

of criminal proceedings, refer to an incident report)

pursuant to Articles 104, 105, 106, 234, 237, 223 of the Criminal Procedures Code of Ukraine:

In the presence of witnesses:

1) Roman Mykolayovych Olekha, DOB 07.28.1996

(full name, date of birth, address)

registered at Apartment 8, 13 vul. Gagarina, Voloshevka village, Kyiv Region

2) Vladyslav Yuriyovych Faychuk, DOB 11.25.1995

(full name, date of birth, address)

Registered at Apartment 139, 31 vul. Zakrevskogo, Kyiv

who have been advised of their rights and obligations under Articles 11, 13, 15 and 223 of the Criminal Procedures Code of Ukraine.

[signature]

[signature]

With the participation of the victim

---//----

(full name, date of birth, address)

who has been advised of their rights and obligations under Article 56 Part 1, 2 and Article 57 of the Criminal Procedures Code of Ukraine

With the participation of suspect: [signatures]

S.V. Zhirenko DOB 03.01.1980, D.D. Yakob DOB 11.01.1978

(full name, date of birth, address)

who have been advised of their rights and obligations under Article 42 Parts 3, 5, 6 and 7 of the Criminal Procedures Code of Ukraine

With the participation of defense attorney:

---//----

(full name, date of birth, address)

who has been advised of their rights and obligations under Articles 46 and 47 of the Criminal Procedures Code of Ukraine.

With the participation of representative:

---//----

(full name, date of birth, address)

who has been advised of their rights and obligations under Articles 44 Part 5, Article 58 Part 4 and Article 59 Part 2 of the Criminal Procedures Code of Ukraine.

With the participation of expert:

Y.V. Valynevych, DOB 03.23.1991, M.Y. Ustymenko, DOB 11.05.1972

(full name, date of birth, address)

who has been advised of their rights and obligations under Article 71, Parts 4 and 5 of the Criminal Procedures Code of Ukraine

[signature]

[signatures]

[signature]

With the participation of the ~~owner (user) of the accommodation or other personal property~~  
SBU employees V.L Fesenko, A.O. Patsalay, I.V. Budnyk  
 (full name, date of birth, address)

---

Prior to the inspection, the above individuals were advised of their right to be present during every action taken in the course of an inspection and to make statements which are subject to mandatory inclusion in the record. The persons participating in the inspection were also advised of their duty not to disclose the details of this procedural action as required by Article 66 Part 3 of the Criminal Procedure Code of Ukraine and of the recording equipment used and the terms and procedure of their use:

Photography with telephone serial No R586503VKIZ  
 (details of recording or storage devices used during procedural action, signatures of individuals)

---

Samsung SM-6925F

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The inspection has established the following:  
 (indicate address of residential accommodation or other personal property)

The scene of the incident is the backyard of the building located at 16A vul. Ivana Kudri, Kyiv.  
Found near the doors of the first entrance (from left to right) in this courtyard were citizens of Ukraine Svyatoslav Valeriyovych Zhirenko, DOB 03.01.1980 registered at Apartment 2, 18 vul. Lenina, Kirovske, Donetsk Region and Dmytro Dmytrovych Yakob, DOB 11.01.1978 registered at Apartment 80, 24 vul. Sudaksa, Alushta, Autonomous Republic of Crimea.

Found next to the above citizens were a black bag and a white plastic bag bearing the logo of the Ashan supermarket and the slogan "Hit the prices."

S.V. Zhirenko reported that the above black bag belongs to him and consented to its inspection. The following was found later in the bag:

1. An employment termination letter No ARK 05271 addressed to S.V. Zhirenko, 1 page;
2. Vehicle registration certificate No F836244 (Lithuanian Republic)
3. Power of attorney for driving the Skoda reg JHC-615 car, 1 page
4. Documents in a foreign language for the Skoda reg JHC-615 car No 364067, 1 page
5. 300 (three hundred) US dollars
6. 976 (nine hundred and seventy-six) hryvnias

[signatures]

7. Holder for SIM card tel no +79107360794

Next, the leading specialist of department 6, forensic and special analysis center No. 4 (ISTE SBU), Senior Lieutenant Yevhen Valeriyovych Valynevych (3 vul. Vasylenka, Kyiv) and expert consultant at department 6, forensic and special analysis center No 4 (ISTE SBU) Maksym Yevhenovch Ustymenko conducted an inspection and analysis of the above plastic bag both visually and with the aid of a portable X-ray scanner, Scanna W550SU, serial No X0331772.

During the inspection and analysis, it was established that the plastic bag contained the following: a roll of brown scotch tape and a plastic food container measuring 14 x 10 x 6 cm approximately. The following was found inside the container when opened: a plastic grey and yellow substance (about 300–400 g in weight). Inside the substance was a cylindrically shaped magnet (5 cm in diameter and 2 cm in height) and a brown cylindrical object (7 cm in diameter and 0.9 cm approximately in height) that looked like an electric detonator with two white wires protruding at one end. The end of one of the wires was connected to a metal cylindrically shaped object.

In order to avoid a possible uncontrolled explosion, the cylindrical object that looked like an electric detonator and the magnet were removed separately from the plastic substance. In addition, the cylindrically shaped metal object located at the end of the electric detonator wire was cut off from the object that looked like an electric detonator, and the two wire ends were joined together. The above actions were performed by specialist M.Y. Ustymenko. The specialists said that the plastic substance, magnet and electric detonator bore the characteristics of an improvised explosive device.

1. In the course of the incident scene inspection, the objects named in points 1-7 were retrieved and



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Found during inspection *noted in the text of the record*  
(indicate traces and objects found during inspection)

Retrieved during inspection: *noted in the text of the record*  
(indicate what was found and sealed and in which order)

Technical devices used during inspection: *photography*  
(indicate use of photography or video recording, other technical and specialist devices and their tech. features)

The record has been read and recorded *no statements, comments or additions received*  
(comments from participants in the inspection)

**Participants:**

- |   |                                     |             |
|---|-------------------------------------|-------------|
| 1. <u><i>S.V. Valynevych</i></u><br>(full name) | <u>/[signature]/</u><br>(signature) |             |
| 2. <u><i>M.Y. Ustymenko</i></u><br>(full name)  | <u>/[signature]/</u><br>(signature) |             |
| <i>I.V. Budnyk</i>                              | [signature]                         |             |
| <i>V.L. Fesenko</i>                             | [signature]                         | [signature] |

**Witnesses:**

- |  |                                     |
|--|-------------------------------------|
| 1. <u><i>R.M. Olekha</i></u><br>(full name)  | <u>/[signature]/</u><br>(signature) |
| 2. <u><i>V.Y. Faychuk</i></u><br>(full name) | <u>/[signature]/</u><br>(signature) |

**Inspection conducted by:**

*Senior special investigator*  
*Main Directorate for Investigations,*  
*Major of Justice*

*A. Bakhovsky*

[signatures]



# Annex 178

Record of inspection of websites performed by M.V. Kalyta, Lieutenant of Justice and Investigator with the 5th Office of the 1st Pretrial Investigation Directorate of the Central Investigative Directorate of the SSU (1 February 2018)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





## Record of Examination

City of Kyiv

February 1, 2018

Examination started at 4:30 p.m.

Examination ended at 4:45 p.m.

Lieutenant of Justice Mariya Viktorivna Kalyta, Investigator with the Central Investigative Directorate of the Security Service of Ukraine, examined a web page on the Internet located at the address <http://uz.colomna.ru/rubric/theme/4882.html> in connection with a pretrial investigation of Criminal Case No. 2201505000000047 registered in the Uniform Register of Pretrial Investigations on January 24, 2015, in order to gather evidence, detect and document information about the circumstances of perpetration of criminal offenses, pursuant to the requirements of Articles 104, 105, 106, 234, 237, and 223 of the Criminal Procedure Code of Ukraine in her Office No. 014 at the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv. Error! Hyperlink reference not valid.

The examination was conducted using a personal computer with inventory number 4041. The processor unit of the computer has an Internet connection via a modem and is located in the Internet studio of the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv.

### Examination Findings:

The target of examination is an article on the Internet available at the following web address: <http://uz.colomna.ru/rubric/theme/4882.html>.

To view the article, the Google Chrome browser was loaded on the computer, the above-mentioned address entered into its address bar, and the "Enter" key pressed.

An article titled "Officer as a Calling" was found on this page and was subsequently downloaded.

On further examination, it was found that the article was published on the "Ugol Zreniya" [Angle of View] portal on February 19, 2014 and is available at <http://uz.colomna.ru/rubric/theme/4882.html>.

This article was downloaded to the computer in PDF format, printed out, and enclosed with this record as Attachment No. 1.

The examination was conducted under artificial lighting.

### *Attachment:*

Article titled "Officer as a Calling" on 3 pages.

### Examination conducted and record prepared by:

Investigator with the 5<sup>th</sup> Department

of the 1<sup>st</sup> Pretrial Investigation Directorate

at the Central Investigative Directorate of the Security Service of Ukraine

Lieutenant of Justice

[Signature]

M. Kalyta

## Ugol Zreniya ["Angle of Vision"] – Weekly Newspaper – Officer as a Calling

Ugol Zreniya ["Angle of Vision"] – Weekly Newspaper

16+

“Warmer together”

[Online newspaper navigation buttons and columns – irrelevant to the article]

[Blue box contains a greeting from Kolomna Mayor for army veterans – irrelevant to the article]

Cover Issue: Officer as a Calling

Officer as a Calling

Issue No. 6 (684) of February 19, 2014

**February 23 is a particularly festive day for those who chose to devote their life to the military profession. Colonel Alexander Tsapliuk has been serving in Kolomna since 2004. Since 2005, he has headed Training Center for Combat Use of Missile Forces and Artillery No. 1000. Over the years of his service he was stationed in Kaliningrad, St. Petersburg, Nizhniy Novgorod Oblast, Germany, and the Northern Caucasus. As Fatherland Defender's Day is upon us, we have interviewed Mr. Tsapliuk about the fate of a military man, duty and honor, the past and present of the Russian and Soviet Army, and even took a quick peek into the future.**

***Alexander Iozhefovich, would you tell us how you became a military man? Perhaps it runs in the family?***

No, I am the only military man in my family. I was born in Uzhhorod, Zakarpattia Oblast, into a family of blue-collar workers. It was my childhood dream to join the military. I watched a lot of military shows on television. I particularly liked the one called “I Serve the Soviet Union”. I planned on going to a flying school but in 1983 ended up enrolling at Khmelnytsky Higher Artillery Command College named after Artillery Marshal N.D. Yakovlev. It was closer to home.

***Did you ever regret joining the artillery forces?***

No. Some say that only the smartest and most intelligent people serve in the artillery forces because this job involves doing lots of calculations. In reality, it's nothing out of the ordinary. These are simple trigonometric functions. I believe that I have done a good job mastering my profession and have succeeded at self-actualization.

***What are your memories of your cadet years? How were cadets trained back then? Could you compare it with how things are done today?***

They did a pretty good job teaching us cadets. All graduates had the same level of competency. Our knowledge of our profession was “satisfactory”, but no more than that. Following my assignment to a military unit, I realized that I was no match for officers who had already served for several years. When I failed my first test, this struck a deep chord. This was a shameful experience for me. We secretly competed at which college produced better graduates and whose alumni are more competent. This was when I focused on self-improvement and ultimately succeeded. Today's colleges offer the same level of education. Today's graduates are just like we used to be.

***I know that you were involved in the Second Chechen Campaign.***

It so happened that when I was assigned to the Northern Caucasus in 1999, the war had not broken out yet. When I came to the army headquarters in Vladikavkaz to introduce myself, I saw television broadcasts of explosions as all channels aired breaking news about a military campaign against militants. Prior to that, in 1988, I requested to be dispatched to Afghanistan, but got a notice denying my request. I was frustrated. Perhaps they did not send me there because I had a family and a little child at the time. I don't know.

**How many years did you spend in Chechnya?**

Five years. From 1999 to 2004.

**Did you participate in combat operations?**

The artillery forces are special in that they are not involved in combat operations directly. My subordinates joined combat operations as forward observers as part of special weapons and tactics teams. Our regiment was stationed outside of Shali, and we attacked the enemy from our firing positions. This did not require my personal involvement as artillery regiment commander. I commanded the regiment, with over 1,000 subordinates.

**Did natives of Kolomna serve in your regiment?**

Yes, a third of all personnel: officers, graduates of Kolomna Higher Artillery Command College.

**Where did you live over the course of those five years?**

We lived in tents for three years before moving into modular homes. My wife and I lived there.

**Was your wife beside you during this time?**

Yes. She's a sergeant. Between 2001 and 2004 she served as a telephone operator at the communication hub. Our daughter stayed with her grandma in Mulino all this time.

**Did you somehow support the morale of soldiers and officers during combat operations?**

There was no need for that. All of them already came "super-charged". People came prepared to do their duty. I should mention that our regiment had minimal losses. To the extent practicable, we maintained communication with the soldiers' parents (back then the term of service was two years), wrote them letters, tried to alleviate their fears.



**I see that you are decorated with orders. Would you tell us what you received them for?**

I received the Order of Military Merit in 2000 for eliminating a Wahhabi group in the population centers of Karamakhi and Chabanmakhi. I worked as a representative of the missile forces and artillery headquarters of the 58<sup>th</sup> Army and commanded artillery fire of a group formed in Kodori Gorge in this direction. In 2003, I was decorated with a medal of the Order for Meritorious Service to the Fatherland of the 2<sup>nd</sup> degree for commanding regiment artillery fire as part of counter-terrorist operation missions. They

originally sent my order to the Caucasus, but I had already returned to Kolomna by then. I received the medal here in 2004.

**Let us discuss your training center. You have been working here for ten years now, eight of which have been as its director. What are the objectives of the center?**

We have three primary objectives: reskilling of officers (we receive new weapon models here and teach officers to handle them), training of sergeants serving under contract, and training of conscripts. Other training centers are unable to train that kind of professionals that we train. They include anti-tank warfare professionals, commanders of artillery reconnaissance systems, crane operators, and so forth, or a total of 17 specialty areas.

**Your professionals are involved in the testing of new weapon models. Does this mean that your center is continuing the old tradition of the rifle proving ground located here?**

Yes, we are a custodian of traditions of sorts. Incidentally, this year we will be marking the 110<sup>th</sup> anniversary of the rifle proving ground. Outstanding rifle makers of the 20<sup>th</sup> century worked here, such as M.T. Kalashnikov, B.I. Shavyrin, G.S. Shpagin, I.I. Rakov, and N.V. Rukavishnikov. Last year we unveiled a memorial plaque on the building of the headquarters, commemorating M.T. Kalashnikov, who worked here from 1942 to 1947. We have a museum that pays tribute to all of this. Every serviceman goes to the museum as a mandatory requirement.

**Alexander Iozhefovich, we have heard that you are leaving Kolomna and getting transferred to another position. Is this true?**

Yes. The Minister of Defense has already issued an order. I have been appointed Deputy Chief of Missile and Artillery Forces of the Western Military Command Region. I will now be serving in St. Petersburg.

**Congratulations. What are your impressions of Kolomna? After all, you spent 10 years of your life here.**

This is the only place where we have stayed for such a long time. From day one, I was amazed by the city's beauty, particularly that of its old part. It had an indelible impression on me. Kolomna has become my most favorite city, second only to my native town where I was born. I visited many places and studied in St. Petersburg, but Kolomna is the best of what I have seen.

I am sorry to be leaving. I will leave a piece of my heart here. But service is service. I will most certainly come and visit here, popularize this training center and the city, and say that Kolomna is the best city there is.

***Thank you and good luck in your new position!***

Elena LIFANTYEVA

Comments (0)

Read in this section

- No return from the mission
- Prize for a good cause
- Guest of honor
- Open to dialog
- Road to PyeongChang runs through Kolomna

All articles in this section

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<http://uz.colomna.ru/rubric/theme/4882.html>

3/3

## Record of Examination

City of Kyiv

February 1, 2018

Examination started at 5:30 p.m.

Examination ended at 5:45 p.m.

Lieutenant of Justice Mariya Viktorivna Kalyta, Investigator with the Central Investigative Directorate of the Security Service of Ukraine, examined a web page on the Internet located at the address [http://vamto.mil.ru/O\\_VUZe/Rukovodstvo/Rukovodstvo-filialov--akademii/item/6568/](http://vamto.mil.ru/O_VUZe/Rukovodstvo/Rukovodstvo-filialov--akademii/item/6568/) in connection with a pretrial investigation of Criminal Case No. 22015050000000047 registered in the Uniform Register of Pretrial Investigations on January 24, 2015, in order to gather evidence, detect and document information about the circumstances of perpetration of criminal offenses, pursuant to the requirements of Articles 104, 105, 106, 234, 237, and 223 of the Criminal Procedure Code of Ukraine in her Office No. 014 at the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv.

The examination was conducted using a personal computer with inventory number 4041. The processor unit of the computer has an Internet connection via a modem and is located in the Internet studio of the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv.

### Examination Findings:

The target of examination is an article on the Internet available at the following web address:

[http://vamto.mil.ru/O\\_VUZe/Rukovodstvo/Rukovodstvo-filialov--akademii/item/6568/](http://vamto.mil.ru/O_VUZe/Rukovodstvo/Rukovodstvo-filialov--akademii/item/6568/).

To view the article, the Google Chrome browser was loaded on the computer, the above-mentioned address entered into its address bar, and the "Enter" key pressed.

An article titled "ALEXANDER IOZHEFOVICH TSAPLIUK" was found on this page and was subsequently downloaded.

On further examination, it was found that the article was published on the portal of the Military Logistics Academy named after Army General A.V. Khruliov and is available at [http://vamto.mil.ru/O\\_VUZe/Rukovodstvo/Rukovodstvo-filialov--akademii/item/6568/](http://vamto.mil.ru/O_VUZe/Rukovodstvo/Rukovodstvo-filialov--akademii/item/6568/).

This article was downloaded to the computer in PDF format, printed out, and enclosed with this record as Attachment No. 1.

The examination was conducted under artificial lighting.

Attachment:

Article titled "ALEXANDER IOZHEFOVICH TSAPLIUK" on 1 page.

Examination conducted and record prepared by:

Investigator with the 5<sup>th</sup> Department

of the 1<sup>st</sup> Pretrial Investigation Directorate

at the Central Investigative Directorate of the Security Service of Ukraine

Lieutenant of Justice

[Signature]

M. Kalyta





# Military Logistics Academy named after Army General A.V. Khruliov



- Поиск
- Контакты
- Задать вопрос

ABOUT US DEPARTMENTS EDUCATION SCIENCE TRAINING RESOURCES FOR APPLICANTS MULTIMEDIA

Home page > About us > Administration > Administration of academy branches > Alexander Iozhefovich Tsapliuk

## ALEXANDER IOZHEFOVICH TSAPLIUK



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Email: [paii@mil.ru](mailto:paii@mil.ru)

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## Record of Examination

City of Kyiv

February 1, 2018

Examination started at 18:00 a.m.

Examination ended at 18:15 a.m.

Lieutenant of Justice Mariya Viktorivna Kalyta, Investigator with the Central Investigative Directorate of the Security Service of Ukraine, examined a web page on the Internet located at the address [http://vamto.net/Filials/PFVAMTO/komandovanie-instituta/index.php?sphrase\\_id=30637](http://vamto.net/Filials/PFVAMTO/komandovanie-instituta/index.php?sphrase_id=30637) in connection with a pretrial investigation of Criminal Case No. 2201505000000047 registered in the Uniform Register of Pretrial Investigations on January 24, 2015, in order to gather evidence, detect and document information about the circumstances of perpetration of criminal offenses, pursuant to the requirements of Articles 104, 105, 106, 234, 237, and 223 of the Criminal Procedure Code of Ukraine in her Office No. 014 at the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv.

Error! Hyperlink reference not valid.

The examination was conducted using a personal computer with inventory number 4041. The processor unit of the computer has an Internet connection via a modem and is located in the Internet studio of the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv.

Examination Findings:

The target of examination is an article on the Internet available at the following web address:

[http://vamto.net/Filials/PFVAMTO/komandovanie-instituta/index.php?sphrase\\_id=30637](http://vamto.net/Filials/PFVAMTO/komandovanie-instituta/index.php?sphrase_id=30637)

To view the article, the Google Chrome browser was loaded on the computer, the above-mentioned address entered into its address bar, and the "Enter" key pressed.

An article titled "INSTITUTE COMMAND" was found on this page and was subsequently downloaded.

On further examination, it was found that the article was published on the portal of the Military Logistics Academy named after Army General A.V. Khruliov and is available at

[http://vamto.net/Filials/PFVAMTO/komandovanie-instituta/index.php?sphrase\\_id=30637](http://vamto.net/Filials/PFVAMTO/komandovanie-instituta/index.php?sphrase_id=30637)

This article was downloaded to the computer in PDF format, printed out, and enclosed with this record as Attachment No. 1.

The examination was conducted under artificial lighting.

Attachment:

Article titled "INSTITUTE COMMAND" on 2 pages.

Examination conducted and record prepared by:

Investigator with the 5<sup>th</sup> Department

of the 1<sup>st</sup> Pretrial Investigation Directorate

at the Central Investigative Directorate of the Security Service of Ukraine

Lieutenant of Justice

[Signature]

M. Kalyta







Federal State Publicly Funded Educational Institution of Higher Learning

### Military Logistics Academy named after Army General A.V. Khruliov of the Ministry of Defense of the Russian Federation

EDUCATIONAL INSTITUTION INFO

Home History Academy Faculties Departments Science Announcements Publications Multimedia Contacts

- Military Logistics Academy**
- About institute
  - Institute history
  - Institute command
  - Institute departments
  - Institute faculties
  - For applicants
  - Institute documentary
  - Postgraduate military studies enrollment rules
  - Offices and services

#### Institute command



**Branch director**

Major General  
Alexander Iozhefovich  
Tsapliuk



**Branch deputy director**

Cand. Tech. Sci.  
Colonel  
Gennady Alexandrovich  
Khvatov



**Branch deputy director for instruction and academic work**

Cand. Tech. Sci.  
Associate Professor  
Colonel  
Ivan Ivanovich  
Grachiov

**Branch deputy director for inventory and logistics – chief of the inventory and logistics department**

Colonel  
Sergey Gennadyevich  
Petrukhin

Search site

Search



All news



31.01.2018  
Navy Deputy Commander-in-Chief, Vice Admiral Fedotenkov hands out awards to winners and runners-up of the "Junior Army Readings"



31.01.2018  
Academy science team begins active preparations for the International Olympiad of Cadets of Educational Institutions of Higher Learning



30.01.2018  
Penza residents commemorate heroes of Leningrad under siege



29.01.2018  
St. Petersburg garrison servicemen attend commemorative events to mark the end of the siege of Leningrad



# Annex 179

State Service of Ukraine for Extraordinary Situations, Ukrainian  
Hydrometereological Center Letter No. 01-20/419 (30 March 2018)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



*Translated from Ukrainian*

[*Symbol of Ukraine*]  
**Ukraine**  
**State Service of Ukraine for Extraordinary Situations**  
**Ukrainian Hydrometereological Center**  
**(UkrHMC)**

6B Zolotovoritska Str, city of Kyiv-30, 01601, tel/fax 279-10-80, 239-93-87, E-mail: office@meteo.gov.ua

March 30, 2018 No. 01-20/419

To No. 72/16-194/510-71 of March 22, 2018

The Ministry of Foreign Affairs of Ukraine  
To the Deputy Minister for the Issues of  
European Integration  
O.V. Zerkal

In response to your request No. 72/16-194/510-71 of March 22, 2018 we are informing about the following:

Meteorological observations of weather conditions are conducted only at stationary posts - meteorological stations.

Based on the operational data of the meteorological stations Mariupol, Volnovakha and Bakhmut (the closest observations point to the city of Kramatorsk) the speed (m/s) and direction of wind were the following on the indicated dates:

Station name	Date	Observations periods							
		02-00	05-00	08-00	11-00	14-00	17-00	20-00	23-00
<b>Mariupol</b>	<b>January 25, 2016</b>	12 East	11 East	11 East	10 East	9 East	8 East	9 East	8 East
<b>Volnovakha</b>	<b>January 13, 2015</b>	4 West	2 West	3 West	4 West	5 West	4 West	5 West	4 West
<b>Bakhmut</b>	<b>February 10, 2015</b>	3 North	3 North	4 North	3 North	3 North	3 North	3 North	2 North

Observations of weather conditions at meteorological stations are conducted every three hours.

Director of the Center

[*Signature and seal*]

M.I. Kulbida

Execut. Novikova  
(044) 239-93-97

[Stamp of the Ministry of Foreign Affairs of Ukraine  
Department of General Secretariat  
Incoming No. 25003  
April 2, 2018]



# Annex 180

Record of inspection of websites performed by O.O. Kryvoruchko, Captain of Justice and Senior Investigator with the 5th Office of the 1st Pretrial Investigation Directorate of the Central Investigative Directorate of the SSU (15 May 2018)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





## RECORD OF EXAMINATION

City of Kyiv

May 15, 2018

Examination started at 10:20 a.m.

Examination started at 10:50 a.m.

Captain of Justice Oleksandr Oleksandrovych Kryvoruchyk, Senior Investigator with the Operative Department of Investigations at the 5th Department of the 1st Pretrial Investigation Directorate at the Central Investigative Directorate of the Security Service of Ukraine, examined a web page on the Internet located at the address <http://kremlin.ru/acts/news/10032> in connection with a pretrial investigation of Criminal Case No. 2201505000000047 involving alleged crimes punishable under Part 3 of Article 258 and Part 1 of Article 438 of the Criminal Code of Ukraine, registered in the Uniform Register of Pretrial Investigations on January 24, 2015, pursuant to the requirements of Articles 104, 105, 106, 107, 223, and 237 of the Criminal Procedure Code of Ukraine in his Office No. 307 at the Central Investigative Directorate of the Security Service of Ukraine.

The examination was conducted under mixed lighting on a computer workstation at the Central Investigative Directorate of the Security Service of Ukraine, which is connected to the Internet via a Dynamix modem: Polaris computer, Intel-Celeron 700 processor (operating system: Windows XP Professional with Microsoft Word 2010), connected to a computer monitor LG FLATRON ez T 710BH, with a mouse, and an OKI printer, model No. C5900DN. The Internet was accessed using the Mozilla Firefox browser.

### Examination Findings:

The target of examination is an article on the Internet available at the following web address: <http://kremlin.m/acts/news/10032>.

To view the article, the Mozilla Firefox browser was loaded on the computer, the above-mentioned address entered into its address bar, and the "Enter" key pressed.

After the web page at the following address "<http://kremlin.ru/acts/news/10032>" was loaded, it was found that it was a resource hosting an article titled "Staff Changes in the Armed Forces".

This article contains information about staff changes in the Armed Forces of the Russian Federation authorized by the Russian President. Screenshots of the above-mentioned web page were taken by pressing the "Print Screen" key and appended to this record.

The examination ended at this point.

### Examination conducted and record prepared by:

Senior Investigator with the Operative Department of Investigations of the 5<sup>th</sup> Department of the 1<sup>st</sup> Pretrial Investigation Directorate

at the Central Investigative Directorate of the Security Service of Ukraine

Captain of Justice

[Signature]

O. Kryvoruchyk

## Staff Changes in the Armed Forces

The President has authorized a few staff changes in the Armed Forces of the Russian Federation.

January 9, 2011, 4 p.m.

---

The Commander-in-Chief has signed decrees appointing:

Rank 1 Captain Ildar Ferdinandovich Akhmerov as Deputy Commander of the Maritime Flotilla of the All-Arms Forces of the Pacific Fleet;

Major General Vladimir Vladimirovich Derkach as Chief of Staff and First Deputy Commander of the Cosmic Forces, relieving him of his position as Deputy Commander of the Cosmic Forces;

Colonel Sergey Borisovich Ryzhkov as Commander of the 39<sup>th</sup> Separate Mechanized Infantry Brigade of the Eastern Military Command Region;

Lieutenant General Nikolay Vasilyevich Bogdanovsky as Deputy Commander-in-Chief of the Infantry and Chief of the Central Directorate for Combat Training of the Infantry, relieving him of his position as Commander of the Army of the Leningrad Military Command Region;

Colonel Yuriy Alexandrovich Popov as Commander of the 3rd Brigade of Air and Cosmic Defense of the Baltic Fleet;

Major General Viktor Borisovich Astapov as Chief of Staff and First Deputy Commander of the 49th Army, relieving him of his position as Deputy Commander of the 41st Army;

[...] Logistics, relieving him of his position as Chief of Logistics and Deputy Commander of the Army of the Leningrad Military Command Region in Charge of Logistics;

Colonel Stepan Stepanovich Yaroshchuk as Chief of Missile and Artillery Forces of the Southern Military Command Region;
---

Colonel Sergey Anatolyevich Bakaneyev as Chief of Missile and Artillery Forces of the Eastern Military Command Region, relieving him of his position as Commander of the 39th Separate Mechanized Infantry Brigade of the Far East Military Command Region;

Rear Admiral Yuriy Yuryevich Berdnikov as Chief of the Navy Directorate of the Eastern Military Command Region, relieving him of his position as Deputy Commander of Troops and Forces in the Northeast;

Rear Admiral Vladimir Nikolaevich Vdovenko as Deputy Commander of Troops and Forces in the Northeast;

Colonel Andrey Alexandrovich Volkov as Chief of Radiation, Chemical, and Biological Defense Forces of the Eastern Military Command Region, relieving him of his position as Chief of Radiation, Chemical, and Biological Defense Forces of the Siberian Military Command Region;

Colonel Vladimir Andryevich Voropaev as Deputy Chief of the Central Directorate of Communications of the Armed Forces of the Russian Federation, relieving him of his position as Chief of Communications and Deputy Chief of Staff of the Volga-Urals Military Command Region in charge of communications;

Colonel Alexander Vladimirovich Glushchenko as Chief of the Motor Service of the Eastern Military Command Region, relieving him of his position as Chief of the Motor Service of the Far East Military Command Region;

Major General Vladimir Vladimirovich Gorodnichiy as Deputy Commander of the Troops of the Eastern Military Command Region in charge of inventory and logistics, relieving him of his position as Chief of Armaments and Deputy Commander of the Troops of the Siberian Military Command Region in charge of armaments;

Major General Mikhail Gennadyevich Krasnov, Chief of the Branch of the Strategic Missile Forces Military Academy (Serpukhov, Moscow Oblast);

Major General Sergey Leonidovich Melnikov, Chief of the Directorate of Economics, Finance, and Accounting at the Federal Service for Special-Purpose Construction of the Russian Federation;

Lieutenant General Alexey Nikolaevich Nemkov, First Deputy Director of the Federal Agency for Special-Purpose Construction.

\* \* \*

The President signed decrees discharging the following individuals from military service:

Major General Igor Alexeyevich Fedotov;

Major General Yuriy Alexeyevich Gusev;

Major General Alexander Grigoryevich Bondarenko;

Major General Andrey Stepanovich Konyukhov.

Article status

Published in the section: Documents

Date published: January 9, 2011, 4 p.m.

Link to article: [kremlin.ru/d/10032](http://kremlin.ru/d/10032)

[Handwriting:

Senior Investigator with the Operative Department of Investigations of the 5<sup>th</sup> Department of the 1<sup>st</sup> Pretrial Investigation Directorate

at the Central Investigative Directorate of the Security Service of Ukraine

Captain of Justice

[Signature]

O. Kryvoruchyk]

Record of Examination

City of Kyiv

May 15, 2018

Examination started at 11:35 a.m.

Examination started at 12:10 p.m.

Captain of Justice Oleksandr Oleksandrovych Kryvoruchyk, Senior Investigator with the Operative Department of Investigations at the 5th Department of the 1st Pretrial Investigation Directorate at the Central Investigative Directorate of the Security Service of Ukraine, examined a web page on the Internet located at the address <http://www.kremlin.ru/acts/bank/36819> in connection with a pretrial investigation of Criminal Case No. 2201505000000047 involving alleged crimes punishable under Part 3 of Article 258 and Part 1 of Article 438 of the Criminal Code of Ukraine, registered in the Uniform Register of Pretrial Investigations on January 24, 2015, pursuant to the requirements of Articles 104, 105, 106, 107, 223, and 237 of the Criminal Procedure Code of Ukraine in his Office No. 307 at the Central Investigative Directorate of the Security Service of Ukraine.

The examination was conducted under mixed lighting on a computer workstation at the Central Investigative Directorate of the Security Service of Ukraine, which is connected to the Internet via a Dynamix modem: Polaris computer, Intel-Celeron 700 processor (operating system: Windows XP Professional with Microsoft Word 2010), connected to a computer monitor LG FLATRON ez T 710BH, with a mouse, and an OKI printer, model No. C5900DN. The Internet was accessed using the Mozilla Firefox browser.

**Examination Findings:**

The target of examination is an article on the Internet available at the following web address: "<http://www.kremlin.m/acts/bank/36819>".

To view the article, the Mozilla Firefox browser was loaded on the computer, the above-mentioned address entered into its address bar, and the "Enter" key pressed.

After the web page at the following address

<http://www.kremlin.ru/acts/bank/36819> was loaded, it was found that it was a resource hosting an article titled "Decree No. 151 of the President of the Russian Federation dated February 20, 2013".

This article contains information about military ranks conferred on servicemen of the Armed Forces of the Russian Federation. Screenshots of the above-mentioned web page were taken by pressing the "Print Screen" key and appended to this record.

The examination ended at this point.

Examination conducted and record prepared by:

Senior Investigator with the Operative Department of Investigations of the 5<sup>th</sup> Department of the 1<sup>st</sup> Pretrial Investigation Directorate

at the Central Investigative Directorate of the Security Service of Ukraine

Captain of Justice

[Signature]

O. Kryvoruchyk

Decree of the President of the Russian Federation

No. 151 of February 20, 2013

Conferring Military Ranks of Senior Officers on Servicemen of the Armed Forces of the Russian Federation

[pravo.gov.ru](http://pravo.gov.ru)

---

DECREE  
OF THE PRESIDENT OF THE RUSSIAN FEDERATION  
Conferring Military Ranks of Senior Officers on Servicemen of  
the Armed Forces of the Russian Federation

To confer the following military ranks on the individuals listed below:

Army General

Arkadiy Viktorovich Bakhin

Valeriy Vasilyevich Gerasimov

Colonel General

Anatoliy Alexeyevich Sidorov

Admiral

Vladimir Ivanovich Koroliov

Lieutenant General

Vladimir Nikolaevich Bereznyi

Ivan Alexandrovich Buvalydev

Yuriy Petrovich Petrov

Vladimir Ivanovich Popov

Alexander Vladimirovich Romanchuk

Andrey Nikolaevich Serdyuk

Vasiliy Petrovich Tonkoshkurov

Andrey Viktorovich Toporov

Evgeny Alexeyevich Ustinov

Alexander Alexandrovich Shevchenko

Vice Admiral

Leonid Viktorovich Sukhanov

Major General

Andrey Alexandrovich Volkov

Viktor Vladimirovich Voronov  
Andrey Zaurovich Gagloev  
Alexander Albertovich Glushchenko  
Sergey Anatolyevich Dolotin  
Alexander Vasilyevich Duplinskiy  
Igor Nikolaevich Dylevsky  
Dmitry Valeryevich Kasperovich  
Igor Nikolaevich Klimov  
Igor Evgenyevich Konashenkov  
Vladimir Anatolyevich Kochetkov  
Yuriy Vasilyevich Kuznetsov  
Vladimir Nikolaevich Marusin  
Viktor Stepanovich Miskovts  
Igor Viktorovich Mishutkin  
Alexander Ivanovich Novkin  
Roman Olegovich Nogin  
Alexey Nikolaevich Ragozin  
Vasiliy Fiodorovich Sverdel  
Alexander Vladimirovich Serzhantov  
Mikhail Alexandrovich Smolkin  
Igor Olegovich Khristoforov  
Stepan Stepanovich Yaroshchuk

Rear Admiral

Alexander Vadimovich Karpov  
Alexander Alexeyevich Moiseyev

Vladimir Putin, President of the Russian Federation

Moscow, the Kremlin





# Annex 181

Record of inspection of websites performed by D.H. Davyd, Major of Justice and Senior Criminal Investigator with the 5th Office of the 1st Pretrial Investigation Directorate at the Central Investigative Directorate of the SSU (16 May 2018)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



## Record of Examination

City of Kyiv

May 16, 2018

Examination started at 12:10 p.m.

Examination ended at 12:20 p.m.

Major of Justice Dmytro Hennadiyovych Davydov, Senior Investigator with the Operative Department of Investigations / Criminal Investigator with the 5<sup>th</sup> Department of the 1<sup>st</sup> Pretrial Investigation Directorate at the Central Investigative Directorate of the Security Service of Ukraine, examined a web page on the Internet located at the address <http://archive.is/2wqYU> in connection with a pretrial investigation of Criminal Case No. 2201505000000047 registered in the Uniform Register of Pretrial Investigations on January 24, 2015, in order to gather evidence, detect and document information about the circumstances of perpetration of criminal offenses, pursuant to the requirements of Articles 104, 105, 106, 234, 237, and 223 of the Criminal Procedure Code of Ukraine in his Office No. 014 at the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv. Error! Hyperlink reference not valid.

The examination was conducted using a personal computer with inventory number 4041. The processor unit of the computer has an Internet connection via a modem and is located in the Internet studio of the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, Kyiv.

### Examination Findings:

The target of examination is an article on the Internet available at the following web address: <http://archive.is/AoZqn>.

To view the article, the Google Chrome browser was loaded on the computer, the above-mentioned address entered into its address bar, and the "Enter" key pressed. An image was found at the specified address and subsequently downloaded.

The examination was conducted under artificial lighting.

Attachment:

Attachment No. 1 – screenshot on 1 page.

Examination conducted and record prepared by:

Senior Investigator with the Operative Department of Investigations of the 5<sup>th</sup> Department of the 1<sup>st</sup> Pretrial Investigation Directorate

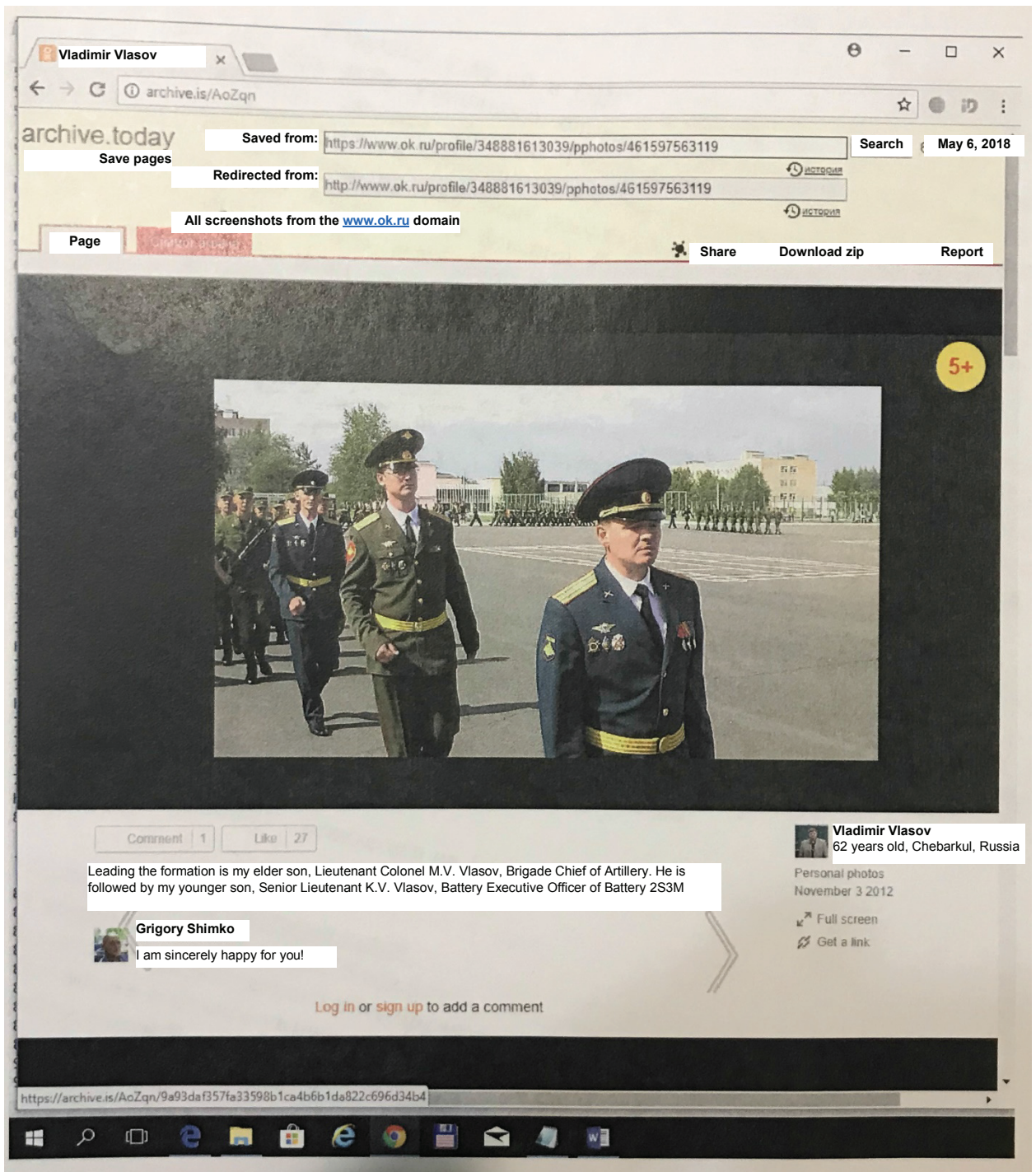
at the Central Investigative Directorate of the Security Service of Ukraine

Major of Justice

[signature]

D. Davydov

Attachment No. 1 to the Record of Examination dated May 16, 2018



Senior Investigator with the Operative Department of Investigations of the 5<sup>th</sup> Department  
of the 1<sup>st</sup> Pretrial Investigation Directorate  
at the Central Investigative Directorate of the Security Service of Ukraine  
Major of Justice [signature] D. Davydov

# Annex 182

Ukraine Main Directorate of Intelligence Letter No. 222/4D/535 (17 May 2018)  
(attaching Intelligence Briefing from the Main Intelligence Directorate of the  
Ukrainian Ministry of Defense No. 222/3D/90/09 (2 January 2015 at 9:00 a.m.)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

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an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





Deputy Minister of Foreign  
Affairs of Ukraine for European  
Integration Affairs  
O.V. Zerkal

**MINISTRY OF DEFENSE  
OF UKRAINE**

**MAIN DIRECTORATE  
OF INTELLIGENCE**

33 vul. Elektrykiv, Kyiv, 04176  
Unified Register code 22990919

05/17/2018 No 222/ 4D/535

Dear Olena Volodymyrivna,

As part of the Ukrainian Side's preparation for the hearings at the UN International Court, we enclose available information which may be used to strengthen Ukraine's evidential base as the Court considers the case of the Russian Federation violating the International Convention for the Suppression of the Financing of Terrorism.

- Enclosures:
1. Intelligence briefing from the Main Directorate of Intelligence of the Ministry of Defense of Ukraine (as of 9:00 a.m., January 2, 2015), on 3 sheets, one copy, addressee only.
  2. Satellite images of the area 4 km southeast of Kuibyshevo (Rostov Region, Russian Federation) of December 3, 2014, on 2 sheets, 1 copy, addressee only.
  3. Satellite images of the area 4 km southeast of Kuibyshevo (Rostov Region, Russian Federation) of January 8, 2015, 2 sheets, 1 copy, addressee only.
  4. Satellite images of the area 4 km southeast of Kuibyshevo (Rostov Region, Russian Federation) of February 17, 2015, 2 sheets 1 copy, addressee only.
  5. Satellite images of the area 4 km southeast of Kuibyshevo (Rostov Region, Russian Federation) of February 20, 2015, 2 sheets 1 copy, addressee only.
  6. Satellite images of the area 4 km southeast of Kuibyshevo (Rostov Region, Russian Federation) of February 22, 2015, 2 sheets 1 copy, addressee only.

Sincerely,!

Acting Deputy Commander,  
Military Unit No A0515,  
Director of Department 4,  
Colonel

[signature]

V.V. SKIBITSKY

Y.V. Yukhno 425 60 26

[stamp:] **0045053**

[stamp:] Ministry of Foreign Affairs <b>DEPARTMENT OF THE GENERAL SECRETARIAT</b> Red. No. <u>38184</u> <u>05</u> " <u>18</u> " <u>2018</u>
---

Zam. No 187-14

[redacted]



**MINISTRY OF DEFENSE  
OF UKRAINE**

**MAIN DIRECTORATE  
OF INTELLIGENCE**

33 vul. Elektrykiv, Kyiv, 04176  
Unified Register code 22990919

01/02/2015 No 222/ 3D/90/09

**INTELLIGENCE BRIEFING  
FROM THE MAIN INTELLIGENCE DIRECTORATE  
OF THE UKRAINIAN MINISTRY OF DEFENSE  
(on January 2, 2015, at 9:00 a.m.)**

**Operational situation.**

1.1. Concentrations of troops, arms and military equipment (A and ME) of the Russian Armed Forces in the temporarily occupied territories and Russian regions adjacent to the Ukrainian border.

According to operational reports and space intelligence data, the following has been confirmed:

[redacted]

concentrations of Russian Armed Forces arms and equipment in the following areas:  
Kuibyshevo (Rostov Region) – the number of armored fighting vehicles has increased; six 300-mm Smerch multiple rocket launchers and six mobile charging units are missing; also missing are four 203-mm Pion self-propelled cannons (brought to the territory of Donetsk Region on December 20, 2014);

*Assessment: The change in the number of A and ME in Kuibyshevo area, in particular the reduction in the number of artillery systems, is linked to their continued delivery to the Russian Armed Forces and illegal military formations active in Donetsk and Luhansk Regions.*

[redacted]



[redacted]

1.2. Reconnaissance by the Russian Armed Forces of sites in the territory of Ukraine.

Air reconnaissance involved the following:

Reconnaissance aircraft Su-24MR (Marinovka) – in the air space (AS) of Volgograd and Rostov Regions and over the Sea of Azov.

[redacted]

[redacted]

---

*Main Directorate for Intelligence, Ministry of Defense of Ukraine*

# Annex 183

Ministry of Interior of Ukraine, Main Department of the National Guard of Ukraine  
Letter No. 27/6/2-3553 to the Ministry of Foreign Affairs of Ukraine (31 May 2018)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



**MINISTRY OF INTERNAL AFFAIRS OF UKRAINE  
MAIN DIRECTORATE  
OF THE NATIONAL GUARD  
OF UKRAINE**

vul. 9-A Narodnoho Opolchennya, Kyiv  
03151, tel.: (044) 249-41-12, 249-41-13,  
fax: (044) 249-41-97, email: gu@ngu.gov.ua,  
<http://ngu.gov.ua>, EDRPOU code 08803498

May 31, 2018 No. 27/6/2-3553

In response to No. \_\_\_\_\_ dated \_\_\_\_\_

**Department for Countering Threats from the  
Russian Federation, Ministry of Foreign Affairs  
of Ukraine**

Re: Providing information about the location of National  
Guard of Ukraine units in Mariupol on January 24, 2015

The Main Directorate of the National Guard of Ukraine hereby informs you that on January 24, 2015, National Guard of Ukraine units were located in the city of Mariupol, where they were deployed in the Livoberezhnyi [Left Bank] District and near the eastern part of the city. National Guard of Ukraine units were not deployed anywhere else in Mariupol at that time. Moreover, no units of the Armed Forces of Ukraine were deployed in Mariupol, as all units were involved in military operations outside the city.

The headquarters of the National Guard of Ukraine subdivision (Mariupol Task Force of the NGU) is located in the Livoberezhnyi District of Mariupol at 37-A Prospekt Peremohy. There were up to 80 National Guard servicemen at this location. This National Guard of Ukraine unit was armed exclusively with automatic small arms and lightly armored vehicles.

The aforementioned personnel were tasked with performing containment, restriction, patrol, and defense functions.

In the eastern part of Mariupol, National Guard of Ukraine units were deployed at Checkpoint No. 4014, which is located on the eastern edge of Mariupol, 100 meters east of the fork of vulytsya Olimpiyska and the M14 highway. The unit consisted of up to 100 servicemen. This National Guard of Ukraine unit was armed with automatic small arms and armored personnel carriers.

Checkpoint 4014 is a structure where units perform tasks associated with, among other things, the passage of vehicles and people, which includes monitoring vehicle traffic and checking people who are entering or leaving the city. The functions and duties of the units that were posted at the checkpoint

included: monitoring the movement of people and vehicles; identifying and apprehending individuals suspected of committing criminal offences; identifying stolen vehicles; checking personal identification; and temporarily restricting vehicular traffic through the checkpoint.

National Guard units were also deployed at strongpoints outside the city. In particular, National Guard units were located: at Company Position 4015 (center coordinates - 47°05'29" north latitude, 37°42'41" eastern longitude, up to 86 servicemen were deployed there); at Company Position 4013 (center coordinates - 47°08'21" north latitude, 37°42'18" eastern longitude, up to 100 servicemen were deployed there); at Platoon Position 4014A (center coordinates - 47°06'34" north latitude, 37°41'43" eastern longitude, up to 35 servicemen were deployed there).

**First Deputy Commander  
National Guard of Ukraine  
(Chief of Staff)  
Lieutenant-General**

[signature]

**O.V. Kryvenko**



# Annex 184

Confirmation of Authenticity, Senior Special Investigator with the Second Branch of the First Pre-Trial Investigations Department at the Main Investigations Directorate of the Security Service of Ukraine (4 June 2018)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





**APPLICATION OF THE INTERNATIONAL  
CONVENTION FOR THE SUPPRESSION OF  
THE FINANCING OF TERRORISM AND THE  
INTERNATIONAL CONVENTION ON THE  
ELIMINATION OF ALL FORMS OF RACIAL  
DISCRIMINATION**

**Ukraine v. Russian Federation**

**STATEMENT OF CONFIRMATION OF AUTHENTICITY**

I, Dmytro Volodymyrovych Fedirko, a senior special investigator with the Second Branch of the First Pre-Trial Investigations Department at the Main Investigations Directorate of the Security Service of Ukraine [SBU], am a member of the SBU investigative team responsible for investigating criminal proceeding No. 2201400000000239 concerning the downing of Malaysian Airlines Flight MH 17 on 17 July 2014, and a member of the Joint Investigation Team.

My functional powers include, *inter alia*, processing intercepted telephone conversations obtained by the aforementioned investigative team:

- pursuant to Article 8 of the Law of Ukraine “On Operational Investigative Activity” and in accordance with the procedures provided for by Article 7(6) of the Law of Ukraine “On Counterterrorism”, based on the results of technical operations conducted by the SBU Department of Technical Operations involving the capture of information from wiretaps, or

- pursuant to the requirements of Chapter 21 of the Criminal Procedure Code of Ukraine.

For instance, I obtained, processed, and analyzed the following intercepted telephone conversations:

1. A conversation between telephone numbers 380660827518 and 380500372376 begun at 13:09:27 on 17 July 2014;
2. A conversation between telephone numbers 380930721558 and 380962662006 begun at 11:30:47 on 8 June 2014;
3. A conversation between telephone numbers 380631213401 and 380639602502 begun at 19:09:20 on 16 July 2014;
4. A conversation between telephone numbers 380631213401 and 380665441455 begun at 09:22:19 on 17 July 2014;
5. A conversation between telephone numbers 380631213401 and 380665441455 begun at 09:08:26 on 17 July 2014;
6. A conversation between telephone numbers 380660827518 and 380505574532 begun at 21:32:39 on 17 July 2014;
7. A conversation between telephone numbers 380631213401 and 380660827518 begun at 07:41:06 on 18 July 2014.

I confirm that all of the aforementioned intercepted telephone conversations were obtained and processed in compliance with the requirements of Ukrainian law and were therefore included in the case files of criminal proceeding No. 22014000000000239. Among other things, I established that the aforementioned telephone conversations actually took place between the indicated telephone numbers and at the specified times.

I swear that the statement set forth above is true and accurate, and the materials I use therein are obtained and processed in accordance with the requirements of applicable Ukrainian law.

Signed in Kyiv, Ukraine, on 4 June 2018

[signature]

Dmytro Volodymyrovych Fedirko

# Annex 185

Statement of Authentication, Volodymyr Piven, Senior Investigator, Main  
Investigation Office, Security Service of Ukraine (5 June 2018)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



**APPLICATION OF THE INTERNATIONAL  
CONVENTION FOR THE SUPPRESSION  
OF THE FINANCING OF TERRORISM  
AND THE INTERNATIONAL  
CONVENTION ON THE ELIMINATION OF  
ALL FORMS OF RACIAL  
DISCRIMINATION**

**Ukraine *against* the Russian Federation**

**Statement of Authentication**

I, Volodymyr Volodymyrovych Piven, senior investigator for especially important cases of the Fifth Department of the First Office of the Preliminary Investigation of the Main Investigation Office of the Security Service of Ukraine, am a member of the investigation group that is investigating criminal proceedings No. 2201500000000047 on the fact of artillery shelling of Ordzhonikidzevskiy residential microdistrict in Mariupol on January 24, 2015.

My functional authority, among other things, includes the processing of intercepted telephone conversations that I receive:

- on the basis of the provisions of Article 8 of the Law of Ukraine “On Investigative Activities” and in compliance with the procedures provided for by Clause 6 of Article 7 of the Law of Ukraine “On Counterintelligence Operations”, as a result of the Department of Covert Surveillance by the Security Service to take the information from transport telecommunications networks, or

- according to the requirements of Clause 21 of the Criminal Procedure Code of Ukraine.

So, I received, processed and analyzed the intercepted telephone conversation between the phone numbers 380936255484 and 380633427570 that started on January 24, 2015 at 11:04:21 a.m.

I confirm that this intercepted telephone conversation was received and processed in compliance with the requirements of the current legislation of Ukraine and is accordingly attached to the materials of criminal proceedings No. 2201500000000047. In particular, I found that this telephone conversation did occur between the specified phone numbers and at certain time.

I swear that the above statement is true and accurate, the materials that I use in it are received and processed in accordance with the requirements of the current legislation of Ukraine.

Signed in Kyiv, Ukraine on June 5, 2018,

\_\_\_\_\_ [signature] \_\_\_\_\_

Volodymyr Volodymyrovych Piven

# Annex 186

Ukrainian Prosecutor's Office File on GROM-E2 (multiple dates)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





**RECORD OF EXAMINATION**

City of Kyiv

December 25, 2015

Examination commenced at 2:50 p.m.

Examination ended at 4:10 p.m.

Oleh Ivanovych Luchko, prosecutor with a group of prosecutors at the Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine, examined materials gathered by the Military Prosecutor's Office of the Anti-Terrorist Operation as part of a request for international legal assistance of August 25, 2015 from the Investigative Directorate for High-Profile Cases of the Military Police Department of Georgia in criminal case No. 103080094, in his office No. 139 of the Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine at 36/1 Klovskiy Uzviz, Kyiv.

**EXAMINATION FINDINGS:**

The examination found that the materials gathered as part of a request for international legal assistance of August 25, 2015 from the Investigative Directorate for High-Profile Cases of the Military Police Department of Georgia in criminal case No. 103080094 consisted of 133 pages and contained the following documents:

1. Cover Letter of December 13, 2015, No. 04-2305-vykh 15;
2. Letter from the Prosecutor General's Office of Ukraine of November 4, 2015, No. 10/1/2-1608-vykh. 15;
3. Letter from the Prosecutor General's Office of Ukraine of September 23, 2015, No. 10/1/2-1353-vykh. 15;
4. Request from the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department of Georgia dated August 25, 2015 (for international legal assistance in criminal case No. 103080094);
5. Request for information from the Headquarters of the Anti-Terrorist Operation in Donetsk and Luhansk Oblasts dated October 5, 2015, No. 04-524-vykh-15;
6. Response from the Headquarters of the Anti-Terrorist Operation in Donetsk and Luhansk Oblasts dated October 7, 2015, No. 5477-oh;
7. Record of questioning of witness S.A. Naumenko dated October 15, 2015;
8. Cover Letter of October 16, 2015, No. 04-793-vykh 15;
9. Order to conduct procedural activities in a foreign territory dated October 16, 2015;
10. Cover letter of October 22, 2015, No. 33-5672-vykh-15;
11. Record of examination of GROM-E2 No. 1016 portable surface-to-air missile system dated October 21, 2015 and attachments thereto;

12. Record of questioning of witness O.S. Postielnik dated October 21, 2015;
13. Record of questioning of witness V.I. Shevchenko dated October 21, 2015 and attachments thereto;
14. Cover Letter of October 16, 2015, No. 04-792-vykh. 15;
15. Order to conduct procedural activities in a foreign territory dated October 16, 2015;
16. Cover Letter of October 23, 2015, No. 24-7879-vykh. 15;
17. Record of questioning of witness H.A. Sushkov dated October 20, 2015;
18. Inquiry addressed to Military Unit A1352 of October 20, 2015, No. 24-7827-vykh. 15;
19. Delivery note documenting the transfer of GROM-E2 surface-to-air missile system No. 1016 to Military Unit A2192;
20. Certificate of acceptance of GROM-E2 surface-to-air missile system No. 1016 by Military Unit A2192;
21. Record of examination of an online resource dated November 30, 2015;
22. Instruction for the Luhansk Border Guard Detachment to conduct investigative and detective activities under Articles 40 and 41 of the Civil Procedure Code of Ukraine, dated November 30, 2015, No. 04-1950-vykh-15;
23. Response sent to the Luhansk Border Guard Detachment on December 2, 2015, No. 51/1535;
24. Instruction for the Luhansk Border Guard Detachment to conduct investigative and detective activities under Articles 40 and 41 of the Civil Procedure Code of Ukraine, dated November 30, 2015, No. 04-1951-vykh-15;
25. Response sent to the Luhansk Border Guard Detachment on December 2, 2015, No. 51/1536;
26. Request for information sent to the Anti-Terrorist Center at the Security Service of Ukraine, dated November 18, 2015, No. 04-1705-vykh. 15;
27. Response from the Headquarters of the Anti-Terrorist Operation in Donetsk and Luhansk Oblasts dated November 25, 2015, No. 33/1-13522;
28. Request for information sent to the National Guard of Ukraine, dated November 18, 2015, No. 04-1706-vykh. 15;
29. Response from the National Guard of Ukraine dated November 23, 2015, No. 3/8-7994;
30. Request for information sent to the Ministry of Defense of Ukraine, dated November 18, 2015, No. 04-1707-vykh. 15;
31. Response from the Ministry of Defense of Ukraine dated November 24, 2015, No. 31/3310002;
32. Request for information sent to Military Unit A2192, dated December 7, 2015, No. 04-2145-vykh. 15;

33. Response from Military Unit A2192 dated December 8, 2015, No. 3029;
34. Request for information sent to the military prosecutor of the Donetsk Garrison, dated December 7, 2015, No. 04-2144-vykh. 15;
35. Response from the military prosecutor of the Donetsk Garrison, dated December 8, 2015, No. 4328-vykh. 15 and attachments thereto;
36. Request for information sent to the Anti-Terrorist Center at the Security Service of Ukraine, dated November 16, 2015, No. 04-1652-vykh. 15;
37. Response from the Headquarters of the Anti-Terrorist Operation in Donetsk and Luhansk Oblasts dated December 9, 2015, No. 6892-oh and attachments thereto;
38. Instruction for the Operational Headquarters of the Central Directorate of the Security Service in the area of the anti-terrorist operation to conduct investigative and detective activities under Articles 40 and 41 of the Civil Procedure Code of Ukraine, dated December 7, 2015, No. 04-2146-vykh-15;
39. Response from the Operational Headquarters of the Central Directorate of the Security Service of Ukraine in the area of the anti-terrorist operation dated December 11, 2015, No. 50/3733.

All of the above-mentioned documents and their translations into Russian were photocopied on a Xerox Phaser 3100MFP multifunction device, certified and appended to the record of examination.

The examination ended at this point.

Prosecutor with a group of prosecutors

at the Main Military Prosecutor's Office

of the Prosecutor General's Office of Ukraine

[Signature] O. Luchko



[Illegible handwriting]



Prosecutor's Office of Ukraine

**PROSECUTOR GENERAL'S OFFICE OF UKRAINE**

13/15 Riznytska Street, Kyiv-11, 01011

Fax: 280-26-03

September 23, 2015 No. 10/1/2-1353vykh-15

[Handwriting: M. Kavunin. To be completed by October 20, 2015]

[Signature] September 30, 2015

[Signature] September 30, 2015

**Attn: Deputy Military Prosecutor  
of the Anti-Terrorist Operation  
Forces**

**Mr. V.M. Panchenko**

21 Mayakovskoho Street,

Kramatorsk, Donetsk Oblast, 84333

I am forwarding to you for processing the request from the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department of Georgia dated August 25, 2015 for international assistance in Criminal Case No. 103080094 being investigated in connection with instances of intentional murder of individuals, damage, destruction and theft of weapons or other military property belonging to the Ministry of Defense of Georgia, which caused severe consequences.

Please arrange processing of this request in the manner and within the time frame prescribed by Chapter 43 of the Criminal Procedure Code of Ukraine.

Please submit the findings of the completed request to the Main Military Prosecutor's Office for purposes of verification of the completeness and legality of the completed investigative (detective) and other procedural activities.

O. Tsybenko

Attachment: text on 14 pages.

**Chief****of the Investigative Directorate****of the Main Military Prosecutor's Office****[Signature] O. Tsybenko**

[Stamp: Pages: 14, Outgoing No. 293, September 30, 2015, Military Prosecutor's Office of the Anti-Terrorist Operation]

REQUEST  
for legal assistance  
in Criminal Case No. 103080094

August 25, 2015

Tbilisi

The Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department is investigating Criminal Case No. 103080094 involving allegations to the effect that the Armed Forces of the Russian Federation, aided by illegal paramilitary groups of Osetia and Abkhazia separatists, damaged, destroyed, and stole infrastructure, armaments, and inventory belonging to the Georgian Ministry of Defense and located in various regions of Georgia between August 8 and August 22, 2008, and in doing so caused a human fatality and other severe consequences as well as committed crimes falling under Clause (c) of Part 1, Clause (e) of Part 2, and Clause (a) of Part 3 of Article 109; Parts 2 and 3 of Article 312; Part 2 of Article 397; Article 399; Clause (a) of Part 3 and Clause (b) of Part 4 of Article 237; Clause (a) of Part 2 and Clause (a) of Part 3 of Article 178; Clauses (a), (b), (c) of Part 2 and Clause (c) of Part 3 of Article 179; Part 2 of Article 187; Clause (a) of Part 2 and Clause (d) of Part 3 of Article 177; Parts 1 and 2 of Article 403; Part 2 of Article 200 of the Criminal Code of Georgia:

Excerpt from the Criminal Code of Georgia

**Article 109. Homicide under aggravating circumstances**

Homicide:

- (a) Removed (July 16, 2010, No. 3446);
- (b) in a hostage-taking situation;
- (c) committed in a manner that knowingly endangered the lives or health of others;
- (d) committed to conceal or facilitate another crime –

is punishable by imprisonment for a term of eleven to fourteen years.

2. Homicide:

- (a) of a woman whom the perpetrator knew to be pregnant;
- (b) of a person whom the perpetrator knew to be underage or in a helpless state;
- (c) committed as an act of hooliganism;
- (d) on the grounds of racial, religious, national, or ethnic intolerance;
- (e) committed by a group –

is punishable by imprisonment for a term of thirteen to seventeen years.

### 3. Homicide:

(a) of two or more individuals;

(b) committed in a particularly cruel manner;

(c) committed out of self-interest or for hire;

(d) committed with the intention of transplanting or otherwise using the organs, parts of organs or tissues of the victim;

(e) committed more than once (except for homicides listed under Article 110 to 114 of this Code);

(f) committed in connection with the official duties or a public service performed by the victim or the victim's close relative –

is punishable by imprisonment for a period of sixteen to twenty years or life in prison.

### **Article 177. Theft**

1. Theft, i.e. covert appropriation of somebody else's movable property with the intention of criminal possession –

is punishable by a fine or restriction of freedom for a term of one to three years or imprisonment for the same term.

2. The same act:

(a) that caused material losses;

(b) that involved breaking and entering into any premises or other storage facility –

is punishable by imprisonment for a term of three to five years.

3. The same act committed:

(a) by a group of persons acting in collusion;

(b) more than once;

(c) while breaking and entering into a residence;

(d) against a motor vehicle –

is punishable by imprisonment for a term of four to seven years.

4. The same act committed:

(a) by an organized group;

(b) on a major scale;

(c) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion;

(d) in respect of oil or gas in a transmission pipeline –

is punishable by imprisonment for a term of six to ten years.



**Notes**

1. For purposes of this chapter of the Code, "major scale" involves property having a value in excess of GEL 10,000.
2. Crimes falling under Articles 177-186 of this Code shall be deemed to have been committed more than once if they were preceded by any one of the crimes mentioned in those articles and in Articles 224, 231, 237, and 264 of this Code.
3. For purposes of this chapter of the Code, "material losses" involves property having a value in excess of GEL 150.

**Article 178. Robbery**

1. Robbery, i.e. overt appropriation of somebody else's movable property with the intention of criminal possession –

is punishable by a fine or restriction of freedom for a term of two to three years or imprisonment for a term of three to five years.

2. The same act:

- (a) that caused material losses;
- (b) that involved breaking and entering into a residence, premises or other storage facility –

is punishable by imprisonment for a term of four to six years.

3. The same act committed:

- (a) by a group of persons acting in collusion;
- (b) more than once;
- (c) while breaking and entering into a residence;
- (d) with the use of violence that is not dangerous to life or health, or while threatening to use such violence;
- (e) against a motor vehicle –

is punishable by imprisonment for a term of five to eight years.

4. The same act committed:

- (a) by an organized group;
- (b) on a major scale;
- (c) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion –

is punishable by imprisonment for a term of seven to eleven years.

**Article 179. Assault with intent to rob** (April 28, 2006, No. 2937)

1. Assault with intent to rob, i.e. assault committed to illegally appropriate movable property of another person, committed with the use of violence dangerous to life or health, or while threatening to use such violence –

is punishable by imprisonment for a term of five to seven years.

2. The same act committed: (December 29, 2006, No. 4213)

- (a) while breaking and entering into any premises or other storage facility –
- (b) by a group;
- (c) against a motor vehicle –

is punishable by imprisonment for a term of six to nine years.

3. The same act committed:

- (a) more than once;
- (b) while breaking and entering into a residence;
- (c) with the intention of appropriating property on a major scale –

is punishable by imprisonment for a term of eight to twelve years.

4. The same act committed:

- (a) by an organized group;
- (b) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion –

is punishable by imprisonment for a term of eleven to fifteen years.

**Article 187. Damage to or destruction of property**

1. Damage to or destruction of another person's property, which has resulted in material losses –

is punishable by a fine or 100 to 180 hours of community service or correctional labor for a term of up to one year or imprisonment for a term of one to three years.

2. The same acts committed through arson, explosion, or in a different publicly dangerous manner –

are punishable by imprisonment for a term of three to five years.

3. The acts mentioned in Part 2 of this article, which have resulted in manslaughter or other severe consequences –

are punishable by imprisonment for a term of six to ten years.



4. The acts mentioned in Part 2 of this article, which have resulted in manslaughter of two or more people –

are punishable by imprisonment for a term of nine to twelve years.

**Article 237. Illegal appropriation with the intent of criminal possession or extortion of weapons, ammunition, explosive materials or devices**

1. Illegal appropriation with the intent of criminal possession or extortion of firearms (other than smooth-bore hunter shotguns), their components, ammunition, explosive materials or devices –

is punishable by imprisonment for a term of five to eight years.

2. Illegal appropriation with the intention of criminal possession or extortion of nuclear, chemical, biological, or other weapons of mass destruction or materials or equipment needed to manufacture such weapons –

is punishable by imprisonment for a term of eight to eleven years.

3. Acts mentioned in Parts 1 or 2 of this article, committed:

(a) by a group of persons acting in collusion;

(b) more than once;

(c) through abuse of office;

(d) with the use of violence that is not dangerous to life or health, or while threatening to use such violence –

are punishable by imprisonment for a term of nine to thirteen years.

4. Acts mentioned in Parts 1, 2 or 3 of this article, committed:

(a) by an organized group;

(b) with the use of violence dangerous to life or health, or while threatening to use such violence;

(c) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion –

are punishable by imprisonment for a term of eleven to fifteen years.

**Article 312. Infringement on Georgia's defense capability**

1. Illegal transfer of military units, vehicles, or other means of Georgia's defense to a foreign state, a foreign organization or representatives thereof –

is punishable by imprisonment for a term of seven to ten years.

2. The acts of damaging, disabling, or destroying military vehicles or army facilities, much like interfering with the normal operation of other enterprises, institutions, organizations, or military or defense services to the detriment of Georgia's defense capability –

are punishable by imprisonment for a term of ten to fifteen years.

3. The acts mentioned in Parts 1 or 2 of this article and committed in time of war or during an armed conflict or resulting in a human fatality or severe consequences –

are punishable by imprisonment for a term of twelve to twenty years.

### **Article 397. Deliberate damage to or destruction of military property**

1. Deliberate damage to or destruction of weapons, ammunition, motor vehicles, military hardware or other military property –

is punishable by a fine or restriction of the perpetrator's eligibility for military service for a term of up to two years or imprisonment for a term of up to two years.

2. The same act that has resulted in a human fatality or other severe consequences –

is punishable by imprisonment for a term of two to five years.

### **Article 400. Violation of machinery operation or maintenance regulations**

1. Violation of operation or maintenance regulations for a combat, special-purpose, or transportation machine that has resulted in severe or less-than-severe harm to a person's health –

is punishable by imprisonment for a term of up to two years with or without disqualification from the relevant occupation for up to three years.

2. The same act that has resulted in a human fatality –

is punishable by imprisonment for a term of three to seven years with or without disqualification from the relevant occupation for up to three years.

3. The act mentioned in Part 1 of this article, which has resulted in two or more human fatalities –

is punishable by imprisonment for a term of six to ten years.

**Article 403. Violation of regulations governing the handling of weapons that pose a high danger to the public**

1. A violation of regulations governing the handling of weapons, ammunition, radioactive, explosive or other materials or items that pose a high danger to the public, which has resulted in a less-than-severe or severe harm to health, destruction of military equipment or other severe consequences –

is punishable by restriction of the perpetrator's eligibility for military service for a term of up to two years or imprisonment for a term of two to five years.

2. The same act that has resulted in a human fatality –

is punishable by imprisonment for a term of four to six years.

3. The act mentioned in Part 1 of this article, which has resulted in two or more human fatalities –

is punishable by imprisonment for a term of six to ten years.

**I. Factual circumstances of the criminal case:**

Personnel of the 51st Battalion of the Fifth Infantry Brigade of the Georgian Armed Forces were stationed in August 2008 in Georgian territory in the so-called Kodori Gorge on a mission. They were armed with all sorts of firearms and ammunition, Strela and Grom portable surface-to-air missile systems, including GROM-E2 No. 1016.

**II. Link between the factual circumstances of the case and acts punishable under the Criminal Code:**

On August 8, 2008, the Armed Forces of the Russian Federation along with Abkhaz separatists began bombing the Kodori Gorge using military helicopters and artillery. Following a decision by the command of the Georgian Armed Forces and the Fifth Infantry Brigade, on August 11, 2018 the personnel of the 51st Battalion began to pull out from the Kodori Gorge in a chaotic manner. During this time, individuals who have not been identified by investigators took possession of weapons assigned to the 51st Battalion, including the GROM-E2 surface-to-air missile system (No. 1016).

On May 20, 2014, we came across an article on one of the websites, published under the title *Exclusive Report: How Did a Missile System Stolen From Georgia End Up in the Hands of Ukrainian Separatists?* The accompanying photo showed the GROM-E2 infrared guided surface-to-air missile system with the lettering "GROM-E2 No. 1016" on its side, which was found in Kramatorsk, Ukraine. According to this article, the Ukrainian military conducted a special anti-terrorist operation at the military airfield of Kramatorsk, which resulted in the seizure of the above-mentioned missile system.



### **III. Investigative activities to be conducted in Ukrainian territory:**

The following investigative activities need to be undertaken in Ukrainian territory in order to determine what items were seized in May 2014 during a special operation conducted by the Ukrainian military at the military airfield of Kramatorsk.

In light of the foregoing, we address the relevant authorities of Ukraine with a request to conduct the following investigative activities in Ukrainian territory:

- To identify and question as witnesses the individuals who seized the GROM-2E surface-to-missile system (No. 1016) about the circumstances of the case.
- To identify and question as witnesses the individuals from whom the GROM-2E surface-to-missile system (No. 1016) was seized about the circumstances of the case.
- To requisition the opinion of the ballistic expert examination of the seized missile system.
- To determine whether it was only the outer body of the GROM-2E surface-to-missile system (No. 1016) or a complete system and whether a missile was loaded in it. If so, did the missile have the same or different number?

Senior Investigator with the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department

Signed by

David Abramishvili

Translation [Signature]

[The following text was originally written in Georgian. It is identical to the Russian text of source document pages 5–12.]

REQUEST  
for legal assistance  
in Criminal Case No. 103080094

August 25, 2015

Tbilisi

The Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department is investigating Criminal Case No. 103080094 involving allegations to the effect that the Armed Forces of the Russian Federation, aided by illegal paramilitary groups of Osetia and Abkhazia separatists, damaged, destroyed, and stole infrastructure, armaments, and inventory belonging to the Georgian Ministry of Defense and located in various regions of Georgia between August 8 and August 22, 2008, and in doing so caused a human fatality and other severe consequences as well as committed crimes falling under Clause (c) of Part 1, Clause (e) of Part 2, and Clause (a) of Part 3 of Article 109; Parts 2 and 3 of Article 312; Part 2 of Article 397; Article 399; Clause (a) of Part 3 and Clause (b) of Part 4 of Article 237; Clause (a) of Part 2 and Clause (a) of Part 3 of Article 178; Clauses (a), (b), (c) of Part 2 and Clause (c) of Part 3 of Article 179; Part 2 of Article 187; Clause (a) of Part 2 and Clause (d) of Part 3 of Article 177; Parts 1 and 2 of Article 403; Part 2 of Article 200 of the Criminal Code of Georgia:

Excerpt from the Criminal Code of Georgia

**Article 109. Homicide under aggravating circumstances**

Homicide:

- (a) Removed (July 16, 2010, No. 3446);
- (b) in a hostage-taking situation;
- (c) committed in a manner that knowingly endangered the lives or health of others;
- (d) committed to conceal or facilitate another crime –

is punishable by imprisonment for a term of eleven to fourteen years.

2. Homicide:

- (a) of a woman whom the perpetrator knew to be pregnant;
- (b) of a person whom the perpetrator knew to be underage or in a helpless state;
- (c) committed as an act of hooliganism;
- (d) on the grounds of racial, religious, national, or ethnic intolerance;
- (e) committed by a group –

is punishable by imprisonment for a term of thirteen to seventeen years.

3. Homicide:

- (a) of two or more individuals;
- (b) committed in a particularly cruel manner;
- (c) committed out of self-interest or for hire;
- (d) committed with the intention of transplanting or otherwise using the organs, parts of organs or tissues of the victim;

- (e) committed more than once (except for homicides listed under Article 110 to 114 of this Code);
- (f) committed in connection with the official duties or a public service performed by the victim or the victim's close relative – is punishable by imprisonment for a period of sixteen to twenty years or life in prison.

#### **Article 177. Theft**

1. Theft, i.e. covert appropriation of somebody else's movable property with the intention of criminal possession – is punishable by a fine or restriction of freedom for a term of one to three years or imprisonment for the same term.
2. The same act:
  - (a) that caused material losses;
  - (b) that involved breaking and entering into any premises or other storage facility – is punishable by imprisonment for a term of three to five years.
3. The same act committed:
  - (a) by a group of persons acting in collusion;
  - (b) more than once;
  - (c) while breaking and entering into a residence;
  - (d) against a motor vehicle – is punishable by imprisonment for a term of four to seven years.
4. The same act committed:
  - (a) by an organized group;
  - (b) on a major scale;
  - (c) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion;
  - (d) in respect of oil or gas in a transmission pipeline – is punishable by imprisonment for a term of six to ten years.

- Notes:**
1. For purposes of this chapter of the Code, "major scale" involves property having a value in excess of GEL 10,000.
  2. Crimes falling under Articles 177-186 of this Code shall be deemed to have been committed more than once if they were preceded by any one of the crimes mentioned in those articles and in Articles 224, 231, 237, and 264 of this Code.
  3. For purposes of this chapter of the Code, "material losses" involves property having a value in excess of GEL 150.

#### **Article 178. Robbery**

1. Robbery, i.e. overt appropriation of somebody else's movable property with the intention of criminal possession – is punishable by a fine or restriction of freedom for a term of two to three years or imprisonment for a term of three to five years.
2. The same act:
  - (a) that caused material losses;
  - (b) that involved breaking and entering into a residence, premises or other storage facility – is punishable by imprisonment for a term of four to six years.
3. The same act committed:
  - (a) by a group of persons acting in collusion;
  - (b) more than once;



- (c) while breaking and entering into a residence;
- (d) with the use of violence that is not dangerous to life or health, or while threatening to use such violence;
- (e) against a motor vehicle –  
is punishable by imprisonment for a term of five to eight years.
- 4. The same act committed:
  - (a) by an organized group;
  - (b) on a major scale;
  - (c) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion –  
is punishable by imprisonment for a term of seven to eleven years.

**Article 179. Assault with intent to rob** (April 28, 2006, No. 2937)

- 1. Assault with intent to rob, i.e. assault committed to illegally appropriate movable property of another person, committed with the use of violence dangerous to life or health, or while threatening to use such violence –  
is punishable by imprisonment for a term of five to seven years.
- 2. The same act committed: (December 29, 2006, No. 4213)
  - (a) while breaking and entering into any premises or other storage facility –
  - (b) by a group;
  - (c) against a motor vehicle –  
is punishable by imprisonment for a term of six to nine years.
- 3. The same act committed:
  - (a) more than once;
  - (b) while breaking and entering into a residence;
  - (c) with the intention of appropriating property on a major scale –  
is punishable by imprisonment for a term of eight to twelve years.
- 4. The same act committed:
  - (a) by an organized group;
  - (b) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion –  
is punishable by imprisonment for a term of eleven to fifteen years.

**Article 187. Damage to or destruction of property**

- 1. Damage to or destruction of another person's property, which has resulted in material losses –  
is punishable by a fine or 100 to 180 hours of community service or correctional labor for a term of up to one year or imprisonment for a term of one to three years.
- 2. The same acts committed through arson, explosion, or in a different publicly dangerous manner –  
are punishable by imprisonment for a term of three to five years.
- 3. The acts mentioned in Part 2 of this article, which have resulted in manslaughter or other severe consequences –  
are punishable by imprisonment for a term of six to ten years.
- 4. The acts mentioned in Part 2 of this article, which have resulted in manslaughter of two or more people –  
are punishable by imprisonment for a term of nine to twelve years.

**Article 237. Illegal appropriation with the intent of criminal possession or extortion of weapons, ammunition, explosive materials or devices**

1. Illegal appropriation with the intent of criminal possession or extortion of firearms (other than smooth-bore hunter shotguns), their components, ammunition, explosive materials or devices –

is punishable by imprisonment for a term of five to eight years.

2. Illegal appropriation with the intention of criminal possession or extortion of nuclear, chemical, biological, or other weapons of mass destruction or materials or equipment needed to manufacture such weapons –

is punishable by imprisonment for a term of eight to eleven years.

3. Acts mentioned in Parts 1 or 2 of this article, committed:

(a) by a group of persons acting in collusion;

(b) more than once;

(c) through abuse of office;

(d) with the use of violence that is not dangerous to life or health, or while threatening to use such violence –

are punishable by imprisonment for a term of nine to thirteen years.

4. Acts mentioned in Parts 1, 2 or 3 of this article, committed:

(a) by an organized group;

(b) with the use of violence dangerous to life or health, or while threatening to use such violence;

(c) by a person who had been previously convicted on two or more occasions for illegal appropriation of another person's property or extortion –

are punishable by imprisonment for a term of eleven to fifteen years.

**Article 312. Infringement on Georgia's defense capability**

1. Illegal transfer of military units, vehicles, or other means of Georgia's defense to a foreign state, a foreign organization or representatives thereof –

is punishable by imprisonment for a term of seven to ten years.

2. The acts of damaging, disabling, or destroying military vehicles or army facilities, much like interfering with the normal operation of other enterprises, institutions, organizations, or military or defense services to the detriment of Georgia's defense capability –

are punishable by imprisonment for a term of ten to fifteen years.

3. The acts mentioned in Parts 1 or 2 of this article and committed in time of war or during an armed conflict or resulting in a human fatality or severe consequences –

are punishable by imprisonment for a term of twelve to twenty years.

**Article 397. Deliberate damage to or destruction of military property**

1. Deliberate damage to or destruction of weapons, ammunition, motor vehicles, military hardware or other military property –

is punishable by a fine or restriction of the perpetrator's eligibility for military service for a term of up to two years or imprisonment for a term of up to two years.



2. The same act that has resulted in a human fatality or other severe consequences – is punishable by imprisonment for a term of two to five years.

**Article 400. Violation of machinery operation or maintenance regulations**

1. Violation of operation or maintenance regulations for a combat, special-purpose, or transportation machine that has resulted in severe or less-than-severe harm to a person's health –

is punishable by imprisonment for a term of up to two years with or without disqualification from the relevant occupation for up to three years.

2. The same act that has resulted in a human fatality –

is punishable by imprisonment for a term of three to seven years with or without disqualification from the relevant occupation for up to three years.

3. The act mentioned in Part 1 of this article, which has resulted in two or more human fatalities –

is punishable by imprisonment for a term of six to ten years.

**Article 403. Violation of regulations governing the handling of weapons that pose a high danger to the public**

1. A violation of regulations governing the handling of weapons, ammunition, radioactive, explosive or other materials or items that pose a high danger to the public, which has resulted in a less-than-severe or severe harm to health, destruction of military equipment or other severe consequences –

is punishable by restriction of the perpetrator's eligibility for military service for a term of up to two years or imprisonment for a term of two to five years.

2. The same act that has resulted in a human fatality –

is punishable by imprisonment for a term of four to six years.

3. The act mentioned in Part 1 of this article, which has resulted in two or more human fatalities –

is punishable by imprisonment for a term of six to ten years.

**I. Factual circumstances of the criminal case:**

Personnel of the 51st Battalion of the Fifth Infantry Brigade of the Georgian Armed Forces were stationed in August 2008 in Georgian territory in the so-called Kodori Gorge on a mission. They were armed with all sorts of firearms and ammunition, Strela and Grom portable surface-to-air missile systems, including GROM-E2 No. 1016.

**II. Link between the factual circumstances of the case and acts punishable under the Criminal Code:**

On August 8, 2008, the Armed Forces of the Russian Federation along with Abkhaz separatists began bombing the Kodori Gorge using military helicopters and artillery. Following a decision by the command of the Georgian Armed Forces and the Fifth Infantry Brigade, on August 11, 2008 the personnel of the 51st Battalion began to pull out from the Kodori Gorge in a chaotic manner. During this time, individuals who have not been identified by investigators took possession of weapons assigned to the 51st Battalion, including the GROM-E2 surface-to-air missile system (No. 1016).

On May 20, 2014, we came across an article on one of the websites, published under the title *Exclusive Report: How Did a Missile System Stolen From Georgia End Up in the Hands of Ukrainian Separatists?* The accompanying photo showed the GROM-E2 infrared guided surface-to-air missile system with the lettering "GROM-E2 No. 1016" on its side, which was found in Kramatorsk, Ukraine. According to this article, the Ukrainian military conducted a special anti-terrorist operation at the military airfield of Kramatorsk, which resulted in the seizure of the above-mentioned missile system.

### **III. Investigative activities to be conducted in Ukrainian territory:**

The following investigative activities need to be undertaken in Ukrainian territory in order to determine what items were seized in May 2014 during a special operation conducted by the Ukrainian military at the military airfield of Kramatorsk.

In light of the foregoing, we address the relevant authorities of Ukraine with a request to conduct the following investigative activities in Ukrainian territory:

- To identify and question as witnesses the individuals who seized the GROM-2E surface-to-missile system (No. 1016) about the circumstances of the case.
- To identify and question as witnesses the individuals from whom the GROM-2E surface-to-missile system (No. 1016) was seized about the circumstances of the case.
- To requisition the opinion of the ballistic expert examination of the seized missile system.
- To determine whether it was only the outer body of the GROM-2E surface-to-missile system (No. 1016) or a complete system and whether a missile was loaded in it. If so, did the missile have the same or different number?

Senior Investigator with the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department

Signed by

David Abramishvili



**Prosecutor's Office of Ukraine**  
**MILITARY PROSECUTOR'S OFFICE**  
**OF THE ANTI-TERRORIST OPERATION FORCES**

21 Mayakovskoho Street, Kramatorsk, Donetsk Oblast, 84333. Phone/fax:  
 (062) 644846. Email: mpr.ato\_gvp@ukr.net

October 5, 2015, No. 04-524-vykh-15

**Attn: Colonel Yu.M. Mykytenko,**  
**Chief of Staff / First Deputy Chief of**  
**the Anti-Terrorist Operation in**  
**Donetsk and Luhansk Oblasts**

Kramatorsk, Donetsk Oblast

The investigative department of the Military Prosecutor's Office of the Anti-Terrorist Operation Forces is performing a request from the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department of Georgia dated August 25, 082015 for international assistance in Criminal Case No. 103080094 being investigated in connection with instances of intentional murder of individuals, damage, destruction and theft of weapons or other military property belonging to the Ministry of Defense of Georgia, which caused severe consequences.

The materials of the request for international legal assistance describe the factual circumstances of the criminal case. According to them, a unit of the Georgian Armed Forces was stationed on August 8, 2008 in Georgian territory in the so-called Kodori Gorge on a mission. The unit was armed with portable Grom surface-to-air guided missiles, including GROM-E2 No. 1016.

On August 11, 2008, after bombardment of the Kodori Gorge by the Russian Armed Forces and Abkhaz separatists, the unit of the Georgian Armed Forces chaotically abandoned its positions. During this time, individuals unidentified by the investigation illegally took possession of the weapons of the unit of the Georgian Armed Forces, including the GROM-E2 surface-to-air missile system No. 1016.

On May 20, 2014, the Georgian pretrial investigation authority came across an Internet article titled "*Exclusive Report: How Did a Missile System Stolen From Georgia End Up in the Hands of Ukrainian Separatists?*"

One of the photos that came with this article showed the GROM-E2 portable surface-to-air missile system No. 1016. Judging by the commentary provided in this article, it was seized on May 18, 2014 by military personnel of the Ukrainian Army from illegal paramilitary groups during the operation to liberate the military airfield of the town of Kramatorsk.



2

Bearing in mind the foregoing, pursuant to Articles 40 and 93 of the Criminal Procedure Code of Ukraine, please advise whether military personnel of the Ukrainian Army actually seized the GROM-E2 portable surface-to-air missile system No. 1016 under the above-mentioned circumstances and at the time specified. If so, please describe the circumstances of the detection and seizure, the details of the individuals (military personnel) who found and seized said weapon, the details of individuals from whom said weapon was seized, as well as specify the location where it is being stored at present.

Should you have any questions about performance of this request, please contact us at 0934923160, 0665272356.

**Chief of Investigative Office  
at the Military Prosecutor's Office  
of the Anti-Terrorist Operation Forces**

**Major of Justice**

**[Signature]**

**D. Zakhrin**

51

[Stamp: A true copy. Department Prosecutor at the Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine] [Seal: For Documents No. 5. Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine]



[Illegible]

Headquarters of the Anti-Terrorist  
Operation in Donetsk and Luhansk  
Oblasts

No. 5471 of October 7, 2015

[Illegible]

[Handwriting: illegible]

October 13, 2015 [Signature]

**Attn: Major of Justice, D. Zakhryn,  
Chief of Investigative Office at the  
Military Prosecutor's Office of the  
Anti-Terrorist Operation Forces**  
21 Mayakovskoho Street,  
Kramatorsk, Donetsk Oblast, 84333

Re: No. 524-vykh-15 of October 5, 2015

The Headquarters of the Anti-Terrorist Operation in Donetsk and Luhansk Oblasts ("ATO Headquarters"), acting within its terms of reference, has forwarded your request for information regarding the GROM-E2 guided missile system.

Your request has been processed with the following findings:

- The GROM-E2 guided missile system, No. 1016 E20721, made in 2007, was transferred for storage in the field storage facility of anti-aircraft defense forces in the town of Dovhenke, Iziurm District, Kharkiv Oblast. The administration of the storage facility of Military Unit A1352 is based in the town of Balakleya, Kharkiv Oblast.
- According to delivery note No. 682 of July 9, 2014, the guided missile system is being stored at Military Unit A2192 in the town of Horodok, Makarivka District, Zhytomyr Oblast.
- The designated person responsible for storage of the system is Vitaliy Ivanovych Shevchenko, an employee of the Armed Forces of Ukraine, supervisor of the storage facility at the surface-to-air guided missiles storage department of Military Unit A2192.
- Engineering manuals, operator manuals, and logbooks of the GROM-E2 guided missile system (No. 1016 E20721) are unavailable.
- The ATO Headquarters does not possess information about the circumstances of the discovery of the guided missile system (servicemen who discovered and seized it or the persons who operated it).

Chief of Headquarters – First Deputy Chief  
of the Anti-Terrorist Operation  
in Donetsk and Luhansk Oblasts

[Signature]

Yu. Mykolenko

[Seal: Anti-Terrorist Center at the Security Service of Ukraine]

RECORD  
OF WITNESS QUESTIONING

Kramatorsk

October 15, 2015

Questioning commenced at 10:15 a.m.

Questioning ended at 11:05 a.m.

Lieutenant Colonel of Justice S.M. Kaverin, Senior Investigator with the Investigative Office of the Military Prosecutor's Office of the Anti-Terrorist Operation Forces, questioned the following individual as a witness as part of a request for international legal assistance in criminal case No. 103080094 on the premises of the Armament Headquarters of the Joint Headquarters of the Anti-Terrorist Operation in keeping with Articles 65, 66, 95, 104-106, 223, and 224 of the Criminal Procedure Code of Ukraine:

1. First name, patronymic, last name: Serhiy Anatoliyovych Naumenko
2. Date and place of birth: February 17, 1979, Bryanka, Luhansk Oblast
3. Citizenship: Ukrainian
4. Education: higher
5. Place of employment (or education), occupation and position: senior officer with the department of the Central Missile and Artillery Armaments Directorate of the Armed Forces of Ukraine (acting chief of the missile and artillery armaments service at the ATO Headquarters), lieutenant colonel
6. Marital status: married
7. Permanent address of residence (registration): 6 Povitroflotsky Prospect, Kyiv, mobile number: 0509133051
8. Prior record of criminal convictions: none
9. People's representative (Y/N): N
10. Details of the passport or other identity document: Ukrainian Army officer's ID card UK 142524

**I attest to the veracity of the above-mentioned information [Signature] S.A. Naumenko**

It was explained to the witness that he was summoned for questioning as a witness as part of international legal assistance requested by the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department of Georgia in connection with criminal case No. 103080094 on account of the fact that the witness is or may be aware of circumstances that have to be proven during these criminal proceedings.

The witness, S.A. Naumenko, acknowledges having been explained the meaning of Article 63 of the Constitution of Ukraine to the effect that an individual may not be held accountable for refusing to offer testimony or explanations regarding himself, his family members or next of kin per the list defined by law.

[Signature]  
(Signature)

The witness acknowledges having been explained the meaning of Article 18 of the Criminal Procedure Code of Ukraine about freedom from self-incrimination and the right not to testify against family members and next of kin.

[Signature]  
(Signature)



The witness acknowledges having been explained the questioning procedure, his rights available under Article 66 of the Criminal Procedure Code of Ukraine, according to which:

1. The witness has the right to:

1) know in connection with what and as part of what criminal proceedings he or she is being questioned;

2) while testifying or participating in other procedural activities, use the legal assistance of an attorney, whose authorization must be proven according to the provisions of Article 50 of the Criminal Procedure Code of Ukraine (*specifically: 1) a certificate proving the attorney's right to engage in legal practice; 2) an order, an agreement with the defense attorney or an authorization issued by an agency (institution) that is authorized by law to provide free legal assistance*);

3) refuse to offer testimony about himself, his next of kin or family members, if such testimony can give rise to suspicion or accusation against him or his next of kin or family members of having committed a criminal offense, as well as testimony that is not subject to disclosure under Article 65 of this Code (*specifically - the following individuals may not be questioned at witnesses: 1) the defense attorney, the representative of the aggrieved party or plaintiff in a civil lawsuit, defendant in a civil lawsuit, the legal representative of the aggrieved party or plaintiff in a criminal lawsuit - about circumstances that have come to their knowledge as a result of performing their duties as a representative or defense attorney; 2) lawyers - about information protected by attorney-client privilege; 3) notaries - about information protected by notary-client privilege; 4) medical workers and other persons who have learned about a disease, medical checkup, examination or their results, an intimate or familial aspect of the person's life as a result of performing their professional or official duties - about information protected by doctor-patient privilege; 5) dergymen - about information they received during confession of believers; 6) journalists - about confidential information of a professional nature disclosed to them on condition of nondisclosure of authorship or the source of information; 7) professional judges, lay judges or jurors - about the circumstances of conference room discussions of issues that arose in the context of passing a judicial ruling, except in the instances of criminal proceedings against judges that knowingly issued unlawful verdicts or rulings; 8) persons involved in drafting and enforcing an amicable settlement agreement in criminal proceedings - about circumstances that have come to their knowledge by virtue of their participation in the drafting and enforcement of the amicable settlement agreement; 9) individuals who received witness protection - about the actual details of their identities; 10) individuals who possess information about the actual identity of persons who received witness protection - information about their identity. Individuals enjoying diplomatic immunity and employees of diplomatic missions may not be questioned as witnesses (and may refuse to testify) without the consent of a representative of the diplomatic mission*);

4) testify in his native language or another language of which he has fluent command, and use the services of an interpreter;

5) consult notes and documents when testifying in cases when the testimony concerns calculations or other information that is difficult to memorize;

6) be reimbursed for the costs associated with the summons to testify;

7) review the record of questioning and request for it to be amended, supplemented or updated with comments, and also write such additions or comments by hand;

8) request protection in the instances prescribed by the law;

9) request another interpreter.

2. The witness must:

1) when summoned, appear before an investigator, prosecutor, investigating judge, or court;

2) offer truthful testimony during a pretrial investigation or court proceedings;

3) refrain from disclosing information directly pertaining to the criminal investigation and proceedings being conducted (or previously conducted) as part of this investigation, which he

or she learned in connection with his duties, unless authorized to do so by the investigator, prosecutor, or court.

3. A person involved in procedural activities as part of a pretrial investigation in the capacity of an attesting witness or a person who has witnessed such activities must not disclose information about such procedural activities when specifically asked by an investigator or prosecutor to refrain from such disclosure.

In addition, according to Part 7 of Article 224 of the Criminal Procedure Code of Ukraine, the person being questioned may write down his or her testimony by hand if he or she so wishes. The person being questioned may be asked additional questions based on his or her written testimony.

[Signature]

(Signature)

Pursuant to Article 67, the witness, S.A. Naumenko, has been warned about criminal liability under Article 384 of the Criminal Code of Ukraine (*for giving knowingly false testimony*) and Article 385 of the Criminal Code of Ukraine (*for refusal by the witness to testify*).

[Signature]

(Signature)

After being informed of his rights, the witness, S.A. Naumenko, stated that he would like to testify in the Ukrainian language and present the testimony by having it written down.

The witness does not require the services of an interpreter.

The witness does not wish to use the services of an attorney while giving testimony.

The witness, S.A. Naumenko, offered the following testimony in response to the questions asked:

I, Serhiy Anatoliyovych Naumenko, am serving in the military in the position specified above and have been temporarily dispatched (since July 28, 2015) to the Headquarters of the Anti-Terrorist Operation in Donetsk and Luhansk Oblasts, where I temporarily perform duties in the above-mentioned position since that same day while being stationed in the town of Kramatorsk, Donetsk Oblast.

In late September 2015 (I don't recall the exact date), Colonel I.D. Volokh, Chief of Armament at the Anti-Terrorist Operation Headquarters, gave me an assignment to process and provide information requested by Lieutenant Colonel V.H. Arakeylan, Chief of the 3rd Unit of the Military Prosecutor's Office of the Donetsk Garrison via Letter No. 767-vykh-15 of September 23, 2014 (identical to the request of October 5, 2015, No. 04-524-vykh-15 of the Military Prosecutor's Office of the Anti-Terrorist Operation Forces) to determine the location of storage of the GROM-E2 portable surface-to-air missile system No. 1016.

To perform the instruction of I.D. Volokh, I used an army line to call Colonel Yu.V. Kochubey, acting chief of the Missiles and Ammunition Supply Directorate at the Central Missile and Artillery Directorate of the Armed Forces of Ukraine (who uses a mobile phone with the number 067 707 8456) and





Senior Investigator with the Investigative Office of the Military Prosecutor's Office of the  
Anti-Terrorist Operation Forces  
Lieutenant Colonel of Justice

[Signature] S.M. Kaverin



**Prosecutor's Office of Ukraine  
MILITARY PROSECUTOR'S OFFICE  
OF THE ANTI-TERRORIST OPERATION FORCES**

21 Mayakovskoho Street, Kramatorsk, Donetsk Oblast, 84333. Phone/fax:  
(062) 644846. Email: mpr.ato\_gvp@ukr.net

October 16, 2015, No. 04-793-vykh-15

**Attn: Lieutenant Colonel of Justice  
A.B. Voytenko, Military Prosecutor  
of the Zhytomyr Garrison**

20 A. Shchasnoho Street, Zhytomyr,  
10014

Dear Anatoly Borysovych [Mr. Voytenko],

In response to the request from the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department of Georgia dated August 25, 2015 for international legal assistance in criminal case No. 103080094, I am hereby forwarding an order to conduct procedural activities in a foreign territory dated October 16, 2015 for purposes of organizing the processing of this request.

Subject to the provisions of Chapter 43 of the Criminal Procedure Code of Ukraine regarding the time frame for performing requests for international legal assistance and time frames for verification of request performance by the Main Military Prosecutor's Office, please ensure that the order is carried out no later than October 23, 2015.

Attachment:

- Order to conduct procedural activities in a foreign territory dated October 16, 2015 – 3 pages;

Best regards,

Senior Investigator with the Investigative Department  
of the Military Prosecutor's Office  
of the Anti-Terrorist Operation Forces

Lieutenant Colonel of Justice [Signature] S. Kaverin



093 4923160, 066 5272356



**Prosecutor's Office of Ukraine**  
**MILITARY PROSECUTOR'S OFFICE**  
**OF THE ANTI-TERRORIST OPERATION FORCES**

21 Mayakovskoho Street, Kramatorsk, Donetsk Oblast, 84333. Phone/fax:  
(062) 644846. Email: mpr.ato\_gvp@ukr.net

**ORDER**

**to conduct procedural activities in a foreign territory**

October 16, 2015

Kramatorsk

Lieutenant Colonel of Justice Serhiy Mykolayovych Kaverin, Senior Investigator with the Investigative Department of the Military Prosecutor's Office of the Anti-Terrorist Operation Forces, having reviewed the materials received from the Main Military Prosecutor's Office of Ukraine under the cover of letter No. 10/1/2-1353-vykh. 15 dated September 23, 2015,

**HAS ASCERTAINED THE FOLLOWING:**

For purposes of arranging the processing of the request from the Investigative Directorate for High-Profile Cases at the Central Investigative Directorate of the Military Police Department of Georgia dated August 25, 2015 for international assistance in Criminal Case No. 103080094 being investigated in connection with instances of intentional murder of individuals, damage, destruction and theft of weapons or other military property belonging to the Ministry of Defense of Georgia, which caused severe consequences, the investigative department of the Military Prosecutor's Office of the Anti-Terrorist Operation Forces received the above-mentioned materials from the Main Military Prosecutor's Office of the Prosecutor General's Office of Ukraine under the cover of letter No. 10/1/2-1353-vykh-15 of September 23, 2015.

The materials of the request for international legal assistance describe the factual circumstances of the criminal case. According to them, a unit of the Georgian Armed Forces was stationed on August 8, 2008 in Georgian territory in the so-called Kodori Gorge on a mission. The unit was armed with portable Grom surface-to-air guided missiles, including GROM-E2 No. 1016.

On August 11, 2008, after bombardment of the Kodori Gorge by the Russian Armed Forces and Abkhaz separatists, the unit of the Georgian Armed Forces chaotically abandoned its positions. During this time, individuals unidentified by the investigation illegally took possession of the weapons of the unit of the Georgian Armed Forces, including the GROM-E2 surface-to-air missile system No. 1016.

On May 20, 2014, the Georgian pretrial investigation authority came across an Internet article titled "*Exclusive Report: How Did a Missile System Stolen From Georgia End Up in the Hands of Ukrainian Separatists?*"



# Annex 187

Sample Minister of Defense of Ukraine Armament Investigation Reports and  
Inspection Certificates (multiple dates)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





True copy

Interim commander of Military Unit A0120

[illegible] [signature] Hrebenyuk

[seal:] Military Unit A0120

Code 22991203

APPROVED

Commander of Military Unit A4583

(position)

[signature] Major General V.A. Kravchenko

(rank, signature, initials, last name)

12/28/2017

[seal:] [illegible]

Code 26616313

INSPECTION CERTIFICATE No. 502/9/4/71

Issued to Military Unit A1815

(name of the military unit to which the certificate is issued)

as per the application (act) of the commander of Military Unit A1815

of \_\_\_\_ 20\_\_, No. \_\_\_\_ based on the decision by

\_\_\_\_\_ (indicate who made the decision)

of \_\_\_\_ 20\_\_, No. \_\_\_\_ to write [the following] off the book of shortages and the book of military property loss:

No.	Military property, Manufacturer's No., year made	Unit	Quantity	Cost per unit	Total amount, UAH	Reason for loss
1	2	3	4	5	6	7
1	BM-21 Grad [Rocket] Artillery System, Military No. 77-63H3, Manufacturer's No. 4296, 1969	piece	1	426,290.1	426,290.1	Lost in the Antiterrorist Operation (ATO) Zone
2	BM-21 Grad [Rocket] Artillery System, Military No. 77-79H3, Manufacturer's No. 4294, 1968	piece	1	426,290.1	426,290.1	Lost in the (ATO) Zone
3	BM-21 Grad [Rocket] Artillery System, Military No. 77-91H3, Manufacturer's No. 4276, 1969	piece	1	426,290.1	426,290.1	Lost in the (ATO) Zone
4	122 mm 9MM22U rockets	piece	90	72,403.37	72,403.37	Lost in the (ATO) Zone

[illegible]

[signature]

The grand total [is] UAH 1,351,273.76 (one million three hundred fifty-one thousand two hundred seventy-three hryvnias and seventy-six kopeks).

Incoming No. 6422

06.03.18

Out of the total amount of loss caused the State by the loss of said military property, the amount of \_\_\_\_\_

(state the amount in words)

is to be charged to the persons responsible, and the remaining amount of UAH 1,351,273.76 (one million three hundred fifty-one thousand two hundred seventy-three hryvnias and seventy-six kopeks)

(state the amount in words)

is authorized to be absorbed by the State.

Enclosure: Application for an inspection certificate and attachments thereto on \_\_\_ pages (only to copy No. \_\_\_).

Interim Commander of Military Unit A1815

(state position, rank, signature, last name and initials of the applicant submitting inspection certificate for approval)

Colonel

[signature]

O.B. LYUTYK

\_\_\_\_\_ 20\_\_

[seal:] Ministry of Defense of Ukraine

Military Unit A1815

Code 0788066

**COPY 1**

To Commander of Military Unit B1688

Report

[I] hereby request your permission to conduct an internal investigation to ascertain the reasons and circumstances for the loss on 04.09.2014, during a mission in the antiterrorist operation zone in the territory of Donetsk and Lugansk Regions of rocket artillery pieces belonging to the division, and specifically,

1. BM-21 Grad No. 77-63H3
2. BM-21 Grad No. 77-79H3
3. BM-21 Grad No. 77-91H3

March 3, 2017

Head of the Rockets and Artillery Weapons (RAO) Service  
of Military Unit A1815

Major [signature] K.V. KONOPLICH

*To Major O. Nasinnyk:*

*Conduct an internal investigation prior to 12.03.2017*

Colonel [signature] O. A. Malenko

**True to the original:**

**Interim chief of staff and first deputy commander  
of Military Unit A1815**

**Lt. Colonel [signature] V.V. SHUPYK**

[seal:] [illegible]

Code 07880688

[stamp:] [illegible]

1



**MINISTRY OF DEFENSE OF UKRAINE**

**EXCERPT FROM THE ORDER**

of the Commander of Military Unit B1688

(For General Service)

03.03.2017

Village of Honcharivske

No. 37

21. To Major Oleskandr Fedorovych N[a]sinnyk, deputy commander for personnel of the rocket artillery division of the brigade artillery group: conduct an internal investigation of the incidence of destruction, in the antiterrorist operation zone, of the property of the rocket artillery weapons service, namely, BM-21 Grad No. 77-63H3, BM-21 Grad No. 77-79H3 and BM-21 Grad No. 77-91H3, and submit for approval an act of internal investigation and draft order, prior to March 12, 2017.

Grounds: Report, incoming No. 119.

Commander of Military Unit, field post office box B1688

Colonel

S.A. MALENKO

Excerpt accurate

Interim general service head of the personnel department of the headquarters of Military Unit, field post office box B1688

Junior Lieutenant

[signature]

S.O. LYTVYENKO

[seal:] Ministry of Defense of Ukraine

Military Unit [illegible]

**True to the original**

**Interim chief of staff and first deputy commander  
Of Military Unit A1815**

**Lt. Colonel**

[signature]

**V.V. SHUPYK**

[seal:] Ministry of Defense of Ukraine

Military Unit A1815

Code 07880688

**MINISTRY OF DEFENSE OF UKRAINE****ORDER**

Of the Commander of Military Unit, Field Post Office Box B1688  
(For Primary Activities)

10.03.2017

Village of Honcharivske

No. 233

On the Results  
Of the Internal Investigation

As per the order of the Commander of Military Unit, Field Post Office Box B1688 (hereinafter, "Military Unit B1688"), No. 37 of 03.03.2017 "On Conducting an Internal Investigation," I, Major O.F. Nasinnyk, deputy commander for personnel of the rocket artillery division, pursuant to the requirements of the Disciplinary Regulations of the Armed Forces of Ukraine; Provisions for Financial Liability of Servicemen for Damage Caused to the State, as approved by Resolution No. 243/95 of 06.23.1995 by the Supreme Rada of Ukraine; Temporary Guidelines for Accounting for Military Property in the Armed Forces of Ukraine, as approved by Order No. 690 of 12.24.2010 (as amended) by the Minister of Defense of Ukraine; [and] Instructions for Conducting Internal Investigations in the Armed Forces of Ukraine, No. 82 of 03.15.2004, have conducted an additional internal investigation to ascertain the reasons, conditions and circumstances that led to the total loss of fighting vehicles BM-21 Grad No. 77-63H3, Manufacturer's No. 4296, manufactured in 1969; BM-21 Grad No. 77-79H3, Manufacturer's No. 4294, manufactured in 1968 and BM-21 Grad No. 77-91H3, Manufacturer's No. 4276, manufactured in 1969.

Said investigation was conducted on the basis of a report by the head of the rocket artillery weapons service of Military Unit B1688 on the partial and subjective internal investigation conducted on orders from the commander of Military Unit B1688, No. 306 of 04.27.2015, on account of the total loss of weapons and equipment of Military Unit B1688's rocket artillery division [that occurred] in the antiterrorist operation zone in the territory of Donetsk and Lugansk Regions, near the township of Dmytrivka of Novoaydarivsky District of Lugansk Region.

In the course of the investigation into the reasons, conditions and circumstances that led to the total loss of BM-21 Grad No. 77-63H3, Manufacturer's No. 4296;

BM-21 Grad No. 77-79H3, Manufacturer's No. 4294 and BM-21 Grad No. 77-91H3, Manufacturer's No. 4276, the following was established.

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In accordance with procurement order No. 342/2/M2/12-126 of 07.07.2012, BM-21 Grad units, Manufacturer's Nos. 4296, 4294 and 4276, were received from Military Unit A0332 (copy of the entry from the item's logbook attached).

In accordance with order No. 157 of 07.20.2012 by the commander of Military Unit B1688, the following numbers were assigned: fighting vehicle BM-21Grad, Manufacturer's No. 4296 was assigned the military No. 77-63H3; fighting vehicle BM-21Grad, Manufacturer's No. 4294 was assigned the military No. 77-79H3; fighting vehicle BM-21Grad, Manufacturer's No. 4276 was assigned the Manufacturer's [sic] No. 77-91H3.

In accordance with order No. 162 of 07.24.2012 by the commander of Military Unit B1688, fighting vehicles BM-21 Grad, Military Nos. 77-63H3 and 77-79H3 were assigned to the commander of the 2<sup>nd</sup> rocket artillery battery of the rocket artillery division Captain P.O. Slisar.

In accordance with order No. 162 of 07.24.2012 by the commander of Military Unit B1688, fighting vehicle BM-21 Grad, Military No. 77-91H3 was assigned to the commander of the 3<sup>rd</sup> rocket artillery battery of the rocket artillery division Captain Yu.M. Pustovoyt.

In accordance with order No. 145 of 06.23.2014 by the commander of Military Unit B1688 "On the Composite Crews of Artillery Units," the following crew was assigned to operate and maintain BM-21 Grad, Military No. 77-63H3: soldier O.P. Kuptsov (commander), junior sergeant I.O. Chernopyatok (senior gunner) and soldier S.O. Oleksandrovykh (driver).

The following crew was assigned to BM-21 Grad, Military No. 77-79H3: junior sergeant R.I. Gorlach (commander), senior soldier R.V. Sichko (senior gunner) and soldier S.I. Sitnychenko (driver).

The following crew was assigned to BM-21 Grad, Military No. 77-91H3: senior sergeant P.M. Chernychenko (commander), senior sergeant O.P. Koshkin (senior gunner) and soldier Ya.M. Parkhomenko (driver).

According to encrypted telegram No. 116/2/1/0290 of 07.05.2014 from the Commander of the Land Forces of the Armed Forces of Ukraine and pursuant to order No. 144 of 07.06.2014 by the commander of Military Unit B1688, fighting vehicles BM-21 Grad, Military Nos. 77-63H3, 77-79H3 and 77-91H3 and their crews were assigned to participate in the ATO in the territory of Donetsk and Lugansk Regions as part of the rocket artillery division of the battalion-strength tactical group.

On 09.07.2014, the composite 2<sup>nd</sup> rocket artillery battery commanded by Captain P.O. Slisar and the composite 3<sup>rd</sup> rocket artillery battery commanded by Captain Yu.M. Pustovoyt took up firing positions and remained on combat duty near the township of Shchastya (Happiness) in Lugansk Region.

In furtherance of the orders from the head of the A sector, the remainder of the artillery division's personnel and equipment, and specifically, the division's command, the logistics platoon and the command platoon, carried out their mission of providing logistical and technical support to the composite rocket artillery batteries while being stationed at the base camp in the rear, near the township of Dmytrivka in Novoaydarivsky District of Lugansk Region.

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On 08.22.2014, while on standby at the firing position of the 2<sup>nd</sup> composite rocket artillery battery, the driver of BM-21 Grad, Military No. 77-63H3 soldier S.O. Oleksandrovykh and the driver of BM-21 Grad, Military No. 77-79H3 soldier S.I. Sitnychenko reported to Captain P.O. Slisar that said vehicles had technical issues, and specifically, BM-21 Grad, Military No. 77-63H3 had to have the clutch disk replaced, and BM-21 Grad, Military No. 77-79H3 had its engine's torque converter out of order. Once Captain P.O. Slisar reported these technical issues that could not be addressed in the absence of proper tools and equipment to the rocket artillery division's commander Lt. Colonel S.V. Honcharuk and obtained permission to relocate these vehicles [and] their crews led by soldier O.P. Kuptsov (fighting vehicle, Military No. 77-91H3) and sergeant R.I. Gorlach (fighting vehicle, Military No. 77-79H3), said vehicles retreated to the base camp in the rear, located near the township of Dmytrivka in Novoaydarivsky District of Lugansk Region.

On 08.27.2014, while on standby at the firing position of the 3<sup>rd</sup> composite rocket artillery battery, the driver of BM-21 Grad, Military No. 77-91H3, soldier Ya.M. Parkhomenko reported to Captain Yu.M Pustovoyt that the vehicle was having technical issues, and specifically, that the engine was leaking oil. Once Captain Yu.M Pustovoyt reported these technical issues that could not be addressed in the absence of proper tools and equipment to the rocket artillery division's commander Lt. Colonel S.V. Honcharuk and obtained permission to relocate this vehicle [and] its crew led by senior sergeant P.M. Chernychenko, said vehicle retreated to the base camp in the rear, located near the township of Dmytrivka in Novoaydarivsky District of Lugansk Region.

These vehicles were placed in [dugout] shelters that made use of the terrain and organic equipment to camouflage them.

Said fighting vehicles were being repaired by the technical services squad of the rocket artillery division's logistics platoon assisted by the specialists of the repairs and refurbishing battalion of Military Unit B1688.

On 09.04.2014, at around 3 hundred hours, the positions of the rocket artillery division of Military Unit B1688 came under fire, most likely from MLRS Smerch (since after the attack fragments and components of MLRS Smerch projectiles were found all over the territory). BM units sustained direct hits and had their chassis damaged; [additionally], the launch rails with the rocket projectiles ready for firing caught on fire, threatening the life and health of the servicemen that tried to put it out and made it impossible to evacuate the equipment that remained intact. An ammunition carrier vehicle and the ammunition dump also sustained direct hits by MLRS Smerch projectiles and exploded, resulting in passive mining of the territory, which prevented evacuation or retreat of the equipment that remained intact. Since the

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enemy's MLRS barrage occurred at night and a fire started, clearing the camp territory of the mines appeared to be impossible.

The fire in the camp and explosions of artillery rounds continued until 5 hundred hours.

As the morning of 09.04.2014 dawned, attempts were made to extinguish the fire, but as burning ammunition kept exploding, these attempts were abandoned and the personnel retreated to maintain a safe distance. It only became possible to safely enter the camp territory at 11 hundred hours on 09.04.2014.

By that time, the fighting vehicles had been completely destroyed.

As explained by soldier O.P. Kuptsov and soldier S.O. Oleksandrovych, at around 3 hundred hours on 09.04.2014, the positions of the rocket artillery division of Military Unit B1688 came under fire, most likely from MLRS Smerch, and, as a result of direct hits by rocket projectiles, BM-21 Grad, Military No. 77-63H3, caught on fire, which caused a subsequent detonation of the vehicle's rockets. As a result of this detonation of the full complement of rockets, namely, 30 9M22U projectiles, BM-21 Grad, Military No. 77-63H3 was destroyed. Due to the fire at the base camp, this vehicle could not be evacuated.

As explained by senior soldier R.V. Sichko and soldier S.I. Sytnychenko [sic], at around 3 hundred hours on 09.04.2014, the positions of the rocket artillery division of Military Unit B1688 came under fire from MLRS Smerch, and, as a result of direct hits by rocket projectiles BM-21 Grad, Military No. 77-79H3, caught on fire, which caused a subsequent detonation of the vehicle's rockets. As a result of this detonation of the full complement of rockets, namely, 30 9M22U projectiles, BM-21 Grad, Military No. 77-79H3 was destroyed. Due to the fire at the base camp, this vehicle could not be evacuated.

As explained by senior sergeant P.M. Chernychenko and soldier Ya.M. Parkhomenko, at around 3 hundred hours on 09.04.2014, the positions of the rocket artillery division of Military Unit B1688 came under fire from MLRS Smerch, and, as a result of direct hits by rocket projectiles, BM-21 Grad No. 77-91H3, caught on fire, which caused a subsequent detonation of the vehicle's rockets. As a result of this detonation of the full complement of rockets, namely, 30 9M22U projectiles, BM-21 Grad No. 77-91H3 was destroyed. Due to the fire at the base camp, this vehicle could not be evacuated.

As explained by Captain P.O. Slisar, on 09.04.2014, once the artillery attack on the positions of the rocket artillery division was over, on orders from Lt. Colonel S.V. Honcharuk, the surviving equipment was evacuated to an alternative position near the township of Novoaydar in Lugansk Region. Soldier S.O. Oleksandrovych and soldier S.I. Sitnychenko also participated in the evacuation. During an inspection of

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the equipment, it was discovered that BM-21 Grad No. 77-63H3 and BM-21 Grad No. 77-79H3 had been destroyed. Due to the fire at the base camp, this vehicle [sic] could not be evacuated.

A similar account was provided by the commander of the 3<sup>rd</sup> rocket artillery battery Captain Yu.M Pustovoyt, who confirmed that once the artillery attack on the positions of the rocket artillery division was over, on orders from Lt. Colonel S.V. Honcharuk, the surviving equipment was evacuated to an alternative position near the township of Novoaydar in Lugansk Region. Soldier Ya.M. Parkhomenko and senior sergeant P.M. Chernychenko also participated in the evacuation. During an inspection of the equipment, it was discovered that BM-21 Grad No. 77-91H3 had been destroyed. Due to the fire at the base camp, this vehicle could not be evacuated.

The fact of the artillery attack and damage sustained by the vehicles BM-21 Grad No. 77-63H3, BM-21 Grad No. 77-79H3 and BM-21 Grad No. 77-91H3 is corroborated by entries in the combat duty journal (copy attached).

According to the table of residual values, the total value of the property lost by the rocket artillery weapons service, namely, 3 (three) BM-21 Grad vehicles, is UAH 1,278,870.39, and of 90 (ninety) 122 mm M21OF rockets with MRVU 22-82-230 fuses—UAH 72,403.37. The total amount of loss caused the State by the loss of said property of the rocket artillery weapons service is UAH 1,351,273.76.

#### CONCLUSIONS:

The loss of weapons and military equipment became possible due to combat damage sustained on a mission in the territory of the antiterrorist operation and shall be deemed irrecoverable. Personnel have not been at fault for same. The total value of the property lost is UAH 1,351,273.76, including:

By the rocket artillery weapons service—UAH 1,351,273.76.

Pursuant to paragraphs 1.3, 1.5 and 4.2 of the Procedure for Writing Off Military Property in the Armed Forces of Ukraine, as approved by order No. 17 of 01.12.2015 by the Ministry of Defense of Ukraine (registered by the Ministry of Justice of Ukraine on 01.31.2015 as No. 118/26563), irrecoverable losses shall be written off based on [corresponding] inspection reports.

To streamline accounting for Military Unit B1688's property, steps have been taken to write off and replenish the property lost.

Personnel have not been at fault [for the loss]. The loss sustained shall be absorbed by the State in its entirety.

Pursuant to paragraphs 1.3, 1.5 and 4.2 of the Procedure for Writing Off Military Property in the Armed Forces of Ukraine, as approved by order No. 17 of 01.12.2015 by the Ministry of Defense of Ukraine (registered by the Ministry of Justice of Ukraine on 01.31.2015 as No. 118/26563), irrecoverable losses shall be written off based on [corresponding] inspection reports.

To streamline accounting for the property of Military Unit B1688's RAO Service, steps have been taken to write off and replenish the property lost.

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[I HEREBY] ORDER:

1. To have the combat losses caused the State while on a mission in the territory of the antiterrorist operation, in the amount of UAH 1,351,273.76 (one million three hundred fifty-one thousand two hundred seventy-three hryvnias and seventy-six kopeks), written off in full at the government's expense;

2. To have the head of the Rockets and Artillery Weapons (RAO) Service of Military Unit B1688:

- record the loss in the amount of UAH 1,351,273.76 (one million three hundred fifty-one thousand two hundred seventy-three hryvnias and seventy-six kopeks) in the book of property lost by the Rockets and Artillery Weapons (RAO) Service of Military Unit, field post office box B1688;

- pursuant to the Procedure for Writing Off Military Property in the Armed Forces of Ukraine, as approved by order No. 17 of 01.12.2015 by the Ministry of Defense of Ukraine, duly prepare documents and an application for an inspection certificate for writing off property, namely, BM-21 Grad No. 77-63H3, Manufacturer's No. 4296, manufactured in 1969; BM-21 Grad No. 77-79H3, Manufacturer's No. 4294, manufactured in 1968 and BM-21 Grad No. 77-91H3, Manufacturer's No. 4276, manufactured in 1969, valued at UAH 1,351,273.76 (one million three hundred fifty-one thousand two hundred seventy-three hryvnias and seventy-six kopeks); submit applications to the logistics body to have the losses and shortages replenished;

3. To have the assistant commander of Military Unit B1688 for finance and economics and the head of the Finance and Economics Service duly write the property loss off the books and enter a loss of UAH 1,351,273.76 (one million three hundred fifty-one thousand two hundred seventy-three hryvnias and seventy-six kopeks) in the book of RAO Service losses of Military Unit B1688;

4. To cancel paragraphs 1, 2 and 3 of order No. 306 of 04.27.2015 by the commander of Military Unit, field post office box B1688;

5. To designate the chief of staff and first deputy commander of Military Unit B1688 as the person responsible for seeing this order carried out;

6. To notify this order to the unit's personnel whom it concerns.

Commander of Military Unit, field post office box B1688

Colonel

S.A. MALENKO

True to the original

Chief of staff and first deputy commander  
of Military Unit, field post office box B1688

Lt. Colonel [signature] R.V. HUBA

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Code 07880688

Excerpt from the Combat Log of the Fire Support Company  
of Military Unit, Field Post Office Box B1688 (Inventory No. 367/r3)

p. 27

Date, time	Subject matter
10 hundred hours on 09.04.2014	<p>At 3 hundred hours on 09.04.2014, [the following] combat vehicles were completely lost: BM-21 Grad No. 77-63H3, Manufacturer's No. 4296, manufactured in 1969; BM-21 Grad No. 77-79H3, Manufacturer's No. 4294, manufactured in 1968 and BM-21 Grad No. 77-91H3, Manufacturer's No. 4276, manufactured in 1969. Information was received at 10 hundred hours from Captain P.O. Slisar and Captain Yu.M. Pustovoyt.</p> <p>Commander of the rocket artillery division of Military Unit B1688            Lt. Colonel [signature] S.V. HONCHARUK</p>

True to the original  
 Interim chief of staff and first deputy commander  
 of Military Unit, field post office box B1688  
 Lt. Colonel V.M. PADALKO  
 [seal:] [illegible]

**True to the original**  
**Interim chief of staff and first deputy commander**  
**Of Military Unit A1815**  
 Lt. Colonel [signature] V.V. SHUPYK  
 [seal:] Ministry of Defense of Ukraine  
 Military Unit A1815  
 Code 07880688



# Annex 188

Transcript of Video Declaration of Petr Khokhlov, Suspect Interrogation (published  
27 August 2014)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



Coat of Arms  
Letter Head of the Security Service of Ukraine

Copy. # 1  
Personally

**Ministry of Foreign Affairs of  
Ukraine**

February 27, 2017 # 10/-332/1-10

*Re: P.S. Khokhlov*

The Security Service of Ukraine within the scope of its duties on fight against terrorism and illegal armed groups operating in Ukraine informs of the following.

On 14 of August 2014, the Ukrainian law enforcement authorities captured Petro Sergiovykh Khokhlov, a Russian national, during the antiterrorist operation in Luhansk oblast. During interrogation of P. Khokhlov, carried out by members the Security Service of Ukraine, P.Khokhlov informed that he serves in the Armed Forces of the Russian Federation.

The Security Service of Ukraine published P. Khokhlov's interrogation on Internet: <https://www.youtube.com/watch?v=vwllmlGuMz0&feature=youtu.be>. Attached herewith is a transcript of P.Khokhlov's interrogation carried out on 14 August 2014.

Attachment: mentioned on 4 pages.

Attachment is only for the addressee.

**Chief of Staff of the Head of  
the Security Service of Ukraine**

**(signed)**

**O. Tkachuk**

## **Transcript of Interrogation of Petr Khokhlov captured on 14 August 2014**

*[English translation from original Russian.]*

\* \* \* \* \*

I, citizen of the Russian Federation, Khokhlov Petr Sergeevich, was born in 1995, on February 8th, in the Saratov Region, in the city of Novouzensk. I was drafted to the army on May 22, 2013. After serving for 9 months, I signed a contract with the 9th Separate Motorized Rifle Brigade, the Military Base 54046. After having served for a month and a half as a contractor, I was transferred to the 1st Motorized Rifle Battalion. Junior sergeant Ten was my squad leader, lieutenant Sashenko was the platoon commander, lieutenant Polomatov was the company commander, lieutenant Dultsev was the deputy company commander, captain Pashetov was the commander of the battalion, and colonel Merkov was the commander of the brigade.

After two weeks we were woken up to the alarm, loaded into a train and sent to the Rostov Region near the village of Krasnovka next to the village of Millerovo. We deployed into the forest and set up tents. We were ordered to dig trenches for the IFVs [Infantry Fighting Vehicles] and conceal them. We concealed them. After a month, the battalion commander lined us up and ordered all the mechanics, drivers, gun pointers, operators to take the IFVs out and park them in one line near the checkpoint, and destroy the machines' numbers, machine guns' numbers, throw away... remove casings from the tanks, fix the machines.

After we fixed the machines, a KAMAZ truck with antitank guided missiles had arrived. We loaded the machines, five antitank guided missiles to each. They were inspected in the evening. At 4 pm colonel Brikov and captain Vasyura inspected the machines. At six.. at five o'clock the march began, 14 machines left. The staff crew accompanied these machines - a squad leader, driver-mechanic and a couple of officers. Those were the company commander lieutenant Polomatov, the platoon commander lieutenant Sashenko and the deputy company commander lieutenant Dultsev. Having left in the evening at 5 pm, they returned the next morning around 8 am. They told us that they had passed the machines to the Chechens. And these machines would be given to the militants. They were being moved to the Russian Donetsk.



After the 14 machines were sent out, the battalion commander lined us up again and ordered us to line up the remaining machines. The remaining machines were lined up, and, again, we began destroying the machines' numbers, machine guns' numbers, cannons' numbers were taken off, we checked the ammunition. We were told that another march would take place tomorrow. All the machines were prepared, captain Vasyura walked by them, he is a deputy for technical matters. He walked by, looked at them, all the machines' engines started to run well even when cold, he said that the machines should run even with cold engine, he checked everything and liked it. These machines were staying through the night. We were told that these machines would take a route march the next day - these machines would also be taken to the Russian Donetsk, and given to the militants.

The next morning we were told that the location where the IFVs were passed over was shelled from mortar launchers. We were told that the march would take place the next day. We were meddling with these machines, and it was going on like that for two-three weeks. We were meddling with these machines for no reason, because at the end all the machines were lined up and none of them left. On August 8, 2014 a friend told me that the militants are paid 150 thousand. My friend, private Dorofeev, and I decided to leave the Russian Army and to join the militants.

We left on August 8, in the evening. We spent the night in the woods, woke up in the morning and continued walking. We were walking for two days, in the fields. While we were walking in a field, we were very thirsty. We saw a tower, like a guard tower. We thought that maybe there were some people there, who we would ask for water. But there was no one there. We kept walking. I told Dorofeev: "Let's go into the woods". We went into the woods, it felt humid. We followed that humidity and reached a river. There was a steep cliff on our side. We went down, filled our bottles with water and drank. Then we sat, smoked and thought. We drank some more water. Then took our clothing off, threw a log into the river, put our clothing on top of the log and began swimming across the river. We had swum across the river. Our clothing was wet. We took the clothing, and began walking out of the woods. The path was going upwards. We came out to the road, it was going in both directions, to the left and to the right. We turned to the left. My friend said: "Maybe we will make it somewhere this way". We kept walking. My friend said:

“Let’s stop, sleep through the night here, dry out the clothing here”. We made a fire, dried out the clothing, then woke up in the morning at 4-5 am and continued walking. We walked through a field and heard sounds of motors, tractors. My friend (private Dorofeev) said: “Let’s go down”. We went down the hill, which was pretty steep. There was a calf pen there, on the left side, but there were no calves.

We walked out, and saw a nice highway going to the right. We went along that highway, and saw a church, which was being restored. We thought - let’s walk in and ask for water. We walked to the church, but it was closed. We then walked on the road and saw an elderly woman, who was crossing the road with two buckets of water. We crossed the road and she let us fill the bottle with water. We kept walking along the highway, stopped a “Zaporozhets” car and rode in it for about twenty kilometers, then it turned to the right and we got out at a bus stop. We were trying to stop a car, but no one stopped. Then we saw a foreign made car driving towards us. There were militants in it with machine guns. We hid in the grass. After laying for about an hour in the grass we stood up and kept walking on a paved road. We saw a field on the right side. People working in it and growing cabbage. We thought - let’s approach them and ask for water. A BMW car, 320 series, then arrived. Two militants jumped out of it. One of them was an older man, about 50 years old, and other one was about 27 years old. They told us to get down to the ground, faces down, and began searching our pockets. They found a few cigarettes, matches and a broken compass. I broke the top of it while we were walking.

They loaded us up [into the car] and took us to their headquarters. It was located in the village of Novosvetlovka. We were brought to the headquarters and put behind bars. There used to be a police station there. They told us to wait until the evening when their chief would arrive. The chief arrived, asked everything about us, where we are from, wrote everything down on a piece of paper. Then he said to my friend Dorofeev: “I am going to give you a machine gun. Will you shoot me?” He said: “No”. Then he asked me. I said: “No”.

He said: “OK, keep waiting, your commanders will arrive tomorrow”. Next day three Russian officers arrived. They did not introduce themselves to us. We told them how, from which military base we came from. They first asked me, but I lied to them. Then they asked my friend.

They scared him, and told him that he would spend seven years behind bars if he did not tell the truth. He told them the truth. He was then taken to write an explanation letter. He wrote an explanation letter. It had phrases like “I do not have any claims against the militants... against the commanders, I was not beaten and I was fed”, like that. They called me next to write the same. I wrote it. They gave us a few cigarettes and closed us in the jail again. There was this big Russian officer there. He said: “Maybe we will come tomorrow and take you to Luhansk”. But another officer, also Russian, an older one, said that next day yet another officer would arrive, question us again, and we would leave with him.

The Russian officer arrived, questioned us, wrote everything down. They gave us an inflatable mattress and a pump. And placed us in a separate room, so that we would not run away, they said. We inflated the mattress and went to sleep.

We woke up in the morning. Those two were there. One had a nick name “Cheerful”, and I did not know the second one. We saw him in the evening for the first time.

After we ate, we went to the bathroom to smoke, they did not guard us. So we kept going to the bathroom to smoke. Those two officers were not there anymore. Then we were sitting, waiting, walking and drinking tea. A message arrived on the radio transmittal that the offensive had begun. I was given an ammunition vest, a Kalashnikov hand-held gun and a grenade, and was seated in the Lada six series car. A sniper gun, three “Flies” RPG-18 and “Zinc” 545 were already in the car, near the passenger seat. My friend was seated in the BMW. All of it was happening in panic. They drove straight, but the three of us drove on the road to the left. Once we reached the bridge, we turned around and drove back. We saw some buried gas cylinders. We stopped near those gas cylinders and began leaving the vehicle, carrying our weapons.

The Ukrainian military were walking there, but one of us, the sniper, said: “Those are our people”. They said: “Everyone on the ground, faces down”. They shot in the air. We laid down. They looked inside the car and saw the sniper guns. The sniper began talking right away. They asked him who is the sniper. He said: “I am the sniper”. He was taken away. We were put to the ground. A big guy approached me, took off the ammunition vest and tore the army serial number

off. They told us to turn around and again put our faces down to the ground. Having spent about 15 minutes with our faces in the dirt, another car drove by, probably with the militants. When they saw us, it slowed down rapidly and began driving backwards. They began shooting at the car. I think they left and were not caught. All of us, who were detained, were placed in the store. It was about 4 pm at that time.

Around 5 pm the militants began shooting at the civilian village, at the direction of this store, from Grads and mine throwers.

Then we spent the night in the store. Consequently, we were transported to the Ukrainian military, to the airport, were questioned there and taken to the base. We were questioned again on the base, fed, and I was given some cigarettes...

# Annex 189

Signed Declaration of Yevhen Kaliberda, Suspect Interrogation Protocol ( 21 October 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



**RECORD  
of witness interrogation**

Kharkiv

October 21, 2014

Interrogation started at "16:20"  
Interrogation finished at "18:10"

Captain of Justice A.O. Proshnyak, special investigator in section 1 of the investigations department at the Kharkiv Regional Directorate of the Security Service of Ukraine, in Room No. 12 of the investigations department, in connection with criminal proceedings No. 22014220000000283 and pursuant to articles 65, 66, 95, 103–107, 223 and 224 of the Criminal Procedure Code of Ukraine, interrogated the witness

1. Name	<b>Kaliberda</b>
2. Name	<b>Yevhen</b>
3. Patronymic	<b>Davydovych</b>
4. Date and place of birth	<b>The surname, name and patronymic of the witness have been changed, and his other personal details are restricted on the basis of Article 15 of the Law of Ukraine "On protecting persons involved in criminal procedure" and the investigator's resolution No. <u>70/6-3568</u> of 10.21.2014 on applying protection measures to a witness. The witness is summoned exclusively via the protection authority.</b>
5. Nationality	
6. Education	
7. Occupation and role	
8. Place of residence	
9. Identity document	

The witness was advised that he is being interrogated in connection with criminal proceedings No. 22014220000000283.

The witness was advised of the content of Article 63 of the Constitution of Ukraine, which provides that a person may not be held liable for refusing to give testimony or explanations concerning himself, members of his family or close relatives, as defined by law.

\_\_\_\_\_  
[signature]

(witness signature)

**The witness was advised of the interrogation procedures and his rights and obligations under Articles 65 and 66 of the Criminal Procedure Code of Ukraine.**

[...]

**Continued: record of witness Y.D. Kaliberda's interrogation on 10.21.2014**

[...]

I don't currently have a job, in 2012 I graduated from a trade and economics college as a chef. I live at the above address with my mother – Viktoria Yakovlevna Filatova, born in 1974, my step-father, Vitaly Aleksandrovich Yakovlev, born in 1968, and my sister, Alina Vitalyevna Yakovleva, born in 2008. I'm not a member of any political parties and I don't embrace any radical political views.

During the political crisis at the end of 2013 – start of 2014 (the so-called Euromaidan), I started getting interested in the events taking place in the country. Since November 2013, I had been a supporter of Euro-integration, but some time later I changed my views and switched to the so-called "Anti-Maidan" side.

From mid-February 2014, when the movement started up in Kharkov aimed at pulling down the Lenin monument, I started going out onto Freedom Square in order to defend the historical monument against this aggression. People were gathering on a regular basis on the square and talking to one another about various topics, and they were united by a single common idea – their discontent with the actions of the authorities as regards pulling down the monument. Over the time that I spent on Freedom Square (from 02.23.2014 onwards), I met various people who included: Anatoly (a man who looked to be about 50, balding, of medium height), people called him "Uncle Tolik" or "Tol"; Ilya (an alcoholic with a beard) – "VDV" [paratrooper]; Anastasiya Khudyakova (who subsequently became my girlfriend). I went to the square with my acquaintance, Vitaly Svyatkov.

After the threat of the Lenin monument being pulled down subsided, in around May 2014, I went to Crimea, where at one point I was in Yevpatoria, and participated in the opening of the Flash café, and then worked in Koktebel.

I returned to Kharkov in around mid-July 2014. After arriving in Kharkov, I again went to Freedom Square, where I met up with the supporters of the Anti-Maidan ideology. On one of these days, I met the aforementioned Anatoly ("Tol"). We started talking about various topics, mainly discussing the events taking place in Lugansk and Donetsk. I also said that I was trying to find a job. During one of our subsequent meetings, "Tol" offered me an opportunity to earn some cash, by going with him to the Kharkov Meat Packing Plant district. He did not talk about the specific nature of the work, but I agreed.

[signature]



**Continued: record of witness Y.D. Kaliberda's interrogation on 10.21.2014**

After that, "Tol" and I travelled on public transport to this location, and entered the territory of the metals warehouse located near the railway bridge over Prospekt Gagarina. We went into an administrative building, where someone called Oleg (Sobchenko, as I subsequently learnt) was waiting for us. There were also other people there whose names I don't know, in total there were around 6 people. Judging by the way they were talking, "Tol" and Sobchenko were already acquainted.

Oleg copied down my personal details and also said that an organization was being set up to protect public order, which would be helping the militia. After this meeting, I went home.

Some time later, "Tol" phoned me on my mobile phone (I can't now remember the number, I changed it often). He asked me where I was, and also said that he would come to my house, as he needed to see me. Some time later, he came to where I was living, and we met in the courtyard of the building. During our conversation, "Tol" asked me to hide two grenades "in a safe place" and gave me a black bag. I looked inside the bag and saw 2 round green items with black lettering. As I subsequently found out through the Internet, these items looked like RGD-5 grenades. Next to them were 2 fuses.

I decided to hide this bag under the bridge on Akhsarov St. (the Alekseyevskaya metro station district). I chose this location myself, as I knew that virtually no one went there. Upon arriving under the bridge, I put the bag containing the grenades under a stone and concealed it with plastic bottles, and also covered it up with leaves.

In the evening of that same day, "Tol" phoned me and asked, during our conversation, "Have you hidden the nuts?" to which I said, "Yes, I've hidden everything." I understood this question to mean "had I hidden the grenades."

Around three days later, Tolik phoned me on my mobile phone and said that he would come to my house, and that I should go down to the entrance hall when he phoned. After he arrived, he and I talked about various matters, and during the conversation he proposed that I go to Belgorod to have a look at the city at his expense. I agreed to this.

We went to Belgorod the next morning (I can't remember the date, it was July of 2014). "Tol" and I met up at the Kharkov passenger station, found a taxi driver in a passenger car whose registration plate I can't remember, which had a sign on the car saying "Kharkov – Belgorod," we waited for there to be four of us and set off for Belgorod. "Tol" paid the taxi driver 500 rubles each for himself and for me. We arrived in Belgorod at the railway station, where awaiting us were Oleg Sobchenko, Vadim (Monastyrev – as I subsequently learnt) and Sergey (whose surname I don't know, he lives in Belgorod, I called him the "Messenger," as he said in conversation that he worked at the military post office).

Sergey took me to some café to have a bite to eat, whilst Sobchenko, Vadim Monastyrev and "Tol" went off to talk. I don't know what they were talking about. They then came to the café and we went off to a park, where Sobchenko and Monastyrev gave "Tol" cash (hryvnia, exactly how much I don't know) for him to give to people according to an enclosed list. As Sobchenko said to "Tol" as he handed over the money and the list – "This is for the families."

[signature]

**Continued: record of witness Y.D. Kaliberda's interrogation on 10.21.2014**

After that, Sobchenko, Vadim Monastyrev and Sergey took "Tol" and me back to the station and we left for Kharkov. Upon arriving in Kharkov we each went our separate ways. After that, we didn't talk for about 2 weeks.

"Tol" then phoned me again and said that I needed to go to Belgorod again, as he put it – "for training in political science," this was supposed to take 2 weeks, for which I was supposed to be paid 1,000 hryvnia. I agreed.

I left sometime in early August 2014, I met up with "Tol" at Kharkov railway station, he gave me 1,000 hryvnia for the journey, after which I went there in a taxi.

In Belgorod, the taxi dropped me at the railway station, where Vadim Monastyrev met me. He took me to a rented apartment on Bogdan Khmelnytsky St. in Belgorod (I can't remember the number of the building or the apartment, the apartment was on the ground floor, on the left, I remembered the name of the street because I had called for a taxi to pick me up there). In the apartment were Sobchenko with his son, aged around 6, and his wife (whose name I can't remember), Andrey (whom I hadn't met previously, who looked to be about 27), Vyacheslav (Monastyrev, as I learnt subsequently, Vadim's son), Alina (who, as I subsequently learnt, was Monastyrev Senior's daughter). I stayed in this apartment for around 2 days without doing anything.

Sobchenko and Vadim Monastyrev then offered me work on a building site as a landscape gardener, to which I agreed. From that day, Vyacheslav Monastyrev, Andrey and I would drive into the countryside in some car, where we dug the ground (did landscape gardening). At the end of the working day, we were paid 500 rubles each, on average.

During this work, Sobchenko told me that in addition to the courses that I had arrived for, there were also courses in combat training, where the instructors taught people the art of war – shooting, tactics, etc. As he was telling me this, Sobchenko, along with Vadim Monastyrev and Andrey, were looking at online maps of the area of the anti-terrorist operation, from which I concluded that these courses had been specifically created for those fighting in the Donetsk and Lugansk Regions.

Having worked in this way for around 10 days, Sobchenko told me that there wouldn't be any courses for the time being, that he would contact me in about 10 days and that I could go back.

That same day, Oleg Sobchenko gave me 500 rubles for the journey, after which Vyacheslav Monastyrev, Andrey and I took a taxi to the Zhuravlevka checkpoint, where we were met in the territory of Ukraine by friends of Andrey who I understood to be his godfather and his [godfather's] wife. They took me in their car (a VAZ whose registration plate I can't remember) to Pyatikhatok, where I got out and went home.

That evening, Andrey, Vyacheslav Monastyrev and my girlfriend Anastasiya came to my house. Someone I hadn't met before by the name of Yaroslav, a friend of Andrey and Vyacheslav, also came along. They stayed the night at my house, after which we went our separate ways. Andrey returned that evening, and Yaroslav also came by to pick up the bag he'd left at my house. He said that he would be leaving the city.

I would also like to note that before our departure, Sobchenko told me to show Andrey where I had hidden the aforementioned grenades. As I understood it, Tol had told Sobchenko about this. Therefore, while Andrey was at my house, I explained to him where these grenades were. As I understood it, this was in case anything happened to me and I wasn't able to get them. Andrey then left my house and I didn't see him again.

In late August 2014 I received a call on my mobile phone from "Tol," who told me I had to go back to Belgorod to the aforementioned training course. He also proposed that I take my

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**Continued: record of witness Y.D. Kaliberda's interrogation on 10.21.2014**

girlfriend Anastasiya (whom I spoke about before) with me.

That same day, I met "Tol" at Kholodnaya Gora, with him were Sergey (whose surname I don't know, his nickname was "Prorab" [Foreman]), whom I hadn't met before, and someone I didn't know whose nickname was "Ded" [Grandpa]. We discussed our trip to Belgorod, these two men were supposed to be our overseers. "Tol" also gave me 1,500 Russian rubles for the journey and I went home. We had to leave the next day.

The next day, Anastasiya and I took a taxi from the Southern Station to Belgorod (through Volchansk). Upon arriving at the station in Belgorod, we took a taxi to the aforementioned apartment on Bogdan Khmel'nitsky St. "Ded," "Prorab," Vadim Monastyrev and his daughter, Sobchenko and his wife and son were there.

The next day, Sergey "Messenger" arrived and took us to another apartment on August 5<sup>th</sup> St. (I can't remember the number of the building or the apartment, the apartment was on the 10<sup>th</sup> or 11<sup>th</sup> floor, I can't remember for sure.) This was a rented apartment, and there was no one there except Anastasiya, "Messenger" and me. We stayed there for around 2 weeks, not doing anything.

I then got a call from Sergey "Messenger" who told me to go urgently to the apartment on Bogdan Khmel'nitsky St. After that, Sobchenko, the Monastyrev father and son, Andrey and I set out for a building with the sign "Officers' Club" (or "Officers' Union," also on Bogdan Khmel'nitsky St.). There we changed into camouflage, put on balaclavas, and a video was recorded in which the Monastyrevs, Andrey, Sobchenko and I are standing with our faces covered against the backdrop of a wall, and Sobchenko made an appeal against fascism, that all the fascists in Ukraine and Kharkov would be punished. He called us the "Kharkov Partisans." After making the recording we changed back into our clothes, and a few days later (perhaps a week or more elapsed, as far as I remember it was September 18, 2014), Anastasiya and I took a taxi back to Kharkov. Sobchenko gave us the money for our journey. Our accommodation and meals in Belgorod had been paid for by Sobchenko. Subsequently, I saw this video on YouTube and VKontakte under the name "Kharkov Partisans."

Also during this trip, Vadim Monastyrev had created, for contact purposes, the e-mail address "рысь1853@mail.ru," password "баракуда1853" (which had to be typed in in English typeface, "1853" was the age of the youngest and oldest members of the group – Anastasiya was 18 and "Ded" was 53). All those participating in the conversation knew the password to this mail account. In order to contact someone, you had to save your message in the "Drafts" folder of the mailbox and write your pseudonym in the title. After they were read, messages were deleted. I used the pseudonym "Ninzya" [Ninja], Sergey used "Prorab," Anastasiya used "Vnuchka" [granddaughter], Andrey used "Said," Vyacheslav Monastyrev used "Kong," "Ded" used "Ded," Sobchenko used "Devyaty" [Ninth].

The last day before we left Belgorod, Sobchenko and Vadim Monastyrev told me that I was being sent on the aforementioned courses in the art of war and subversive activities (they called it a "sabotage and reconnaissance group"). As I understood it from Monastyrev, his son, Vyacheslav, had already undergone such training.

On 09.19.2014 I got into a fight, where I had my nose broken and I was also concussed; I lay in Hospital No. 4 until September 24, 2014. Vyacheslav Monastyrev came to see me, he gave me the phone number of "Ded" but didn't explain why. Then "Ded," Anastasiya and "Prorab" came to see me. "Ded" and "Prorab" took me to one side and told me that they had received a "consignment" – a few grenades and a sticky bomb.

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**Continued: record of witness Y.D. Kaliberda's interrogation on 10.21.2014**

On 09.25.2014 I discharged myself from the hospital, but was immediately admitted to Hospital No. 30, where I continued to be treated until October 3 or 4, 2014.

After that, I left for Kiev, where I remained until 10.13.2014. Over this time, I did not maintain contact with the aforementioned persons, I even avoided it, as I wanted to leave this group.

On 10.16.2014, officers from the Security Service of Ukraine carried out a search of my home. They did not find anything that could have attested to unlawful activity, but I realized that the law-enforcement agencies were aware of the activities of the Kharkov Partisans, and therefore decided to go and throw away the aforementioned grenades. Upon arriving at their location, I discovered that they were not in the hiding place. Only Andrey could have picked them up, as only he knew about the hiding place. After that, I decided to go to the Security Service of Ukraine and tell them about everything that had happened.

Sobchenko and Vadim Monastyrev had also said repeatedly that, without thinking, they would kill anyone who tried to "turn them in," therefore I might be in danger.

I also want to say that during my final trip to Belgorod, in the apartment on Bogdan Khmelnitsky St., Vadim Monastyrev and Sobchenko, whilst smoking in the kitchen, had been saying that they needed to "remove" Bystrichenko (as far as I understood – the Kharkov pro-Ukrainian activist, Valentin Bystrichenko). They didn't say why this needed to be done. They also said that they had a "PBS" to do this, and that Andrey was supposed to perform the task. As I subsequently read online, this stands for "special noiseless pistol." I heard this conversation accidentally, when I went into the kitchen. After they saw me, they immediately changed the subject.

In that same apartment, prior to my departure, Sobchenko and Vadim Monastyrev were discussing which of their people had blown up the transmission towers at Bezlyudovka. As far as I understood it from their conversation, this explosion had been orchestrated by one of the groups under Sobchenko's control, although at that time there was no communication with them.

Sobchenko and Vadim Monastyrev also discussed the "Leshy" group having been taken in Kharkov. They talked about this after reading a news item about how those responsible for an explosion at the Kharkov Tank Factory had been detained in Kharkov.

In addition, sometime in June 2014, "Tol" introduced me to a girl named Svetlana, and explained that she was a seamstress who was helping in their work. After I was discharged from hospital, Svetlana contacted me and asked me to hand over to one of Sobchenko's people a "USB stick" containing data, which she explained was a "hello from Odessa." I went to her house (in the region of the "23 Avgusta" metro station, I have a visual recollection of the building and the apartment), took the USB stick and then contacted Sobchenko by e-mail and he replied that I'd get a phone call and be told who to hand it over to.

2 hours after that, a man phoned my mobile from an unknown number, introduced himself as Mikhail, and we agreed to meet in the region of the "University" metro station. I handed over the USB stick to him at our meeting. I can also say that I'd seen him prior to this in the Freedom Square area, although I hadn't talked to him.

I can also report that during a few of my meetings with "Tol," he was visited by someone called Andrey, with the nickname "Gosha," who drives a blue motorbike. "Gosha" had given "Tol" the leaflets with the slogan "Kharkov Partisans," and had also given him money.

I also wish to add that following a telephone conversation, I met up with "Tol" at the Shevchenko park somewhere around 10.13.2014. During our conversation, he said that he was in hiding and in fear of the law-enforcement agencies, and that in the event that an attempt was made

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**Continued: record of witness Y.D. Kaliberda's interrogation on 10.21.2014**

to hunt him down or detain him, he would go to Belgorod with "Gosha" and Vyacheslav Monastyrev.

*I have personally read this record. This is an accurate record of my oral statements. I have no comments or objections.*

*Kaliberda*

*10.21.2014*

**Procedural action taken, record compiled by:****Special investigator, investigations department,****Kharkiv Regional Directorate of the Security Service of Ukraine****Captain of Justice****A. Prosnyak**

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# Annex 190

Signed Declaration of Aleksandr Bondarenko, Suspect Interrogation Protocol (23  
October 2014)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





[...]

In response to the questions put to him, A.S. Bondarenko explained the following:

I, Aleksandr, Sergeyeovich Bondarenko, am officially unemployed. I live with my wife, Yanina Alekseyevna Bondarenko, d.o.b. 12/06/1979, my daughter, Viktoria Aleksandrovna Bondarenko, d.o.b. 10/20/1997, and my son, Aleksandr Aleksandrovich Bondarenko, d.o.b. 12/26/2002, at the following address: Apt. 2, 10 ul. Kvitkinskogo, Kharkiv.

On February 23, 2014, I was walking in the downtown area when I saw crowds of people walking down ul. Sumskey, while a fence of some sort had been put up by the V.I. Lenin monument, and a crowd of people were standing next to it. When I approached the fence, I bumped into an old school friend of mine, Vitaly Zhuravel, who told me that some people had come in from other regions and were planning to “put things right” in our city by removing the V.I. Lenin monument. Zhuravel and I then walked over to the checkpoint that had been set up off to the side of the monument and put our names on the relevant lists – you had to do this if you wanted to pass into the area beyond the fence, and also to receive food and cigarettes. I would like to point out that we put our names and telephone numbers on these list (I gave them the telephone number I have been using for about 10 years: +38 (067) 574-14-57), and they assigned us a number for the day (the numbers were based on the order in which people passed through). After that, I kept coming back to the monument for about 10 days. After Zhuravel stopped coming to the monument, however, I lost interest in it and did not go back anymore. After that, in around April-May (I do not remember exactly), a woman called me around midnight, introduced herself as Tatiana, and asked me to come to the two-story white café next to Freedom Square at 9:00 the following morning. She did not give me any specific reason why they were gathering people at that location.

On July 14, 2014 (I do not remember the exact time, but I remember that it was after lunch), a man introducing himself as Oleg called me on my cellphone number, +38 (067) 574-14-57. During our conversation, he told me he had seen me back in February when we were defending the V.I. Lenin monument. He also told me he remembered that I did construction work. He asked if I currently had a job and if I would like to go to the city of Belgorod in the Russian Federation to make some money. I would like to point out that I did not personally know Oleg at this point and had only seen him once during the defense of the monument. I had never actually spoken with him, so I do not know how he knew what I do for a living. Since I was sitting at home without any work at the time, I accepted Oleg’s offer. At the same time, I asked about the terms and conditions, to which Oleg replied that I should come to the square opposite Kharkiv’s South Station at 8:15 AM on July 15, 2014, with a crew (4-6 people), which I could arrange myself. Oleg also told me I would be well compensated for my work, but I would have to give him 10% of my crew’s earning. After we had discussed all of these point, we said good-bye. That same

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day, I called my acquaintance, Pavel Govorov, and the father of my godchild, Viktor Alekseyevich Larikov, and told them about Oleg's offer. Govorov turned it down, as he was not in Kharkiv at the time, but Larikov accepted the offer.

At around 7:30 AM on July 15, 2014, Larikov came over to my place, and the two of us went to the tram stop, where we got on the No. 3 tram. At around 8:05-8:10 AM on the same day, we arrived at the square, where we stood under the train arrivals and departures board by the entrance to the northern tunnel and waited for Oleg. A group of three people was standing next to us. After a while, one of them came up to us and introduced himself as Gosha and asked whether we had come for the job in Belgorod, to which I replied in the affirmative. I asked him where Oleg was, and Gosha said Oleg would be arriving shortly. We then went up to the group and introduced ourselves to the other guys. One of them introduced himself as Yarik, and the second as Sergei. Oleg arrived literally about five minutes later. He gave Gosha some money and told him to go buy tickets for the commuter train to Kazachya Lopan Station. He then said he was leaving Gosha in charge of our group and left.

At around 8:40 AM on the same day, Gosha, Yarik, Serezha, and Larikov took our tickets and got on the commuter train. We took it to Kazachya Lopan Station, where we bought tickets to Naumovka in the Russian Federation. We then went through passport control, where Sergei was unable to cross the Ukrainian-Russian border because his passport was too worn out.

At around 10:20 AM, our commuter train arrived in Naumovka, where Gosha used some Russian rubles to buy tickets from the conductor to the city of Belgorod, Russian Federation.

At around 11:15-11:30 AM, we arrived at Belgorod Railway Station in the Russian Federation. We went out to the main entrance, where Gosha told us we had to wait to be picked up. He did not specify exactly who was supposed to pick us up. About two hours later, Oleg drove up with some other man to the spot where we had been waiting. He arrived in a cherry red sedan (it was either a Honda or a Hyundai; I do not remember the plate number). Oleg told us we had to wait a bit. About five minutes later, another car pulled up – a dark grey off-road vehicle (I do not remember the make or plate number). The driver of this car was a man I had never met before. Oleg then told us we should address him as Oleg Vasilyevich, and that we were now going to drive over to the construction site, where he would set us up with jobs and see to our accommodations. They drove us to the edge of Belgorod, to an area called "Kreyda" (it took us about 40 minutes to get there). When we got there, Oleg Vasilyevich took us to the construction foreman, who told us to go to the trailer and get settled in, after which Oleg Vasilyevich drove off.

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At the construction site, we did finishing work. I spent about a month and a half there in total. Around the end of July - early August, they put another young man in the trailer with us. He introduced himself as Slava. He hardly worked at all throughout the day. But he spoke with us. He told us he had studied in Kharkiv for four years and wanted to work for the Security Service of Ukraine (he did not mention, however, which school he had studied at). He also told us he was going to the Autonomous Republic of Crimea the following day and wanted to get into some school there (he did not say which one, but I understood from our conversation that he was planning to apply to some Ministry of Internal Affairs academy). Slava spent just one night with us and left the following morning.

In early August, Gosha traveled to Kharkiv to see his girlfriend and pick up his motorcycle. He came back about three days later on his blue motorcycle (I do not know the make or model of the motorcycle, nor do I remember the plate number, but I do recall that it had Ukrainian plates). Two days after Gosha arrived, Slavik came back to the construction site (he said that he had not been accepted, as he had not gotten a high enough score). He was accompanied by a man who introduced himself as Andrei. That same day, Oleg Vasilyevich and another man who introduced himself as Slavik's dad (I believe his name was Vadim Viktorovich) were also at the construction site. They gathered us all together and offered to take us out to the forest one weekend for some R&R – specifically, to run around and do some shooting (at the same time, they did not specify what kind of weapons we would be firing). We all (Larikov, Gosha, Yarik, Slavik, Andrei, and I) agreed to this. Oleg Vasilyevich said that in that case he would arrange everything and let us know which day the event was scheduled for. After that, Oleg Vasilyevich and Slavik's father drove off.

A week after these events, around the middle of August (it may have been closer to Ukrainian Independence Day – I do not recall the exact date), Oleg Vasilyevich called Gosha on his cell phone and said that we should all turn in our tools and collect our wages, because they would be coming to pick us up at 3:00 PM that same day take us to a different site. We then turned in our tools, collected our things, and handed over the trailer, but we did not receive our wages, because the pay period was not supposed to close for another two weeks, so they told us to come back for our wages closer to the time.

After that, at around 3:00 PM that same day, Lavrov, Gosha, Yarik, Slavik, Andrei and I left the construction site with our things and started waiting for them to pick us up. About 20 minutes later, Oleg Vasilyevich and Slavik's father, Vadim Viktorovich, pulled up in the cherry-colored sedan (the one I mentioned earlier). They were also accompanied by a black Mercedes (it had an "old-style" body with square headlights; I do not recall the vehicle's plate number). The car was driven by a man I had not met before.

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We then drove in these vehicles to Belgorod. We were on the road for about 20 minutes and arrive at a construction site, where they were putting up some sort of building (there was a sign on the front of the building that said “Belgas”). Oleg Vasilyevich and Vadim Viktorovich then carried on to a park located not far from that building, where they met with some man. Their meeting lasted about 20 minutes. I do not know what they talked about.

After that conversation, Oleg Vasilyevich and Slavik’s father walked over and told us to leave our things there, as we would not need them at the new site. They also told us to hand over our passports, explaining that this way they would be kept safe and we would not need them at the new job site anyway. They told us that our things would be stored in a garage and that nothing would happen to them. After we handed over our bags with our things and gave our passports to Oleg Vasilyevich (I gave him my passport together with all the others, since Gosha and Yarik had previously worked with Oleg and said that he could be trusted), they gave us a bag with some toiletries, specifically: toothpaste, toothbrushes, soap, shampoo, etc. They then told us to get into a brown truck with a tent that was parked in the courtyard where we had stopped. When we got into the back of the truck, we saw a man in a camouflage uniform sitting there (the pattern on the camouflage consisted of small round shapes, and the uniform itself was brownish) and a camouflage hat the same color as the uniform. Next to this man there was also a large green backpack. The man introduced himself as Slava and told us we mustn’t smoke in the vehicle. He also pointed to a place in the truck where there was some drinking water. As soon as everyone got in, Slava (the one in military uniform) closed the tent over the back of the truck and we set off. We could not see where we were going because of the tent. We were on the road for about four hours in all. We stopped only once along the way to go to the bathroom and have a smoke. After that stop, I also glanced out of the tent and saw that we were passing through some city, where there were three mine shafts. After that, the truck turned off the road and we drove through some fields to some sort of multi-level quarry. The truck stopped at one of the lower levels, and we got out.

I looked around and saw that we had arrived at some sort of camp, which consisted of the following structures: a wooden bathroom and shower, a wooden pavilion, a small tent (with two beds, and there were also two beds next to the tent), and a large tent (with ten beds inside). All the beds were metal with mesh. There was also another tent there with a wooden table inside for eating meals. Upon arriving at the camp, we were greeted by three men. They were also in military uniform. One of them was wearing a solid green uniform (the fabric looked like burlap), and the other two were wearing green camouflage uniforms (the pattern consisted of round shapes of varying sizes). These people told us that they were guarding the camp and that we could go get settled in the big

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tent, while they would go and speak with Slava (the one in the military uniform), who had driven us there. They then issued us military uniforms like the ones worn by the men who greeted us. They fed us and told us reveille would be at 6:00 AM. For food they gave us a dry ration, which was packaged in a green box and was designed to feed one person: one pack a day.

The following morning we had breakfast and started our exercises, which consisted of shooting theory and practice. We had shooting practice twice a day from a Kalashnikov assault rifle and a Makarov pistol. They also showed us how to fire a grenade launcher. My godchild's father also fired an anti-tank gun (it looked like an old WWII gun), while Gosha and Slava fired sniper rifles (they were probable Dragunov sniper rifles). On the second day of our training, one of the instructors asked who among us had done well in school – specifically, which of us had a good grasp of physics and electricity – as he needed someone who could learn to use mines and explosives, which would require good basic high school-level knowledge. I volunteered for this, as I had gotten pretty decent grades in physics. I also did not want any of the other guys getting funny ideas. My entire training in demolitions consisted primarily of theory and lasted three days. Only on the final day did one of the instructors blow up a 200-gram stick of TNT in my presence to show me what an actual explosion looked like. Our general training course in the camp lasted five days. During our training, I did not ask any questions as to why we needed it or what they were training us for, as one of the instructors had told us on the first day that everything that happened here was a dream, and that when we went home we should forget about everything and sit quietly at home.

On the fifth day of our training, a light grey off-road vehicle (I do not recall the make, model or plate number) arrived in the camp. Behind the wheel sat a man I had not met before, wearing black pants and a white shirt. Inside the vehicle were two men I had not met before, wearing camouflage uniforms (these uniforms had special fasteners for attaching medals of distinction). These men in uniform inspected us, spoke with our guards about something, then had a word with Slava (the one who had brought us there in the truck). They had a quarrel about the number of cartridges that had been issued to us. It is my understanding that Slava was complaining that there were fewer cartridges than promised, and that he would definitely mention this in his report. One of the men in uniform also said during a conversation with the other that he would soon have to go back to the Directorate in Belgorod. About 20 minutes later, after the men who had arrived in the off-road vehicle departed, they ordered us to get in the brown truck (the same one in which we had arrived). Slava, who had driven there with us, also drove back with us. When leaving the base, we also turned in the military uniforms we had received.

The journey back took about four hours. On the way, we stopped only once for 10 minutes to have a smoke and answer nature's call. Around 3:00-4:00 p.m. that same day, we arrived at the

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same construction site in the city of Belgorod where they had picked us up. There we were greeted by Oleg Vasilyevich in the same cherry-red sedan. He took us in two trips to some apartment in Belgorod (I do not know the address, but I can tell you it was in the Kargara neighborhood next to a City Mall superstore). We spent two days at that apartment. During that time, we just relaxed, and no one bothered us. On the evening of the first day, they brought us our personal belongings, which we had handed over to them before leaving for the camp. The following day, they gave us back our passports, money, and phones.

On August 29, 2014, i.e., on the third day of our stay in Belgorod after the camp, my friend V.A. Larikov, headed back home to Kharkiv from Belgorod Railway Station. That same day, Oleg Vasilyevich called Gosha on his cell phone and said that we (Slavik, Gosha, Yarik, Andrei, and I) should go to ul. Michurina later that day to film a video. At around 10:30 a.m. that same day, we arrived at the address indicated by Oleg Vasilyevich. There we were greeted by Oleg Vasilyevich and Slavik's father. We then went to some building where there was a college, a travel agency, and some other offices. We all went into a room in that building, where three men I had never met before were waiting for us. Oleg Vasilyevich brought with him some sheets of A4 paper with some printed text on them. After we went into the room, Oleg handed these sheets of paper to each of the men who were there, who, after studying them closely, crossed out most of the text, leaving about ten percent of the original wording. We were then given bags with uniforms and masks and told to put them on. Slavik was given the edited text and told to read it, but because he kept stumbling, Oleg took the text from him and started reading it himself. One of the guys who had been waiting in the room filmed what Oleg was saying on a digital camera. I do not remember the exact wording of the speech. I only remember that it started with some historical background, after which Oleg introduced us as the Kharkiv Partisans and started threatening the so-called junta regime.

That same day, after we filmed that video, I got on a private mini bus at a bus stop directly opposite the building where we were and took it to the Nekhoteyevka crossing on the Russian-Ukrainian border. I crossed the border through the pedestrian corridor, then took a taxi from the [signature] Hoptivka checkpoint back to Kharkiv. I believe Slava and [handwritten:] *Gosha* went by motorcycle to Graivoron. Slava submitted an application to some school in Belgorod (a couple of days later he came back to Belgorod to take the entrance exams), while Yarik apparently returned to Kharkiv like me, where he was supposed to go visit his girlfriend in Oleksiyivka first, then go back to his parents' house. I do not know where Andrei went. Prior to my departure, Vadim Viktorovich had told me he had given his email address to my godchild's father, and we could use it to contact him should the need arise.

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Upon arriving in Kharkiv, I did not go anywhere in particular and spent almost all my time with my family. On September 1, 2014, I changed telephone numbers from +38 (067) 574-14-57 to another Kyivstar number, which I can no longer recall. About 6-7 days after my arrival, Andrei came over to my place and offered me a side job planting flowers. The following day, my friend V.A. Larikov came to see me. He said that shortly before we left, Slavik's father, Vadim Viktorovich, had given him a piece of paper with the login and password for a mail.ru email account and said that we should use this email if we needed to contact him or he wanted to pass on some information. At the same time, he said we should not actually send any messages. Instead, we should type them up and save them to drafts. Larikov entered the login and password, which he saved on the computer, so that I would also have access to the email account. Later that evening, Slavik came over to my place and told me that Oleg Vasilyevich wanted me to go back to Belgorod. Slavik did not tell me why, however.

The day after these events, Lavrik and I took the commuter train from Kharkiv to Belgorod, where we worked in the Belgorod Region for about two days at the job that Andrei had offered, planting flowers in a flower bed. On the third day, because it started to rain, I did not go to work. I therefore decided to go to Oleg Vasilyevich's apartment, which was not far from ul. Michurina (I do not know the address, but remember visually where the building and apartment are located). When I arrived at the apartment, I was greeted by Oleg Vasilyevich and Vadim Viktorovich. During our conversation, Oleg Vasilyevich told me that Gosha could not be trusted, that Gosha was a blabbermouth and would not be able to handle his duties. Oleg Vasilyevich then introduced me to two men I had not met before, who had also come over to his apartment. The first, who was bald, introduced himself as Serega "Prorab" ["Foreman"]; the second, who was all wrinkled and kept coughing, introduced himself as "Ded" ["Grandpa"]. Oleg told me to travel with them to Kharkiv. Vadim Viktorovich then said that he could give us a ride in his van to the border (he had a Volkswagen van; I cannot remember the model or plate number, but I do remember that it had Ukrainian plates). I told him I just need to pick up Larikov and would then be ready to go. That evening, Larikov, "Foreman," "Grandpa" and I got a ride in Vadim Viktorovich's vehicle to the Russian-Ukrainian border. Larikov and "Grandpa" were dropped off by the Nekhoteyevka crossing point on the Russian side of the border (Hoptivka on the Ukrainian side), while "Foreman" and I were taken toward the Zhuralevka crossing point. Once we reached Ukrainian territory, "Foreman" gave me USD 100 to pay for a taxi to Kharkiv. I was supposed to divide the rest of the money between myself and Larikov. Larikov and "Grandpa" were supposed to take a taxi from Hoptivka and pick me and "Foreman" up along the way. About 15–20 minutes after "Foreman" and I crossed the Ukrainian-Russian border,

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a taxi pulled up with Larikov and “Grandpa” inside. I paid the tax fare using the money I had earned back in August working at the construction site.

The taxi dropped us off at Universitet metro station (the so-called “piece of glass”), after which Larikov set off for Sovetskaya metro station, while “Grandpa,” “Foreman” and I took the metro to Akademika Barabasheva station, where they said they wanted to show me something. We took the trolley from Akademika Barabasheva station toward ul. Gvardeytsev Shironintsev, getting out at the intersection of Prospekt 50-let VLKSM and ul. Gvardeytsev Shironintsev. After getting off the trolley, we walked to the second nine-story building, specifically to the first entrance, up to the eighth floor, to the apartment on the left by the exit from the elevator (the left-hand door in the lobby). Slava was already in the apartment. He told us we were going to spend the night in the apartment, and he would go right away to get some groceries. When Slava got back from the shop, we had dinner and went to bed. The following day, Slava went to do some errands in the city, while “Grandpa,” “Foreman,” and I remained in the apartment. Before he left, I gave Slava some of the money (15,000 Russian rubles) I had earned at the construction site in Belgorod and asked him to exchange it. That evening, Slavik came back to the apartment and gave me the money, which he had converted into hryvnias. He also told me we were going to railway hub in Novoselivka that evening. “Grandpa” pulled out a magnetic mine, and Slava told me I was supposed to attach the mine to a tank car and blow it up. At around 10:00 p.m. that night, “Grandpa,” “Foreman,” Slavik, and I left the apartment (Slavik was also carrying a pistol with a silencer) and went down into the courtyard, where we got into a blue car (I believe it was a Dacia). “Grandpa” got behind the wheel.

After we reached Novoselivka, I tried to attach the magnetic mine to the tank car of a passing train, but because I was so nervous I failed. Meanwhile, “Grandpa” was sitting in the car. Slavik was standing in front of me in the direction of the oncoming train, and “Foreman” was standing behind me. They were supposed to warn me if any passers-by appeared. After I failed to attach the mine to a second tank car, “Grandpa” said it was already too late (it was around 2:00–3:00 a.m.) and it was time to go home. They then gave me a ride in the aforementioned car to the Cosmetology Clinic stop, and from there I went home on foot.

The next day, I saw on the Internet that someone had blown up a PrivatBank ATM on Pyatikhatki. I called Slavik and asked him if they had done it, to which Slavik replied that he had had nothing to do with it.

On September 15, 2014, we received an email in our email account from Oleg Vasilyevich, saying that Larikov and Andrei needed to throw some grenades over the fence into the courtyard of the military enlistment office in the city of Lozova, Kharkiv Region. That same day, Slavik and Gosha brought five grenades over to my place (I do not know where they got them), They gave three of the grenades to my friend Larikov, who was visiting me at the time, and left two grenades with me. I hid these grenades under the seat in the kitchen nook.

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On September 16, 2014, Andrei and my friend Larikov traveled to the city of Lozova, where they threw two grenades into the courtyard of the military enlistment office that night. Andrei then returned to Kharkiv, while Larikov went home to the village of Kozminivka, Sakhnovshchyna District, Kharkiv Region. About two days after these events, Oleg Vasilyevich emailed Larikov and told him either to bring the remaining grenade to Kharkiv or to blow it up, to which Larikov replied that he would blow up the grenade when he went fishing.

Around the end of September, Slava came over to my place and said that Larikov and I should have our own email accounts, as Oleg Vasilyevich believed someone was leaking information, and this way he would check us. Slava gave me a new login and password for a mail.ru email account. That same day, I tried to log into the account but was not able to. That evening, Slavik called me and started telling me off. He asked why I was not checking the new email account, to which I replied that I had simply not been able to log in. That same day, Slavik came over again to check whether the email account was working, but he was also unable to get in, after which he went away somewhere. When he came back, he gave me a new login and password for a mail.ru email account, which we checked together and were able to open. After that, Slavik left.

On October 9, 2014, an email was sent to our shared account and to my personal account, saying that Gosha was supposed to meet with some girl by the name of Nastya, and she was supposed to call some man and arrange a meeting with him, where Gosha was supposed to hand over two grenades, while the man was supposed to give Gosha a pistol, which the latter was then supposed to pass on to someone by the name of Sherkhan. That same day, Gosha came over to my place and picked up the two grenades, which he had previously left with me for storage. I know from what Gosha told me that he handed the grenades over and gave the pistol (which looked like a Makarov with a silencer) to Sherkhan. That same day, Vadim Viktorovich emailed our shared account to say that Gosha had done well and succeeded at his assignment.

On October 10, 2014, Oleg Vasilyevich emailed our shared account and my personal account and called us all a bunch of retards. He threatened Gosha and the rest of us with physical punishment and said an enforcer was already on his way over. Later that day, Gosha came over to my place, showed me the email, and asked if he could spend the night, as he was afraid for his life. The next day, Gosha went to stay with his girlfriend in the Oleksiyivka microdistrict.

On October 14, 2014, Andrei called me and proposed that we go out to the Kharkiv Tractor Factory to meet with “Foreman.” He said that he had received this assignment via an email from Belgorod. Later that day, after 3:00 p.m., we went out to the Kharkiv Tractor Factory area to meet “Foreman.” We met up around 6:00–7:00 p.m. that evening on the square at the Kharkiv Tractor Factory by a monument to some athlete. “Foreman” came to the meeting with a man who introduced himself as Anton. The latter took down

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Andrei's cellphone number so that we could stay in touch. We then went our separate ways, and I went home,

On October 15, 2014, sometime after 2:00 p.m., Andrei and I went to Sovetskaya Armiya metro station, where "Foreman" was waiting for us in a silver car (a Daewoo Lanos; I do not recall the plate number). We drove in the car to the hospital located near ul. Kharkovskikh Diviziy, where Anton was already waiting for us in the street. He said he had already settled in. He also told Andrei to check his email more often, to which the latter replied that he did not have a device on which to check his email. In the course of our conversation, Anton also said that since he did not know that area, he was going to carry a pistol. He also said he was going to contact Andrei by email twice a day. That evening, Andrei called me and told me to pack a backpack and go over to his place (he lives in Novoselivka, in the residential area; I do not recall the house number or street name), as he had received an email from Vadim Viktorovich saying that we should get out of our houses. I met Andrei half way between my place and his. When we met, he said that he had called Gosha and told him to park the motorcycle and walk over to the Zirka movie theater. We then headed over to the theater ourselves, but we did not find Gosha there, and he did not answer our telephone calls. Andrei then called "Foreman" and told him that we had left our apartments and needed to find somewhere to spend the night, to which "Foreman" replied that we should go over to Anton's place and figure out what to do once we got there. When we reached the aforementioned hospital, "Foreman" and Anton met us there, and during our conversation they said they did not have any room for us at their places, but "Foreman" said that we could go out to the village of Shestakove, where his father had a dacha. He told us how to get there and where to find the keys.

On the night of October 15–16, 2014, we arrived at the aforementioned dacha, where we stayed until October 22, 2014. Either I or Andrei periodically went out to the cities for groceries. We also helped "Foreman's" father, Sasha, around the house.

On the morning of October 22, 2014, Andrei and I went out to the city, as he said that Anton had told him on October 21 that we needed to go to the bus stop in front of the hospital. When we got to the stop, Anton met us and said that I should go to the tramway at Gorky Park, where I should scope out the area by the new road linking Sumskaya and Novgorodskaya, by the buildings under the "Fireworks" sign. I went to that address and did everything that Anton had asked, then walked over to the intersection of ul. Novgorodskaya and Klochkovskaya, where Andrei and Anton arrived about ten minutes later. During our meeting, I said that I had not noticed anything unusual about the building I had scoped out, and there was no point in blowing anything up there, to which Anton replied that we would have to blow it up anyway and that we would have to plant the device later that night, setting the timer for 36 hours so that the bomb went off during the day. I agreed to contact Anton by phone at 9:00 p.m. that night. After that, Andrei and I

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walked around the city some more, and Andrei arranged for a car to pick us up by the star-shaped monument on ul. Kharkovskikh Diviziy. On the way to the monument, while we were walking along Moskovsky Prospekt, Andrei saw the car he had arranged, and we got into it, drove to a gas station, and shortly afterwards were apprehended by officers of the Security Service of Ukraine.

*I have read the transcript of the interview, and it is an accurate record of my testimony. I have no comments or corrections and nothing further to add. [signature] A.S. Bondarenko*

Interview conducted and transcript prepared by:

**Special Investigator, Investigations Department**

**Kharkiv Regional Directorate of the SBU**

**Captain of Justice**

[signature]

**I.O. Yena**



# Annex 191

Signed Declaration of Andrii Baranenko, Suspect Interrogation Protocol (23 October 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



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I currently reside alone at the following address: Kharkov, 2 Psarevsky Lane. I own the house. For the past 5 years, I have been working at the taxi service Sunshine, Favorite and Your Taxi. My last official place of work was Gardens of Ukraine, Kharkov. (Office address: 3 or 5 Academic Proskura Street.)

In around 2009, while working at the taxi service, I met Vadim Monastyrjev, whom I drove several times; since then, I kept up a friendly relationship with him: we went fishing, took time off together, etc. As far as I could tell from conversations with V. Monastyrjev, the latter did not work anywhere officially; in 2009-2010 he was engaged in contraband transportation of goods from Ukraine to Russia. As far as I know from what Monastyrjev said, he has a wife and two children and lives in a single-family home in the Zhuravlevka neighborhood of Kharkov.

In June-July 2014, during a meeting with Vadim Monastyrjev, an acquaintance of Vadim's arrived; his name was **Oleg Vasilyevich** (bald, age 42-45, around 170 cm tall, limps on his left leg, lives near Kharkov Sortirovochny, I would recognize the two-story building if I saw it).

After a while, Oleg called me; he knew that I worked as a taxi driver and he asked me to drive him to the border and drive him around town because he had car trouble. I agreed. The next day, I drove Oleg to the Strelechy border checkpoint, where he crossed the border from Ukraine to Russia. After a while, I picked up Oleg Vasilyevich and drove him back to Kharkov to the addresses he gave me. I took him to several addresses, where he got out for a while and met with people I had never seen before.

Later, Oleg Vasilyevich introduced me to the following persons:

**man named Andrey** (nickname Gosha, number 3 in our group, telephone number 097-565-03-38, worked in construction in Belgorod, RF. I could recognize him if I saw him or a photograph of him.), who was a biker.

**man named Anatoly** (nickname Tol, around 45 years old, short, heavy build. I could recognize him if I saw him or a photograph of him.)

*Mikheyenko*

**man named Sergey** (drives a green VAZ 2013). When I met him, Sergey said he was an ardent opponent of Ukraine's new government and was prepared to fight against it. He also said that he had previous convictions and had recently been released from prison.

When I met Oleg and Sergey, Oleg said that we needed to go and kill an ardent supporter of Euromaidan, Valery Bystrichenko. Oleg gave us the address for the latter in Kharkov. Oleg also said that he would have to decide on our own which of us would kill him. After a while, Sergey and I arrived at the address: Kharkov, 257/259 Druzhba Narodov Street (or the opposite, 259/257, I can't remember exactly). Sergey and I studied the area around Bystrichenko's building and decided not to kill him because there were lots of children and civilians around who could be hurt. The weapon—a pistol—was given to me by Vadim Monastyrjev and I kept it with me. As far as I could tell, the weapon was a silencer-mounted gun with a silencer. It looked like a PM [Makarov pistol], but more in terms of the size of the clip and the barrel. After that, the pistol was kept at my residence until I committed the act of sabotage at the draft board in the following circumstances.

During a conversation with V. Monastyrjev in July 2014, in connection with partial mobilization in Ukraine, the latter asked about my feelings about military service, and later he suggested scaring the Kharkov Oblast draft board,

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located on Kotlov Street in Kharkov, by throwing grenades, one by the gate and the second over the gate. I agreed to Monastyr'ev's proposal but I said that I would only do it if there were no people around the draft board.

Oleg Vasilyevich also introduced me to Ruslan, who went by Leshy (resides at 92 Gagarin Street; I don't know the apartment number: on the first floor, second entrance). Now I know his last name—Panchuk.

While talking to Oleg Vasilyevich, I learned that he and the Kharkov-based journalist Perminov (who lives on Kirov Street; I can point out which building) and Gennady Anishchenko had officially established an organization to protect public order in Kharkov. Their office was located at Metallobaza-1 in Kharkov. Oleg Vasilyevich asked me to join the organization, and I agreed. In order to join the organization, I went with Oleg Vasilyevich to Metallobaza-1, where G. Anishchenko filled out a form for me listing all my personal data.

A while after my conversation with Vadim Monastyr'ev, Andrey (Gosha) set up a meeting with me. Oleg Vasilyevich was also present at the meeting (V. Monastyr'ev may also have been there, but I can't remember). During the conversation, Andrey (Gosha) told me to go in the evening (11:00 p.m. – midnight) on the day chosen to the ATB store on Yelizarov Street and to dress warmly. On the same day, around 11:00 p.m., I drove a Mercedes 190, registration number 773-64 KhK, to the location, where I was met by Andrey, who said that our task was to throw grenades into the Oblast draft board; I was supposed to cover him with the pistol. That was referring to the pistol I had previously been given by Vadim. After that, I drove my vehicle and Andrey rode a blue Suzuki motorcycle without a registration number on the ring road toward Sortirovochnaya platform, through the private sector. When we reached the bridge over the Lopan River, Andrey left his motorcycle in the bushes and got into my vehicle. After that, we drove down Podgornaya Street toward the railroad bridge, went under it, reached Lugopark and then drove toward the Oblast draft board. We left the vehicle in some trees and went to the draft board on foot. I want to state that Andrey was armed with two RGD-5 grenades that I had given him that same day. I had previously received the two grenades along with the pistol from Vadim. Andrey and I had already decided on our own who would do what during the operation: my role involved:

- Going on ahead and scouting out the area around the draft board;
- Taking up a concealed position 30-35 meters from the draft board and maintaining visual observation of the locality;
- If strangers or witnesses arrived, scare them off and prevent our discovery by shooting in the air with the pistol I had.

Andrey's role involved:

- Approaching the gates of the draft board checkpoint without being detected;
- Throwing the grenades into the draft board's yard

After approaching the draft board, around 2 in the morning a taxi driver was parked there, so we waited for him to leave. The taxi driver left around 3 in the morning; I hid in the bushes by the entrance with the pistol and Andrey ran up to the gate, tossed one grenade and then immediately the other. Andrey and I were running from the draft board building when we heard two explosions. After that, we got in my vehicle and drove to the dead-end bridge over the Lopan River, where I let Andrey out and he walked to retrieve his motorcycle. While Andrey was riding with me, I gave him the pistol. I went back to the ring road, but I got lost in the private sector and I had to make my way out along Dolgolevsky Street near Lysaya Gora. In that area, near the ATB store, we met up and then parted ways. According to Andrey, he needed to go to work in Belgorod the next morning (he traveled to that town on the commuter train: first to Kazachya Lopan and then to Belgorod).

The next morning, near the McDonalds at Yuzhny Train Station in Kharkov, I met with Andrey, Oleg Vasilyevich, two tall guys (I don't remember their names; I know they were construction workers— the others called them "avatars" because they were tall) and some other construction workers I didn't know. At the meeting, Andrey and Oleg Vasilyevich

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told me that everything went fine and that no one was hurt. After talking, Oleg Vasilyevich and I went to the Strelechy border crossing, where he crossed over to Russia again. That evening, I picked him up and drove him to Kharkov.

On the second day after the grenade explosions at the Oblast draft board, the journalist Perminov made a video about the above-mentioned organization. I also took part in the filming of the video.

After that, I kept in communication with Oleg Vasilyevich, driving him to the Strelechy border crossing and driving him around Kharkov.

On August 2, 2014, Ruslan (Leshy) called me and said that he needed to meet with me. At the meeting, Ruslan said that he needed a taxi driver to take him and another man named Sergey (his son was named Valera) to the armed tank factory on Kotlov Street to shoot at the factory. Since I couldn't take them, I asked my friend Valery Marenich to drive some people in the evening and didn't tell him about the purpose of the trip. Valery Marenich agreed. That same evening, V. Marenich came by my place in his VAZ 21099, after which we went to the house of Ruslan (Leshy). I told Valera not to get out of the car and I opened the trunk. After that, Leshy and Sergey came out with big plaid bags that they loaded into the trunk. After that, we drove toward Kotlov Street; I got out by the Lokomotiv Palace of Sports and drove with Gosha to see the conditions in town. I didn't promise Marenich compensation of any kind.

Two weeks after filming the video, Vadim Monastyryev told me that it was getting dangerous to be in Kharkov and that I should go to Belgorod, where I would be given a place to live and work. I was supposed to get a place to live and work through Oleg Vasilyevich, who had a construction business in Belgorod. On the same day, I packed and went to Belgorod, where I was met by Sergey (a construction worker from the firm, I worked with him on a project in the summer of 2012), who set me up in a trailer at a site where some apartments were being built near Belgorod. At the site, I met a man named

**Alexander, nickname Doctor** or Doc (around 185 cm tall, skinny, dark hair, age 34-38, call number 4, telephone number 067-941-26-62),

**Viktor, nickname Bullet** last name Larionov (call number 2),

**Yaroslav** (I don't know his last name; he lives in Poltava Oblast, age 22-24, strong build, short, dark hair, call number 8), who all at first just worked at the construction site. Later, our construction group was joined by

**Vyacheslav Vadimovich Monastyryev** (nickname Kong, call number 7), the son of Vadim Monastyryev.

For about a week we worked on the construction job, and then Vadim Monastyryev arrived and told us (the people I listed) to prepare to meet with Igor (or Sergey), who would prepare us for military work. A few days later, Vadim Monastyryev called his son and told us to go to the Rusich café, located near Belgorod. At the café, we were met by a man who introduced himself as either Igor or Sergey (around 45 years old, short, gray hair, skinny, wears glasses); as far as I could tell, he was an employee of the Russian FSB. During our talk, Igor (Sergey) warned us that no one should know of the conversation; "it will be a dream." After that, Igor (Sergey) went into the next room; we went in one at a time and he talked to each of us while writing something in a notebook. Igor (Sergey) asked me for my last name, first name, patronymic, place of birth, place of registration, place of residence, marital status, army service (branch of service, special training), place of work, how I got involved with the group that was there, whether or not I did any sports, and he asked about my political views. After the talk, we went back to the construction site, where we worked for about a week. During our work, Vadim Monastyryev told us to go running in the mornings, so we did.

After that, Vadim Monastyryev called and told us to go to a certain part of Belgorod, where Igor (Sergey) met us and put us in a green tented Ural; the license plate was covered with a rag. We rode around 4-5 hours toward Voronezh or Kursk. After that, we arrived at a sand quarry where the training camp was. The camp consisted of three military tents, a shower, a toilet, a guard post, and a firing ground. There were instructors (7-9 people) who wore camouflage uniforms without insignia and called each other by their first names, which were always changing. At the training camp

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we were taught demolition techniques, how to shoot with the PM, AKS 5.45 mm, Dragunov sniper rifle, and under-barrel grenade launcher; they showed us an RPG and taught us how to fire it. The training lasted 5 days; we were given no specific goal, and no group leader was chosen. During the training, they told us that they were teaching us so we could survive.

Other than myself, there were 5 people that were trained at the camp in the group with me:

Sasha (nickname Doc, call number 4), Viktor Larin (nickname Bullet, call number 2), Andrey (nickname Gosha, Biker, call number 3), me (nickname Sayid, call number 5), Slava Monastyr'yev (nickname Kong, call number 7), Yarik (nickname Beekeeper, call number 8). After the training, we were taken to Yesenin Street in Belgorod (10-minute walk from the CityMall retail center) and put in an apartment on the 9<sup>th</sup> floor, where we stayed for about two weeks. That whole time, we were given money by Oleg Vasilyevich or Vadim Monastyr'yev; they said that any day now we would be going home to Kharkov and hinted that we should keep an eye on the railroad tracks with the goal of blowing them up.

Anton, nickname Ninja (age 20-22, lives in Kharkov at 48-a Ludwig Svoboda Street, first entrance after the arch, 10<sup>th</sup> floor, I don't remember the apartment number; it's the building across from the post office; he was in emergency hospital number 4 in October 2014 with a broken nose) was also brought to stay at the apartment. As far as I could tell, he was a member of a different sabotage group. In Kharkov, Ninja engaged in hooliganism.

Two or three weeks after our arrival at the apartment, we began to depart for Kharkov one-by-one. Viktor "Bullet" left first, and then the rest; I was among the last to leave, with Ninja and Vyacheslav Monastyr'yev. We returned to Kharkov by taking a taxi to the border, and then we ordered another taxi from the border to Kharkov.

When we arrived in Kharkov, the three of us set up in the apartment of Anton "Ninja". We spent two or three nights there. After that, I went home. Before I went home, Ninja told me where the grenades were: near the bridge by the summer cottages on Akhsarov Street. There was a total of two RGD-5 grenades. The grenades were hidden in a small hole covered with a rock. The grenades were in a bag.

During the two days that I was with Ninja, I followed the instructions Oleg Vasilyevich gave me before I left to take a look at 32a Danilevsky Street, where there was a humanitarian aid distribution point, with the goal of blowing it up; I was also instructed to kill Bystrichenko. I was supposed to kill him whatever way was convenient. After a while, I told [them] I wouldn't kill Bystrichenko because it wasn't possible, since he wasn't at his residence and I didn't know where he was.

The next day, during a meeting with Gosha, Vitya "Bullet", Doc and maybe Vyacheslav Monastyr'yev, we talked about throwing grenades at the draft board in the city of Lozovaya, Kharkov Oblast. Why was Lozovaya chosen as the site—I assume that Viktor "Bullet" chose the site because he lived in Lozovaya. For that reason, Viktor "Bullet" and I were trusted with carrying out the assignment. In the evening, I retrieved the 2 grenades from the hiding spot by the bridge, and then Gosha came on his motorcycle to meet me. We took the grenades to Doctor at his house (a single-family house near October Revolution Street in Kharkov). In the morning, Viktor "Bullet" took three grenades from Doc (the two we had brought and another one that had been brought by Vyacheslav Monastyr'yev) and we took the commuter train from the Novoselovka platform and went to Lozovaya.

In Lozovaya, we were at the apartment of Viktor "Bullet's" wife, where we left the grenades and went into the city to inspect the area around the draft board. We moved around by shuttle bus. In the city, we met with Viktor "Bullet's" friend and decided that this friend would pick us up in the evening from home and take us to the draft board, and he agreed to do it. I don't know Viktor's friend's name because he never told me (he was 30-35 years old, village accent, medium height. I would recognize him if I saw him.). When we met him, Viktor told him about our assignment to blow up the draft board in Lozovaya.

Then we went back to Viktor's wife's apartment. That evening, around 11:00 p.m. – midnight, Viktor's friend came and we drove toward the draft board. The car and driver remained behind the church building, and Viktor and I made our way toward the draft board. After that, Viktor took two grenades, walked up to the gate of the draft board and tossed the explosive devices over the gate. At that time, I took video of what was happening on my phone (as I had been instructed by Vadim Monastyr'yev), but the video didn't show anything, all you could hear were the explosions.

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After the explosions, we ran away from the draft board building. When we got in the car, it was obvious that the driver was in shock and panicking. Viktor's friend drove us to a village near Sakhnovshchina township as he was instructed by Viktor. In the village, we spent the night with Viktor's acquaintances and the next day I went back to Kharkov and Viktor stayed in Lozovaya.

On September 26-27, 2014, when Slava Monastyryev was repairing Oleg Vasilyevich's car, he asked me to go with him to the Pisaryevka border crossing (Sumy Oblast) to take the car there. At that time, we took the Toyota Corolla, Kharkov license plate, to the Pisaryevka border crossing, where Konstantin met us near the border (I had seen him before in Belgorod when I worked at the construction site). He took the car and drove it across the border. After that, we crossed the border into the RF, where we were settled in the nearest village; Vadim Monastyryev said that my task was to scout out a path for people to cross the border illegally. After spending two days there, I told Vadim Monastyryev that it was impossible. From that village, I went to Belgorod, where I met with Sergey Mikheyenko (nickname Boss, Bald). After that, from Belgorod Sergey and I took a taxi to Kharkov. After that, Sergey and I spent several days driving along the border of Ukraine and Kharkov Oblast. After that, I used email account **hrenvam14vam@mail.ru**, password hrenvam14vam12345 to send a message to Oleg Vasilyevich and to Monastyryev in which I wrote "I believe it is impossible to cross the border because the border is reinforced."

After that, a few days later, two or three days later, on October 13 or 14, Sergey Bald introduced me to a guy who introduced himself as Kostya. When we met, he said that we didn't need to know anything else about him. Our introduction took place near the Kharkov Tractor Factory on a street between some private homes. At that meeting, Kostya was with a man who went by Granddad; he was short, not yet 50, skinny, gray hair, and he drove a blue Geely. Doc was also at the meeting, and Sergey also introduced him to Granddad. Kostya said that they had brought explosives to Kharkov for new actions. Contact with Kostya was via a cell phone that I had saved in my phone under the letter A – 0983579710, and we also used the email account above to communicate.

After that, around October 16-17, 2014, Kostya called me and said that we needed to meet. We met near the Studencheskaya metro station in Kharkov. Both of us took the metro to get there. During the meeting, Kostya said that the RF side was starting to pressure him and that we weren't doing anything. Then he said that he had information that warmongers were getting together and staying at one of the hotel complexes outside town. The complex was between the villages of Solonitsevka and Peresechnoye. That day, we took public transportation to Zalyutino, where we got on a regular bus headed to Olshany. We got out near Solonitsevka, and I stayed behind to wait for Kostya near the Kolunichi store in the middle of the village, while Kostya headed to the hotel complex. When he returned about an hour later, he said that there was nothing to do there; the roads [to the complex] were guarded and well-lit. On the same day, we returned to Kharkov by the same means [of transportation]. We parted near Sovietskaya Street and agreed to talk by phone at around 10-11 the next day. According to Kostya, he was supposed to go to the area near hospital no. 22, where he lived. As far as I know, Bald Boss knows where Kostya lives because he put him there. I don't know exactly where. When Kostya and I spoke by phone the next day, he told me that there was good news: that evening there would be money and I needed to meet him near hospital no. 22 in Kharkov at 11:00 a.m. on October 21, 2014.

At the time specified, we met near hospital no. 22. I took public transportation. During our conversation, he gave me 400 hryvnia, which he said was for my daily expenses. He also said that the next site that needed a bang was the Pyrotex factory and the Pyrotechnics store next to it. He didn't tell me what kind of bang he had in mind, but I understood that he meant blowing up the site. After that, Kostya and I went to an area near 23 August Street in Kharkov, and after that we inspected the area. For the same purpose, we rode the chair lift near Gorky Park. The idea to inspect

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the area from the chair lift belonged to me. From the chair lift, we saw the location of the factory and the pyrotechnics store. Kostya and I parted at the exit from Gorky Park. According to Kostya, I was supposed to go to the village of Zhukovskoye, where I got on shuttle bus [illegible] and traveled to Barabashovo, after which I transferred to the 24 trolley and traveled to the 602 neighborhood, where I got on a bus and went to Shestakovo.

On October 22, 2014, Alexander Bondarenko, nickname Doc, and I met with Kostya near clinic no. 22 at around 11:00 a.m. After that, the three of us took public transportation and went back to Gorky Park in Kharkov and did a visual inspection. I don't know the exact spot Kostya chose. After that, we parted and agreed that about 8:00 p.m. that same day I would call Kostya and he would tell me what to do. Doc and I went to Shestakovo to Bald's summer cottage. At 8:00 p.m. on that same day, I called Kostya from my cell phone; he told me that everything was fine and that Doc and I should go to the Zvezda monument on Kharkov Division Street that day. A man named Mikhail would be waiting there for us in a blue Cherry Amulet. At the time specified, we arrived at the location and met Mikhail there. When we met, I told Mikhail that we needed to go to Gorky Park, but that we needed to go pick up Kostya first from near hospital no. 22. Mikhail said that we didn't have enough gas and would need to fill up. When we pulled into the gas station, our car was stopped and blocked by another car. Afterwards, I learned that we had been stopped by officers of the USBU in Kharkov Oblast and were unable to complete our intentions.

**Question:** Explain who participated in the two explosions at the Lozovaya draft board in Kharkov Oblast. Who organized the operation, and who played what roles in the operation?

**Response:** Viktor and I participated in the explosion at the Lozovaya draft board; as far as I know, his last name is Larionov. (Nickname Bullet, call number 2.) It was just the two of us. In addition, we were driven to the location of the explosion and driven away from it after the explosion by Viktor's friend whom I don't know anything about. The decision to blow up that specific location was made by Viktor and me; we did not receive any instructions or assignment. The goal of the operation was to frighten and stop the draft process in Lozovaya district and to show our leaders—Oleg Vasilyevich Sobchenko and Vadim Viktorovich Monastyr'yev—that we were capable of carrying out tasks of that sort. To confirm our participation, I filed the moment that Viktor threw the two grenades on my cell phone, after which I gave it to Vyacheslav Monastyr'yev (nickname Kong) on a flash drive.

**Question:** Who participated in blowing up the power line supports on September 7, 2014 at Kharkov, 34 Bezlyudovskaya Street? Who organized that operation, and who played what roles in that terrorist attack?

**Response:** According to Vadim (nickname Bald) and Oleg (I called him Uncle Oleg or Vasilyevich), when I was in Belgorod, RF, I heard that the explosion under the power line supports was the work of a group directed by a man who went by Tol; Anton (nickname Ninja) and a girl named Nastya "nickname underage" were also in that group. I don't have any other information about that.

**Question:** Do you know who carried out the attack and shot the MRO-A at the law firm office at: Kharkov, 3 Lebedinskaya Street? Who organized the operation, and who played what roles in that terrorist attack?

**Response:** I don't know anything about the explosion at the law firm office located at: Kharkov, 3 Lebedinskaya Street. I didn't have anything to do with that.

**Question:** Do you know who used an MRO-A to attack the tanker car that was part of a train traveling from Zmiyev to Zanki? Who organized the operation, and who played what roles in that terrorist attack?

**Response:** About the explosion and firing on the tanker car that was part of a train traveling from Zmiyev to Zanki, I can state that it was the work of Leshy's group (Ruslan Panchuk). I don't know how they traveled to the location of the

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terrorist attack; I do know that it was Ruslan Panchuk (Leshy) who fired, as well as a father and son—Sergey Shekhovtsov (father) and Valery Shekhovtsov (son). Leshy told me about it when we met after the event. He did not tell me who organized the operation.

Question: Do you know who carried out the attack at Kharkov Tank Factory using an MRO-A?

Response: About the attack at Kharkov Tank Factory, I can state that the attack was carried out by Leshy's group (Ruslan Panchuk) and that the father, Sergey Shekhovtsov, participated in it. I put them in the car near Leshy's house and my friend drove them to the area near the armored tank factory in circumstances that I described above.

Question: Do you know who carried out the attack on July 28, 2014, on the central branch of Privatbank PJSC (Kharkov, 2-A Malomyasnitskaya Street) using an MRO-A?

Response: I don't know anything about the attack on July 28, 2014, on the central branch of Privatbank PJSC using an MRO-A.

Question: Do you know who carried out the attack on August 15, 2014, on petroleum product storage tanks that belong to Galnaftogaz (Kharkov, 36 Dragomanovskaya Street) using an MRO-A and RPG-26?

Response: I don't know anything about the attack on August 15, 2014 on petroleum product storage tanks that belong to Galnaftogaz (Kharkov, 36 Dragomanovskaya Street).

Question: Do you know who carried out the attack on September 8, 2014, on the administrative building that houses the Ordzhonikidze and Frunze district draft boards in Kharkov (Kharkov, 7 Sokolov Street) using an MRO-A?

Response: I don't know who carried out the attack on September 8, 2014, on the administrative building that houses the Ordzhonikidze and Frunze district draft boards in Kharkov using an MRO-A.

Question: Do you know who detonated an explosive device on the rail line between Vodyanoye and Kolomak.

Response: I don't know who attacked the rail line between Vodyanoye and Kolomak.

Question: Do you know who attacked the draft board located on Kotlov Street in Kharkov using a grenade in July 2014?

Response: Andrey Tishchenko (nickname Biker) and I attacked the draft board. Andrey threw the grenades into the draft board's yard and I covered him nearby.

*This protocol was read to me. My words were recorded accurately. [illegible] I fully confess my guilt in the unlawful actions in which I took part, which I have described above. I sincerely repent for what I have done. I have no other statements to make. Baranenko A. V. [signature]*

[illegible handwriting] [signature] V. M. Rayevska

*questioned the protocol [illegible handwriting]*

[illegible handwriting] VOVS SV USBU Ukraine [signature] V. S. Kaniya

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# Annex 192

Signed Declaration of Oleg Serachov, Suspect Interrogation Protocol (5 November 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





**RECORD  
OF AN INVESTIGATIVE EXPERIMENT**

City of Mariupol, Donetsk Oblast

November 5, 2014

Commenced at 4:10 a.m.

Ended at 7:55 p.m.

Captain of Justice Vitaliy Viacheslavovych Romanenko, Senior Investigator with the Investigative Department of the Donetsk Oblast Directorate of the Security Service of Ukraine, having reviewed the files of criminal case No.22013050000000299 in which O.S. Serachov is suspected of having committed a crime falling under Part 1 of Article 263 of the Criminal Code of Ukraine and a crime falling under Part 1 of Article 111 of the Criminal Code of Ukraine, conducted an investigative experiment in keeping with Articles 104, 223, and 240 of the Criminal Procedure Code of Ukraine in the city of Mariupol, Donetsk Oblast, under mixed natural and artificial lighting, in order to verify and update information about the locations where O.S. Serachov acquired and stored firearms and ammunition, as well as other information relevant to ascertaining the objective truth in these criminal proceedings,

*with the participation of the suspect: Oleh Serhiyovych Serachov, d.o.b. October 5, 1971, who is being held in custody at the pretrial detention facility of Mariupol, who had his rights and obligations explained to him under Parts 3, 4, 5, 6, and 7 of Article 42 of the Criminal Procedure Code of Ukraine as well as provisions of Article 63 of the Constitution of Ukraine,*

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*in the presence of attorney Hennadiy Anatoliyovych Kutsobin, the defense attorney of the suspect – O.S. Serachov,*

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*in the presence of attesting witnesses:*

*1. Volodymyr Mykhaylovych Zaytsev, d.o.b. August 20, 1995, residing at 16 Novorosiyska Street, apartment 56, Mariupol, Donetsk Oblast,*

*2. Vladyslav Oleksandrovyeh Baranchenko, d.o.b. February 20, 1995, residing at 6 Kvartal Azovya, apartment 45, Mariupol, Donetsk Oblast,*

who had their rights and obligations explained to them under Articles 11, 13, 15, and 223 of the Criminal Procedure Code of Ukraine.

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The participants of the investigative experiment were warned in advance about the use of recording equipment – an Olympus digital camera with an SD 4G card and informed about the conditions and procedure of its use.

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Their obligation not to disclose information about the procedural activity was also explained to them under Part 3, Article 66 of the Criminal Procedure Code of Ukraine.

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### **Findings of the investigative experiment:**

This investigative activity began at the Mariupol Headquarters of the Donetsk Oblast Directorate of the Security Service of Ukraine at 77 Heorhiyivska Street, Mariupol, Donetsk Oblast.

O.S. Serachov was offered a chance to name the location where he acquired firearms and ammunition that were discovered on September 1, 2014 during a search of the domicile located at 68 Kyivska Street, apartment 94, Mariupol, Donetsk Oblast. O.S. Serachov agreed and suggested that all participants of the investigative activity proceed to the apartment located at 68 Kyivska Street, apartment 94, Ordzhonikidze District, Mariupol, Donetsk Oblast, which they did. Upon arriving at said address, O.S. Serachov testified that it was in this apartment No. 94 at Kyivska Street of Mariupol (on the 6<sup>th</sup> floor) that he personally concealed a firearm – a Makarov pistol and 16 cartridges for it, unbeknownst to the residents of this domicile – the daughter of his common-law wife Yuliya Ihorivna Uralska and the latter's common-law husband Valeriy Valentynovych Liventsov and stored it there from early September 2014 (he does not recall the exact date). O.S. Serachov obtained this pistol and ammo for it on July 21, 2014 under the following circumstances. On July 21, 2014, while working as a driver of a DAF truck (he does not recall the number plate), O.S. Serachov gave a lift to an unknown man from Kramatorsk, Donetsk Oblast, to Kostiantynivka, Donetsk Oblast, where representatives of the People's Donetsk Republic manning a roadblock (at the entrance to Kostiantynivka) ordered this man to exit the vehicle and held him at this roadblock to run some sort of verification. Upon arriving in Mariupol on his own on July 21, 2014, O.S. Serachov found a firearm – the Makarov pistol and 16 9-mm cartridges for it under the passenger seat of said DAF truck. In his opinion, the above-mentioned hitchhiker left it under the seat. O.S. Serachov kept this pistol and ammo. That same day he hid them in his garage at Zhovtneva Street, Illichivsk District, Mariupol, Donetsk Oblast, since had no permit to carry this weapon and ammo, where he stored them until early August 2014. In early August 2014 (O.S. Serachov does not recall the exact date), O.S. Serachov took this Makarov pistol and 16 cartridges for it to the apartment of the daughter of his common-law wife Yu.I. Uralska and her common-law husband V.V. Liventsov and concealed them on the balcony of this apartment. O.S. Serachov did so without informing Yu.I. Uralska or V.V. Liventsov or any other individuals. Yu.I. Uralska previously granted O.S. Serachov unobstructed access to her domicile. Officers of the Security Service of Ukraine discovered and seized this firearm and ammo from O.S. Serachov during a search of this apartment on September 1, 2014.

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O.S. Serachov then suggested they proceed to the site of his first meeting with Vadym Vasyliovych Beloborod, specifically to the tank monument in the Illichivsk District of Mariupol, which they did. Upon arrival at this site, it was established that this monument was located at a crossroads of Karpinsky Street and Pokryshkin Street in the Illichivsk District of Mariupol. According to O.S. Serachov, it was at this site that he first met V.V. Beloborod on March 7, 2014 during a meeting of volunteers of Mariupol, who expressed a desire to oppose the individuals who, in their opinion, seized power in Ukraine in February 2014 following the so-called Euromaidan revolution. V.V. Beloborod was elected to lead the group of such volunteers in the Ordzhonikidze District of Mariupol. O.S. Serachov voluntarily joined this group, about which he testified while being questioned as a suspect.

O.S. Serachov then suggested they proceed to a bus stop in the vicinity of the Drama Theater of Mariupol, where on May 1, 2014 he and V.V. Beloborod boarded a bus on its way to the Ordzhonikidze District of Mariupol, which they did. On arriving at this site, it was established that it was the Drama Theater bus stop in Lenin Avenue of the Zhovtveny District of Mariupol opposite the Order of Honor Donetsk Academic Russian Drama Theater of Mariupol between Universytetska Street and Artema Street. O.S. Serachov stated that it was at this bus stop that he and V.V. Beloborod boarded a bus on its way to their home district – the Ordzhonikidze District of Mariupol, after providing security for a rally devoted to Labor Day on May 1, 2014. During the bus ride, V.V. Beloborod told O.S. Serachov that he and Oleh Anatoliyovych Nedavniy had traveled to the Russian Federation where they established contact with the Russian special services and had since been receiving missions from them and completing them. V.V. Beloborod also told O.S. Serachov on this bus ride that representatives of the Russian special forces opposed attempts by O.A. Nedavniy to forcibly capture state administrative buildings in Mariupol.

O.S. Serachov then suggested they proceed to the tuberculosis early treatment and prevention center of Mariupol, which they did. On arriving at this location, O.S. Serachov showed a parking lot opposite Unit No. 1 of the Mariupol tuberculosis early treatment and prevention center at 2 Pashkovskoho Street, Mariupol, and testified that it was at this location that at around 5:00 p.m. on May 11, 2014 he, acting on orders from V.V. Beloborod, met with Vladyslav Viktorovych Kilyanov and Ivan Fedorovych Stambulzhy in the matter of helping provide security for the polling station of the Ordzhonikidze District of Mariupol during a referendum conducted exclusively within Donetsk Oblast by representatives of the Donetsk People’s Republic to determine the future status of Donetsk Oblast – whether it should remain a part of Ukraine or become a separate state through public support of the act of national independence of the Donetsk People’s Republic.

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To provide security, O.S. Serachov brought a less-than-lethal pistol, I.F. Stambulzhy brought a pistol (O.S. Serachov does not recall the model and type) and a rifle (O.S. Serachov does not recall the model and type). However, upon arriving at the specified location and after meeting with the leadership of the polling station and receiving an assignment from them to provide security for voting ballots during their transportation to Donetsk, V.V. Beloborod ordered O.S. Serachov and others to go home after receiving information that the Ukrainian Armed Forces planned to forcibly disband the referendum participants, which they did.

O.S. Serachov then suggested they proceed to the Mukhina bus stop in the Illichivsk District of Mariupol, which they did. Upon arrival at this site, it was established that this bus stop is located in the immediate vicinity of the crossroads of Zaozerna Street and Kalinovskoho Street, Illichivsk District, Mariupol (located on the right relative to the flow of traffic through Zaozerna Street from Illicha Avenue to the crossroads with Kalinovskoho Street). According to O.S. Serachov's testimony, it was at this bus stop that he met with "Sashko Akademik" and "Sashko Pikhota" at 6:00 p.m. on May 12, 2014 in order to travel to Donetsk to receive firearms on instructions from V.V. Beloborod. According to O.S. Serachov's testimony, their group received weapons and ammunition in Donetsk – two AK-74 Kalashnikov assault rifles with two magazines filled with cartridges and two additional magazines with cartridges for them. On orders from V.V. Beloborod, on the way back O.S. Serachov acted as a guide, choosing a path free from roadblocks of Ukrainian army units to prevent the detection of weapons transported by this group. As a result, O.S. Serachov along with "Sashko Pikhota" and "Sashko Akademik", traveling in a VAZ-2111 car along the route chosen by O.S. Serachov (Donetsk – Notovtroitske – Olhinka – Volnovakha – Mariupol) transported the above-mentioned weapons to Mariupol, Donetsk Oblast, and concealed them in the garage of "Sasha Pikhota".

O.S. Serachov then suggested they proceed to a parking lot next to the residential building of V.V. Kilyanov, which they did. Upon arrival at this location, it was established that this parking lot was located opposite the Irynka store in front of a block of flats at 75 Olimpiyska Street, Mariupol. O.S. Serachov testified that it was at this location that he met with V.V. Kilyanov on or around May 19, 2014 in order to travel to Donetsk on orders from V.V. Beloborod to receive a cache of firearms. On orders from V.V. Beloborod, a group consisting of O.S. Serachov, V.V. Kilyanov and other members – "Oleksiy Rozvidka", "Bulldozer", "Zamat" and V.V. Beloborod personally, went to the Vostok Battalion of the Donetsk People's Republic to receive weapons. However, representatives of the battalion actually handed over the weapons and ammo to O.A. Nedavniy.

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Due to this fact, on the way back from Donetsk to Mariupol V.V. Beloborod spoke critically about O.A. Nedavniy, insisted on breaking off contact with the latter, and said that V.V. Beloborod no longer needed O.A. Nedavniy because V.V. Beloborod himself had an established communication channel with representatives of the Russian special forces and that he no longer needed to maintain contact with them through O.A. Nedavniy.

During each trip to Donetsk, O.S. Serachov (together with V.V. Kilyanov) visited (on O.S. Serachov's initiative) a Donetsk People's Republic member who went by the code name of "Uzbek", whom O.S. Serachov asked to provide a magazine for the above-mentioned Makarov pistol. However, after "Uzbek" agreed to provide the magazine on condition that O.S. Serachov would give false testimony in criminal proceedings against "Uzbek", which would effectively provide an alibi for the latter, O.S. Serachov refused to broke off contact with "Uzbek".

In addition, O.S. Serachov stated that it was at this location (the parking lot opposite the Irynka store) that he met with V.V. Kilyanov roughly in late May 2014 (he does not recall the exact date) in order to perform a request from his Donetsk People's Republic associate Serhiy Ivanovych Stambulzhy to transport one zinc container of ammo (a total of 1,280 5.45-mm cartridges) to Donetsk from Mariupol from another Donetsk People's Republic member Mykhaylo Oleksiyovych Zakharchenko. O.S. Serachov informed V.V. Kilyanov about this request, who agreed to assist O.S. Serachov with transporting the above-mentioned ammo. O.S. Serachov collected the zinc container with 1,280 5.45-mm cartridges (and additionally some mobile phone) from the Donetsk People's Republic member who went by the code name "Zakhar" outside the Meotida Greek Cultural Center in Mariupol, then distributed these cartridges into packets with V.V. Kilyanov, concealed them in a VAZ-2101 car, and transported them to Donetsk. On instructions from I.F. Stambulzhy, O.S. Serachov and V.V. Kilyanov handed over these 1,280 cartridges and the above-mentioned mobile phone to other representatives of the Donetsk People's Republic on the premises of the building of the Donetsk Oblast Directorate of the Security Service of Ukraine in Shchorsa Street, Donetsk.

As part of the investigative experiment, O.S. Serachov then suggested they proceed to the Meotida Greek Cultural Center, which they did. Upon arrival at this location, it was established that it was the Meotida Greek Cultural Center located at 127 Budivelnykiv Street, Mariupol. O.S. Serachov testified that it was near this center that he received the above-mentioned zinc container with 1,280 5.45-mm cartridges from the Donetsk People's Republic representative who went by the code name "Zakhar" in order to transport them to Donetsk and hand them over to other Donetsk People's Republic representatives.

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O.S. Serachov then suggested they proceed to the domicile of a member of their group who went by the code name "Bulldozer" in Lenina Avenue, Mariupol, which they did. Upon arrival at this location, it was established that the domicile is located in the fourth (out of four) sections in a block of flats at 111 Lenina Avenue, Mariupol. O.S. Serachov testified that it was at this location that he and V.V. Kilyanov, acting on instructions from V.V. Beloborod, received the above-mentioned firearms from another member of their group – "Bulldozer" – in late May 2014 (he does not recall the exact date), which was transported on May 12-13, 2014 from Donetsk and packed in two bags; specifically: two Kalashnikov assault rifles, two magazines for them filled with 5.45-mm cartridges, 3 packets containing 30 5.45-mm cartridges each, a grenade with the detonator removed, a gas grenade, 2 engineer's shovels, and a coil of packaging film. O.S. Serachov and V.V. Kilyanov brought these items to O.S. Serachov's garage in the village of Vynohradove, Novoazovsk District, Donetsk Oblast, at 32 Shevchenka Street, where they concealed them.

O.S. Serachov then suggested they proceed to Hretska Street in Mariupol, which they did. Upon arrival at this location, specifically building No. 37 in Hretska Street of Mariupol, O.S. Serachov testified that it was at this location that he, V.V. Kilyanov, V.V. Beloborod, and "Zamat" gathered in late May 2014. At the time this place served as the headquarters of the Mariupol cell of the terrorist organization Donetsk People's Republic, which was headed by a man who went by the code name "Chechen". They visited "Chechen" to find out why the firearms intended for this group, which they went to collect in Donetsk, had been handed over to O.A. Nedavniy under the above-mentioned circumstances. "Chechen" replied that he knew nothing about the weapons of said group and suggested they join the Mariupol cell of the Donetsk People's Republic headed by him, in which case they would receive firearms. V.V. Kilyanov agreed to join the Mariupol cell of the Donetsk People's Republic and provided his personal details. However, O.S. Serachov and other members of the group talked V.V. Kilyanov out of joining this cell of the Donetsk People's Republic, which is why the latter stopped short of joining this organization.

O.S. Serachov then suggested they proceed to the building of the construction college in the Ordzhonikidze District of Mariupol, which they did. Upon arrival at this location, it was established that the latter was a state institution of higher education called Mariupol Construction College located at 90 Leninhradsky Prospect, Mariupol. O.S. Serachov testified that it was at this location that he and V.V. Kilyanov and V.V. Beloborod met with Serhiy Stambulzhy in late May 2014 (he does not recall the exact date). During this meeting, the latter suggested that this group join him in attacking employees of a security company (he did not say which company exactly) in Mariupol and seizing their firearms. The group agreed, stating that they would not use firearms during this attack.

3. [Signature]

1. [Signature]

2. [Signature]

As part of this plan, that same day V.V. Kilyanov, V.V. Beloborod, and O.S. Serachov gathered in the latter's garage at 32 Shevchenka Street, vil. Vynohradove, Novoazovsk District, Donetsk Oblast, to check the firearms stored by this group in this garage (the above-mentioned two Kalashnikov assault rifles with ammo), and waited for a call from Stambulzhy, who had to inform them about the location of the attack they were plotting. However, Stambulzhy said that the attack would not happen.

O.S. Serachov then suggested they proceed to a parking lot next to the Zabi Fitness Center in the Ordzhonikidze District of Mariupol, which they did. Upon arrival at this location, it was established that it was a parking lot next to the building of the Zabi billiards club and the Magneto fitness center at 48-a Kyivska Street in Mariupol. O.S. Serachov testified that he met with V.V. Beloborod, V.V. Kilyanov, and "Zamat" at this location on May 28, 2014. During this meeting, V.V. Beloborod said that the group he headed had an opportunity to complete military training at a military camp in the Russian Federation. It was then that V.V. Beloborod called I.F. Stambulzhy and "Roma Khimik" and shared the same information with them. It was then that O.S. Serachov, V.V. Kilyanov, and "Zamat" agreed to complete military training in the Russian Federation.

O.S. Serachov then suggested they proceed to a bus stop in Zhukov Avenue of Mariupol, which they did. Upon arrival at this location, it was established that it was the M. Zhukova bus stop at the intersection of Marshal Zhukov Avenue and May 9 Street in the Ordzhonikidze District of Mariupol, Donetsk Oblast. S.O. Serachov testified that at this location he met with V.V. Beloborod (who requested this meeting), V.V. Kilyanov, "Zamat", and "Roma Khimik" on May 30, 2014. During this meeting V.V. Beloborod said once again that there was an opportunity to travel to Rostov-on-Don in the Russian Federation, where Russian military personnel will train members of their group in handling weapons and combat tactics. According to V.V. Beloborod, the trip would take 10 days and would be paid for by Russian representatives. V.V. Beloborod said that those wishing to take this trip had to provide their personal details for purposes of compiling a list which he would send to the Russian special services in an encrypted form. Representatives of the Federal Security Service of Russia would verify our data and either allow or not allow us to go to them to receive military training. It was then and there that V.V. Beloborod, O.S. Serachov, V.V. Kilyanov, and "Roma Khimik" agreed to go to the Russian Federation to receive military training, wrote down their personal details in a list that V.V. Beloborod had to send to the Russian special services in encrypted electronic form, while destroying the paper list. I.F. Stambulzhy called to say he would not be going to Russia.

3. [Signature]

1. [Signature]

2. [Signature]



O.S. Serachov then suggested they proceed to a bus stop in Olimpiyska Street of the Skhidny Residential Community, which they did. Upon arrival at this location, it was established that the latter was the "Provulok Liutnevyy" bus stop at the intersection of Olimpiyska Street and Liutnevyy Provulok in the Ordzhonikidze District of Mariupol. O.S. Serachov testified that he met with V.V. Beloborod, V.V. Kilyanov, and "Zamat", and "Roma Khimik" at this location on June 1, 2014. During this meeting, "Zamat" confirm that he did not wish to go to the Russian Federation for military training. S.O. Serachov made it known that I.F. Stambulzhy did not wish to go to Russia either, to which V.V. Beloborod responded that he had already sent the lists to the Russian special services and said that a group of 10 people was needed as demanded by the Russian special services. Meanwhile, members of their group were deciding not to go one by one.

O.S. Serachov then suggested they proceed to the bus station of Mariupol, which they did. Upon arrival at this location, it was established that the latter was the bus station of Mariupol, Donetsk Oblast, located at 115 Artema Street, Mariupol, Donetsk Oblast. O.S. Serachov testified that on or around June 1, 2014 V.V. Beloborod bought tickets at this bus station for a bus from Mariupol to Rostov-on-Don, Russian Federation, for the above-mentioned members of their group who agreed to go to the Russian Federation for military training. Also, V.V. Beloborod issued 1,000 Russian rubles to each member of this group, O.S. Serachov included, to avoid arousing suspicion during border control at the state border between Ukraine and Russia on account of having no funds.

Also, it was from this location – the bus station of Mariupol – that O.S. Serachov and V.V. Kilyanov left in one bus and V.V. Beloborod and "Roma Khimik" in another bus on June 2, 2014 for military training provided by instructors of the Russian special services in Rostov-on-Don (Russia). "Oleksiy Rozvidka" went to Rostov-on-Don separately from this group and crossed the state border between Ukraine and Russia on foot.

O.S. Serachov was then offered a chance to show the place where they arrived after leaving Mariupol, Donetsk Oblast, on June 2, 2014. O.S. Serachov used the Google Maps electronic global map (by accessing it on an Asus X551M laptop connected to the Internet via the Opera web browser opened to the website <https://www.google.com.ua/maps>) to point to Rostov-on-Don in the Russian Federation. O.S. Serachov testified that he and V.V. Kilyanov arrived in this city on June 2, 2014 from Mariupol, Donetsk Oblast, in a bus and exited the bus at the bus station of Rostov-on-Don. V.V. Beloborod and "Roma Khimik" arrived at this bus stations at the same time.

3. [Signature]

1. [Signature]

2. [Signature]



O.S. Serachov and V.V. Kilyanov met with V.V. Beloborod and "Roma Khimik" near the railway station of Rostov-on-Don. O.S. Serachov pointed to his location on Google Maps, specifically 7 Pryvokzalna Ploshcha, Rostov-on-Don, Russian Federation (with the coordinates 47.220887, 39.691298).

O.S. Serachov then used the Google Maps electronic map of the world in Street View Mode to point to the Minplita resort (to which O.S. Serachov referred to as the "Plita" base during questioning). O.S. Serachov testified that it was to this place that he and V.V. Kilyanov, V.V. Beloborod, and "Roma Khimik" came on instructions from V.V. Beloborod on June 2, 2014 (who in turn received these orders by phone from a person unknown to O.S. Serachov) upon arriving in Rostov-on-Don for subsequent military training provided by Russian special services. According to Google Maps, this place is located at 61 Livoberezhna Street, Rostov-on-Don, Russian Federation (with the coordinates 47.207160, 39.760056). At the same location these people met with "Oleksiy Rozvidka" and two acquaintances of his named Oleksandr and Maxim, as well as two men whom O.S. Serachov did not meet previously, who introduced themselves as "Botsman" and "Mayor".

According to O.S. Serachov's testimony, at this place the above-mentioned individuals sat for individual interviews with representatives of the Russian special services on June 2, 2014. One of the interviewees went by the code name "Epifan". The interviews took place on the second floor of a camping facility on the premises of the above-mentioned Minplita resort. During the interview, these representatives of the Russian special services asked them about their personal details (last name, first name, and patronymic, address of residence), military specialty, place and time of military service, availability of a military record card, purpose of arrival, to which O.S. Serachov replied that he wanted to master military skills in order to defend the territory of Donetsk Oblast against people who usurped power in Ukraine in February 2014. After the interviews, "Epifan" ordered O.S. Serachov, V.V. Kilyanov, V.V. Beloborod, "Roma Khimik", "Oleksiy Rozvidka", Oleksandr, Maxim, "Botsman", "Mayor" and all others who arrived for military training to board a MAN bus that would take them directly to a military camp for military training.

O.S. Serachov then used the Google Maps application to show an open tract of land in the vicinity of the village of Kadamivsky, Zhovtnevy District, Rostov Oblast, Russian Federation, with the coordinates 47.521759, 40.240317. O.S. Serachov testified that on June 2, 2014, after V.V. Kilyanov, V.V. Beloborod, "Roma Khimik", "Oleksiy Rozvidka", Oleksandr, Maxim, "Botsman", "Mayor" and all others who arrived for military training, boarded the bus at the Minplita resort, they were taken to a paratrooper military unit of the Russian Armed Forces located approximately a 1.5 hours' drive away from Rostov-on-Don (O.S. Serachov could not recall the exact address) and then had them switch to a KamAZ military truck with black number plates of the Russian Federation (consistent with the number plates of vehicles of military units) with the region number 20. The sides of this truck were closed with curtains to prevent other people from seeing who was being transported in this truck. In about 1 hour we arrived at our destination – the Kadamivsky Proving Grounds of the Russian Armed Forces.

3. [Signature]

1. [Signature]

2. [Signature]

According to O.S. Serachov's testimony, it was at this location that they were met by Roman Yuriyovich Komissarov, an officer of the Federal Security Service of the Russian Federation, who went by the code name "Ramazan". He introduced himself as the commander of the battalion where O.S. Serachov and other individuals mentioned above would receive their military training. V.V. Beloborod had known "Ramazan" before. He said that "Ramazan" grew up in Mariupol and his relatives lived in Zelinskoho Street. "Ramazan" appointed an officer of the Central Investigative Directorate of the General Staff of the Russian Federation named Nikolai, who arrived from Moscow (Russia), as an instructor for the group consisting of O.S. Serachov, V.V. Kilyanov, V.V. Beloborod, "Roma Khimik", "Oleksiy Rozvidka", Oleksandr, Maxim, "Botsman", and two natives of South Osetia. This group was assigned to a third tent from left to right in the second (from left to right) row of tents at this military camp. According to Google Maps, this tent had the coordinates 47.521297, 40.241411. In addition to the above-mentioned group, this tent also housed mercenaries from different regions of Russia, who received military training specifically in order to join combat operations on the Russian side against Ukraine in Donetsk and Luhansk Oblasts in exchange for a fee of 100,000 Russian rubles per month.

This camp followed the army routine. The evening roll call was conducted by the battalion's commander R.Yu. Komissarov who went by the code name "Ramazan".

O.S. Serachov then used the Google Maps application to point to an open tract of land with the coordinates 47.532298, 40.247179. O.S. Serachov stated that it is the precise location of the military firing range where tactical army maneuvers were practiced. These proving grounds had a watch tower and blast pens (engineering structures for flank fire in two opposite directions). On instructions from R.Yu. Komissarov and under the direct supervision of the officer of the Central Investigative Directorate of the General Staff of the Russian Federation named Nikolai, O.S. Serachov, V.V. Kilyanov, and other members of their group mentioned above in these proving grounds (to which they were transported in Russian armored personnel carriers, among other vehicles) received firearms, ammo, and practiced shooting in order to acquire shooting skills. In addition, back at the military camp Nikolai taught O.S. Serachov, V.V. Kilyanov and other members of their groups how to move as part of a sabotage group, engage in combat in exposed areas of terrain, in the woods, how to use camouflage and repel attacks. He also showed how to rig trip wires.

3. [Signature]

1. [Signature]

2. [Signature]

O.S. Serachov testified that during his stay at this military camp V.V. Beloborod and "Oleksiy Rozvidka" communicated (separately from the group members) with R.Yu. Komissarov. They also made daily phone calls to a representative of the Federal Security Service of Russia who went by the code name of "Pasichnyk". According to them, he supervised sabotage activities in Mariupol, Donetsk Oblast, on behalf of Russia.

O.S. Serachov testified that after several days of training at the military camp, R.Yu. Komissarov informed O.S. Serachov, V.V. Kilyanov, V.V. Beloborod, "Roma Khimik", "Oleksiy Rozvidka", Oleksandr, and Maxim that they would be shortly crossing the state border of Russia into Ukraine together with other battalion members who practiced at the same camp, specifically to the frontline to fight military units of Ukraine in order to join combat on the side of the Russian Armed Forces against the Armed Forces of Ukraine participating in the Anti-Terrorist Operation. However, members of this group were not morally prepared to participate in actual combat, but instead trained to conduct subsequent sabotage operations in Mariupol. In light of this, they informed R.Yu. Komissarov about their refusal. The latter, accompanied by the battalion of mercenaries who received military training at this camp, armed with firearms and ammo, went to Donetsk and Luhansk Oblasts to participate in combat against Ukraine, while O.S. Serachov, V.V. Kilyanov and other group members stayed behind in this military camp until June 11, 2014, after which officers of the Russian special services transported them from this camp to Rostov-on-Don, from where they left for Mariupol.

While the above-mentioned pages of the Google Maps application were being viewed in the Opera browser (<https://www.google.com.ua/maps>), the Print Screen command was used (by pressing the Prt Sc key on the computer keyboard) to save the images in the file of a Microsoft Word text editor and print them out on A4 paper sheets using a Canon MF3010 laser printer, which were appended to this record of examination as Attachment No. 1.

Photographs were taken during the course of this investigative activity, which was brought to the attention of all participants of the investigative activity and attesting witnesses before its start. Once photos have been made, they will be appended to this record in the form of a photo table. A schematic map is also appended to this record as an attachment.

*All participants of the investigative activity were informed about the method of reviewing the contents of the record, specifically by making the record available to be read in person.*

3. [Signature]

1. [Signature]

2. [Signature]

3. [Signature]

1. [Signature]

2. [Signature]

All participants of the procedural activity familiarized themselves with the record by reading it personally. They made no statements, complaints, or additions.

**Participants:**

3. [Signature] O.S. Serachov

**Attesting witnesses:**

1. [Signature] V.M. Zaytsev

2. [Signature] V.A. Baranchenko

Defense attorney [Signature] Kutsobin

**Senior Investigator with the Investigative Department  
of the Donetsk Oblast Directorate of the Security Service of Ukraine  
Captain of Justice [Signature] V. Romanenko**

**ATTACHMENT TO THE RECORD OF INVESTIGATIVE EXPERIMENT**



X68

*X – place where O.S. Serachov stored firearms and ammo*



*X – place of the first meeting between V.V. Beloborod and O.S. Serachov*

3. [Signature]

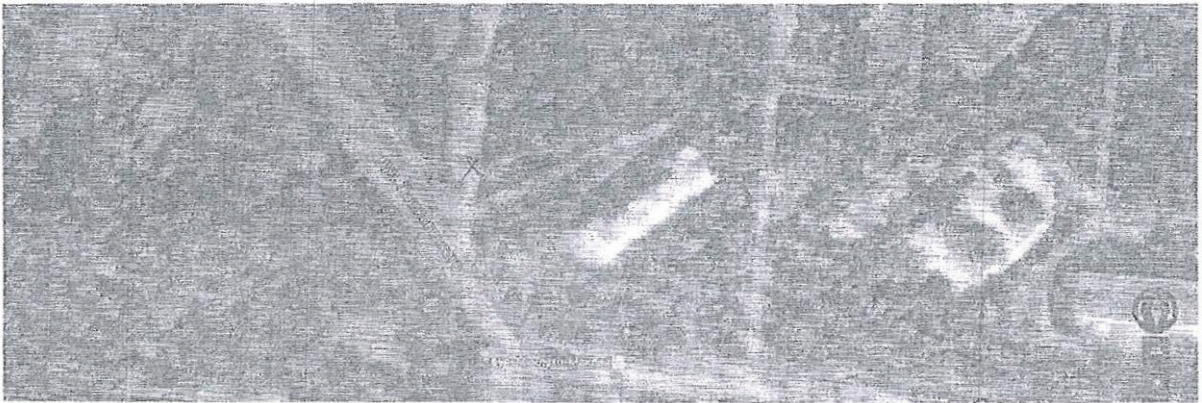
1. [Signature]

2. [Signature]





*X – place where O.S. Serachov and V.V. Beloborod boarded the bus for a ride during which the latter revealed his contacts with the Russian special services*



*X – place of the May 11, 2014 meeting between O.S. Serachov, V.V. Kilyanov, and I.F. Stambulzhy*

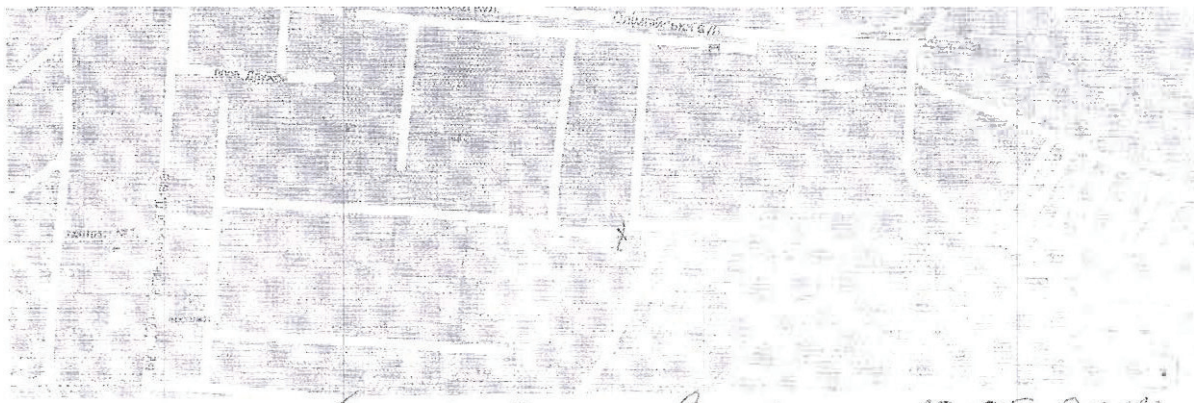
3. [Signature]

1. [Signature]

2. [Signature]



*X – place of the May 12, 2014 meeting between O.S. Serachov, "Sashko Akademik" and "Sashko Pikhota"*



*X – place of the May 19, 2014 meeting between O.S. Serachov and V.V. Kilyanov*

3. [Signature]

1. [Signature]

2. [Signature]





*X – place of the meeting between O.S. Serachov and M.O. Zakharchenko*



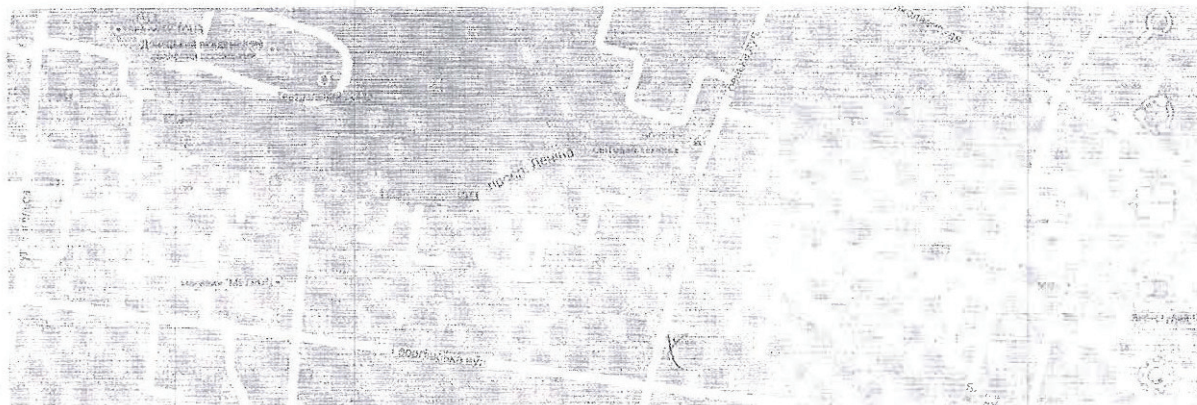
*X – domicile of a man who went by the code name "Bulldozer"*

3. [Signature]

1. [Signature]

2. [Signature]





*X – place of the meeting between O.S. Serachov and the man who went by the code name "Chechen"*

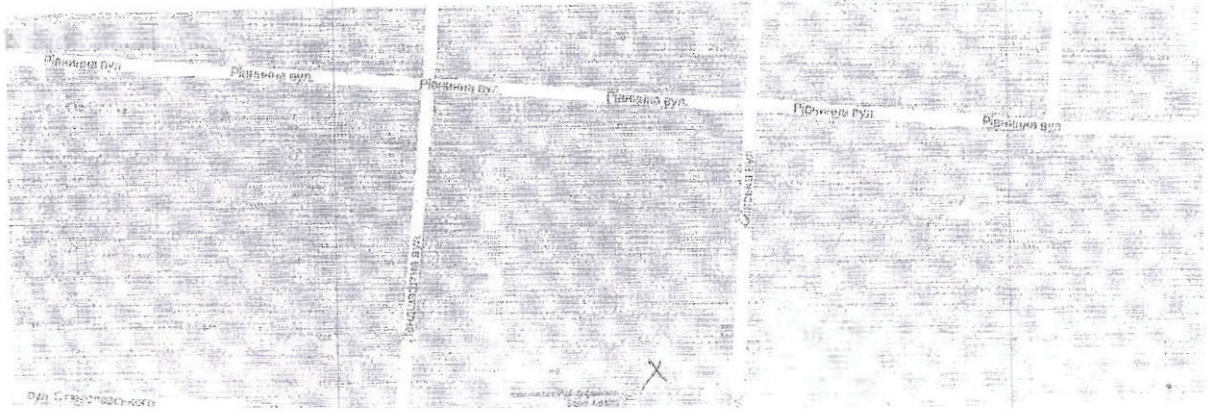


*X – place of the meeting between O.S. Serachov, I.F. Stambulzhy, V.V. Beloborod, and V.V. Kilyanov*

3. [Signature]

1. [Signature]

2. [Signature]



*X – place of the meeting O.S. Serachov, V.V. Beloborod, and V.V. Kilyanov*



*X – place of the May 30, 2014 meeting between O.S. Serachov, V.V. Beloborod, "Zamat", and "Roma Khimik"*

3. [Signature]

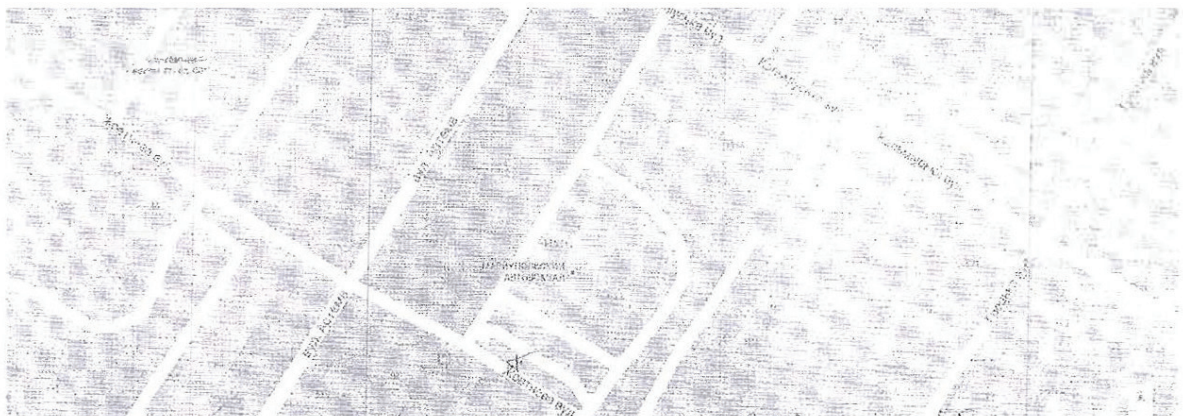
1. [Signature]

2. [Signature]





*X – place of the June 1, 2014 meeting between O.S. Serachov, V.V. Beloborod, "Zamat", and "Roma Khimik"*



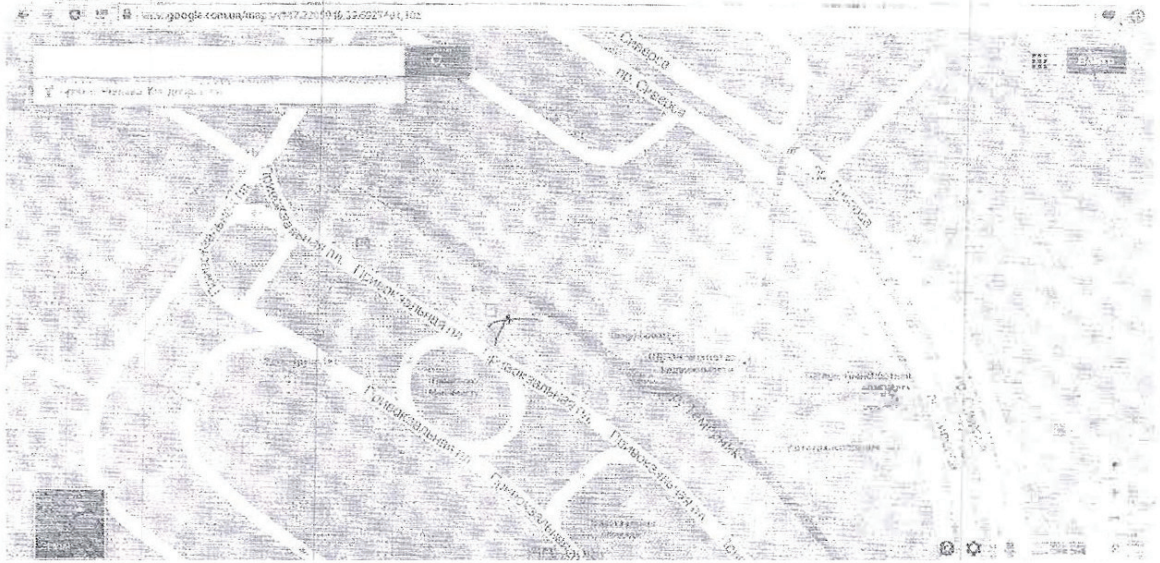
*Bus station of Mariupol, from which O.S. Serachov, V.V. Kilyanov, V.V. Beloborod, and "Roma Khimik" left for Russia on June 2, 2014*

- |                |                  |
|----------------|------------------|
| 3. [Signature] | O.S. Serachov    |
| 2. [Signature] | V.O. Baranchenko |
| 1. [Signature] | V.M. Zaytsev     |

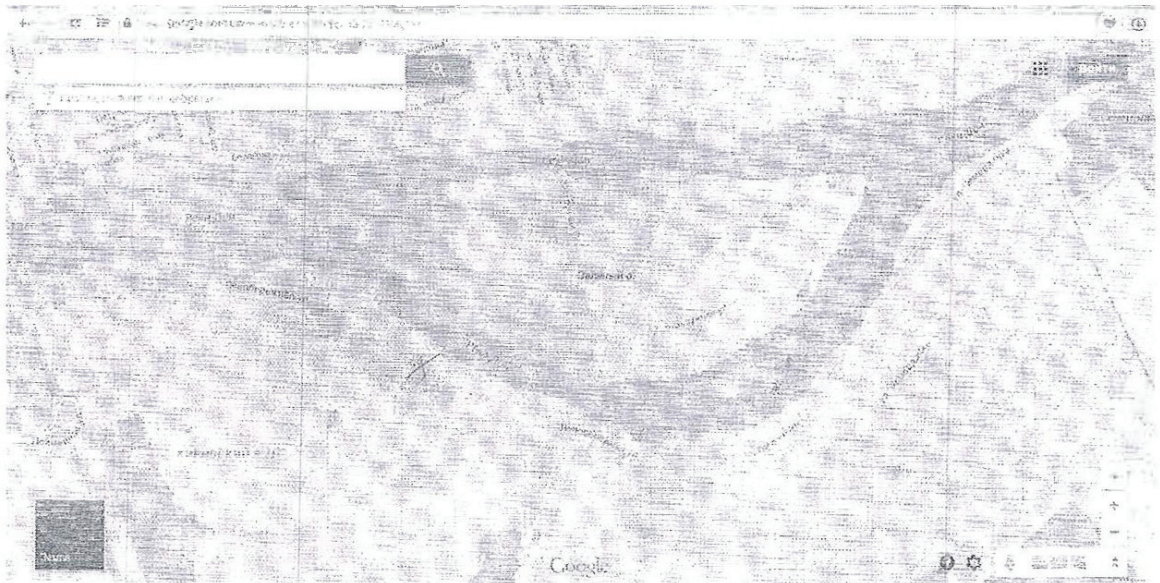
Defense attorney: [Signature]  
Senior Investigator with the Investigative Department  
of the Donetsk Oblast Directorate of the Security Service of Ukraine  
Captain of Justice [Signature] V. Romanenko



**ATTACHMENT TO THE RECORD OF INVESTIGATIVE EXPERIMENT**



*x – bus station of Rostov-on-Don where O.S. Serachov, V.V. Beloborod, "Roma Khimik", and V.V. Kilyanov arrived on June 2, 2014*



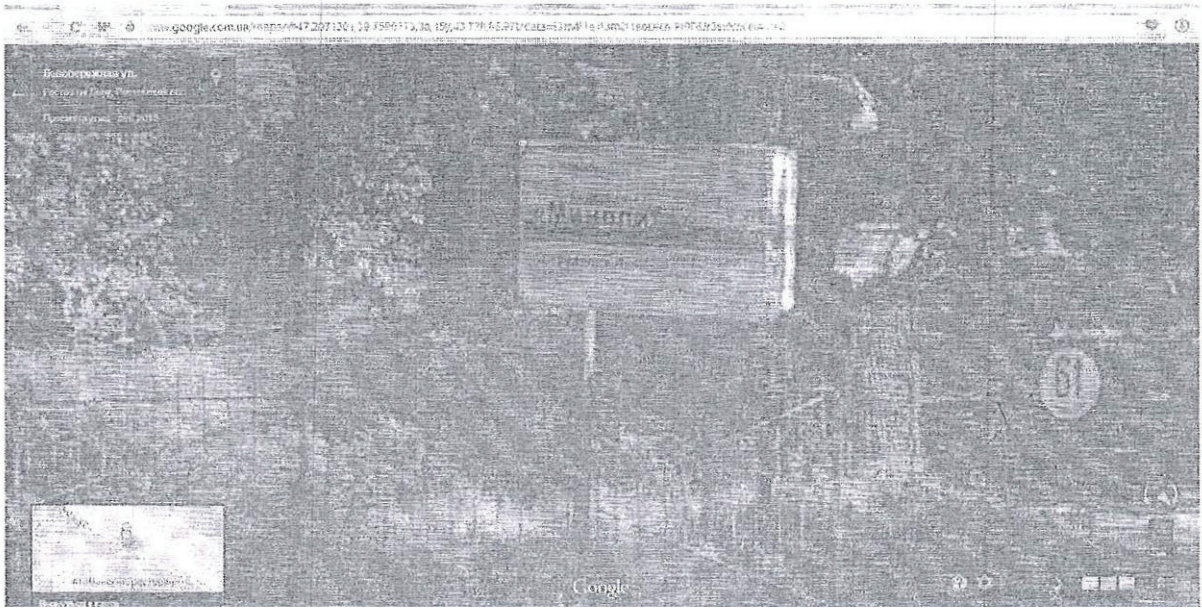
*x – location of the Minplita resort where O.S. Serachov, V.V. Kilyanov, V.V. Beloborod and others sat for interviews with representatives of the Russian special services on June 2, 2014*

3. [Signature]

1. [Signature]

2. [Signature]





*x – Minplita resort where O.S. Serachov, V.V. Kilyanov, V.V. Beloborod and others sat for interviews with representatives of the Russian special services on June 2, 2014*



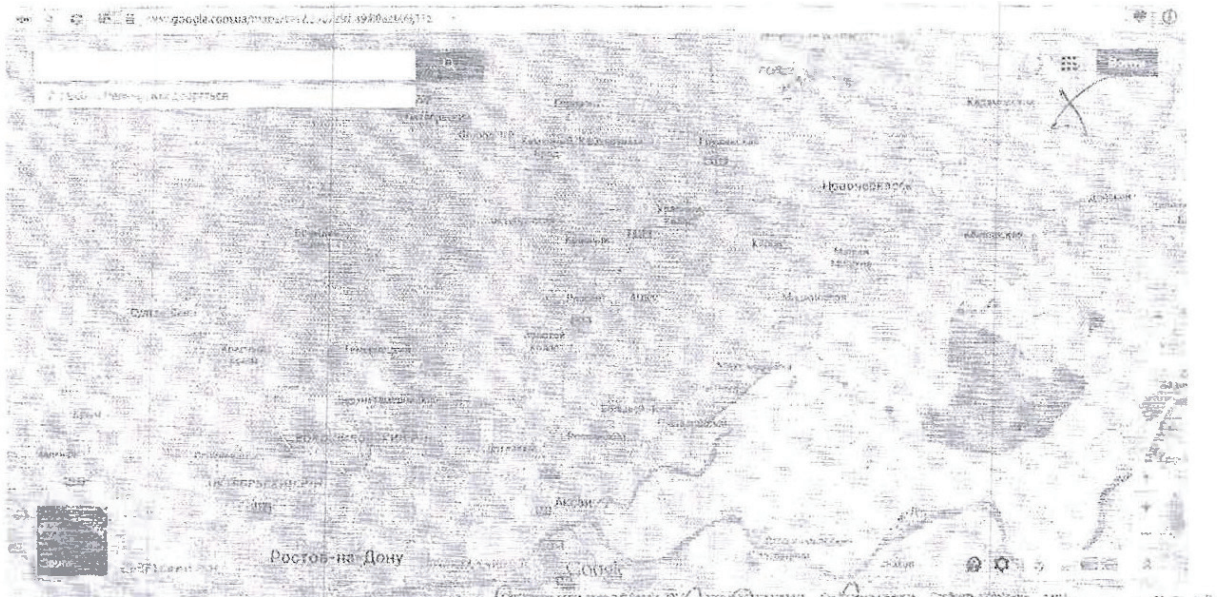
*x – Minplita resort*

3. [Signature]

1. [Signature]

2. [Signature]





*X – location of the military proving grounds where O.S. Serachov, V.V. Kilyanov, and V.V. Beloborod received military training in June 2014 under the supervision of the Russian special services*



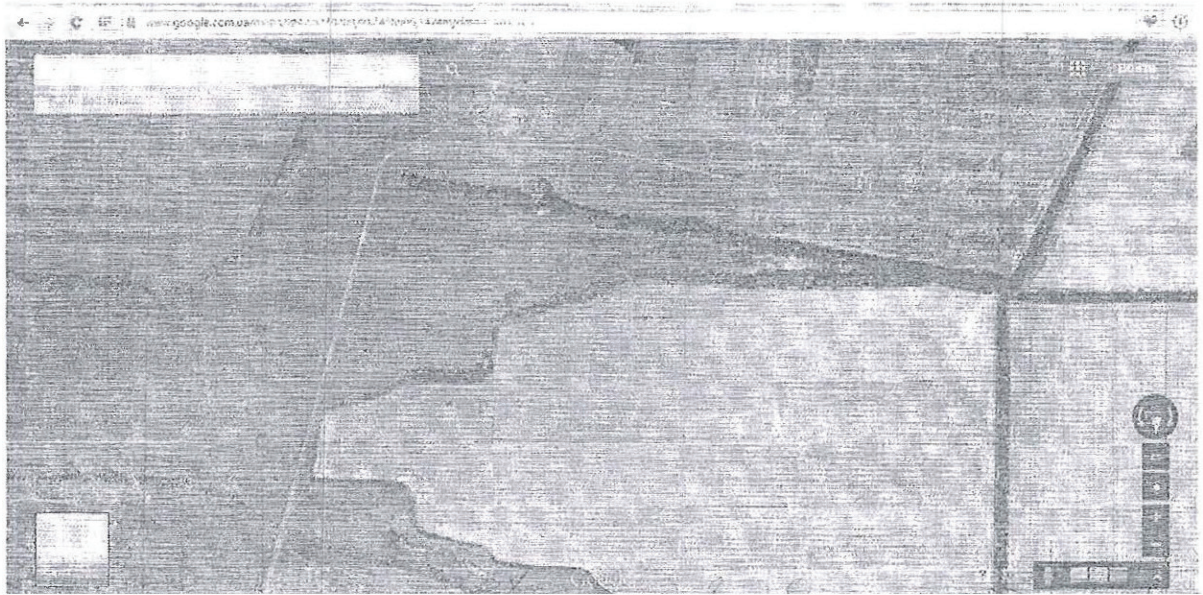
*X – location of the military proving grounds*

3. [Signature]

1. [Signature]

2. [Signature]





*X – location of the military camp where O.S. Serachov, V.V. Kilyanov, and V.V. Beloborod and others received military training*



*X – location of the military camp where O.S. Serachov, V.V. Kilyanov, and V.V. Beloborod were stationed*

3. [Signature]

1. [Signature]

2. [Signature]





*X – site where O.S. Serachov, V.V. Kilyanov, and V.V. Beloborod and others had shooting practice during military training*

- 3. [Signature] O.S. Serachov
- 2. [Signature] V.O. Baranchenko
- 1. [Signature] V.M. Zaytsev

Defense attorney: [Signature]  
Senior Investigator with the Investigative Department  
of the Donetsk Oblast Directorate of the Security Service of Ukraine  
Captain of Justice [Signature] V. Romanenko



# Annex 193

Signed Declaration of Mykailo Ozerov, Witness Interrogation Protocol (10 November 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



[...]

[...]

[...]

**In response to the questions put to him, the witness gave the following testimony:**

On March 12, 2012 I became the co-owner of the Stena rock pub located in the basement of 13 vul. Rymarska, Kharkiv. This pub hosts live rock shows and meetings with writers and poets. Overall, it's a creative pub. The pub hosts performers both from Russia and Ukraine. Lately, after the events in Ukraine, namely in the east of Ukraine, we (virtually all those working at Stena) have been doing voluntary work, specifically helping refugees from the east of Ukraine, orphans evacuated from the anti-terrorist operation area and, last but not least, sending aid to the active military units fighting on the Ukrainian side. I associate the explosion at the rock pub over the night of November 9-10, 2014 with the distinctly pro-Ukrainian position of the staff and management here. I basically do not believe the version that the blast had anything to do with the Stena rock pub's commercial business because we go about our business with great integrity and do not engage in confrontation with competitors. On the contrary, we try to maintain a close relationship with our competitors and with those in Kharkiv who are in a similar line of business.

The Stena rock pub has many visitors. Some of our audience are regular customers who have been coming here for a long time. Others don't come regularly, only sometimes, to have a glass of beer and a chat, or to listen to live music.

As regards what happened at the pub on 11/09/2014, I can say the following. No live performances were planned or taking place. Personally, I was at the pub around 12:00 p.m., meeting one of the co-owners, Dmytro Borysovych Savchenko. The meeting was in the pub office. When we finished and left the office about 1:00 p.m., there was no-one at the pub.

[signature]

Next, around 2:30 p.m., Vlad Svyatash—the cousin of Member of Parliament Dmytro Svyatash—came with his wife, Olga Svyatash. After this, the pub was visited by Donbass evacuees whom I helped buy tickets to travel from Kharkiv to Kryvyi Rig, after which I left the pub and went about my business.

I didn't return to the pub and spent the day dealing with personal matters. Around 5:30 p.m. I met up with a friend at the Thatcher pub (near 23rd Serpnya Street in Kharkiv). During our get-together, around 9:40 p.m., I received a call from Dmytro Petrov (my friend whose girlfriend was at the pub at the time of the blast) who told me that there had been an explosion at the Stena pub. I almost don't remember anything about arriving at the pub, probably because I was in a state of shock, after which I went to accident and emergency hospital No 4 to visit those injured in the blast.

**Investigator's question:** Have you ever received any threats from anyone about the business or any personal threats?

**Witness' response:** I have never received any threats about the business or any personal threats, and I personally have not had any conflicts with anyone. At times, as in any other place like this, there would be conflict situations when customers drink more than they should and start causing a row. In these situations we usually call security and police, and the situation is resolved.

*This is an accurate record of my oral statement. I have no comments or additions to make.*

[signature]

*M.Y. Ozerov*

**Interrogated by:**

**Special investigator, Investigations department**

**Kharkiv Regional Directorate of the Security Service of Ukraine**

**Senior Lieutenant**

[signature]

**A. Isayev**

# Annex 194

Signed Declaration of Roman Chernenko, Witness Interrogation Protocol (10  
November 2014)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



**Transcript of interview with witness R.I. Chernenko dated 11/10/2014 (continued)**

[...]

**In response to the questions put to him, the witness gave the following testimony:**

I have been working as a bartender at an establishment called Stena [The Wall] Rock Pub since March 2012. My job duties include selling drinks to customers at the bar and to the waiters who serve the dining area, settling customers' checks, recording and expanding the assortment of drinks, collecting cash receipts and handing them over to the accountant.

Stena Rock Pub opened its doors in March 2012 (I have been working there since it opened). It plays rock music and holds live concerts on Fridays and Saturdays. Sometimes you can also watch soccer games there.

The original owners of the café were Ivan Markovich Panchenko and Dmitry Borisovich Savchenko. I.M. Panchenko drowned last year (in early June), leaving D.B. Savchenko as the sole owner. Early this month (around two weeks ago), D.B. Savchenko assigned the rights to this establishment to a certain Denis (I do not know his last name), as he was not interested in the business. I believe both D.B. Savchenko and Denis specialize in computers as their main business. I do not know the details.

Mikhail Nikolayevich Kabanov has been the establishment's manager since the day it opened. He is also its artistic director (he handles the concert schedule). The café also employs one waitress, Marina Yuryevna Ovcharenko (she was absent on the day of the incident, and I was covering for her), two chefs, and another bartender, Yevgeny Yuryevich Serzhantov (who works the opposite shift to mine). We did not have any conflicts among the staff. We are all like a family. We are friends with each other and hang out together. I do not recall anyone being fired and leaving on bad terms. I am also not aware of any conflicts between the owners.

I do not know anything about the establishment's finances. That is Mr. Kabanov's department. Times are tough for every establishment, but ours was making ends meet. I believe the establishment also has an outstanding loan, which it took out when Mr. Panchenko was still in charge, and it has not always managed to keep up on its payments.

Our establishment has nine tables indoors, as well as a summer veranda (which is currently closed). In total, the venue has a capacity of around 40 people. During concerts, there might be as many as 70 people. The establishment also has a bar capable of serving 9-10 people.

We have a fairly regular clientele. Many of them know each other. I also know a lot of the patrons by sight. After the events on ul. Rymarskaya on March 14-15, 2014, we also started to get more frequent visits from soccer fans. Sometimes (about once a week) people in uniform with "Azov" volunteer battalion insignia also started coming in, but I can't say that these people were a majority. ATO [anti-terrorist operation] personnel also came into the establishment sometimes, but I can't say that this was a frequent occurrence (they didn't come in any more often than the Azov guys). I can also say that a majority of our patrons had pro-Ukrainian sentiments and often criticized the Russian leadership.

Our establishment was also collecting charitable aid for the Azov battalion (we had a collection box) and for refugees from the ATO zone. This was well known. Mr. Kabanov was responsible for collecting the aid money.

The work day is organized as follows at our establishment: we open at 10:00 AM (that's when the waiters arrive). Either I or my shift replacement (we switch schedules every other week) comes in at noon. Most people start coming in around 4:00 PM. The concerts (on Fridays and Saturdays) start around 8:00-8:30 PM and last until around 10:00 PM. The establishment closes

[signature]

**Transcript of interview with witness R.I. Chernenko dated 11/10/2014 (continued)**

around 11:00 PM – 12:00 AM. I am usually the one who closes up, and before leaving I check to make sure there are no people left inside and no forgotten items. I also turn on the alarm.

On the morning of November 9, 2014, I got to work around 9:30 AM. The waitress (M. Yu. Ovcharenko) had requested the day off, so I had to arrive early and fill in for her. As far as I can recall, she had said that she needed to spend some time with her family (she has a husband and a 5-year-old child), and the manager had given her the day off. She had also coordinated her day off with me, as I was supposed to fill in for her. She had taken days off in the same manner before, about 1-2 times a month.

When I arrived at work, the cleaning lady had just finished cleaning, so I saw there were no foreign objects inside the establishment that morning.

The place started to get busy around 4:00 PM. Everyone was sitting at the tables, as there were enough available seats in the dining area. At around that time, an acquaintance of mine, Igor Ulezchenko, came in, sat at the bar, and started talking to me. No one had sat at the bar before him. He took a stool there because he was waiting for the rest of his party. He was sitting on the left-hand side of the bar (from my perspective, i.e., looking inward into the establishment).

After that, at around 7 PM – I do not remember the exact time – a person I had not seen before walked into the establishment. He came up to the bar, stood right in the middle of it, and asked me for a half-liter mug of dark beer (I do not remember the exact time of his arrival, but you could find this out by looking at the time of the relevant order in the 1C accounting system installed at the bar). I do not recall whether he was holding anything in his hands.

He immediately paid (with a 100-hryvnia note, if I'm not mistaken, even though I had not asked him to pay right away) and went past the bar stool opposite the second window on my right. He was sitting with his back to the entrance. I could not see what he was doing at that moment.

After he had finished drinking his beer (about 20 minutes had passed), he got up from the table and started walking toward the exit. I wasn't sure if he was stepping out to have a smoke or if he was planning to leave the establishment. As he was passing by the last two bar stools on my right, he butted into a conversation between the patrons who were sitting there. I hadn't heard what they were talking about before he butted in, as they had been talking rather quietly. Literally a minute later, they started shouting, and I realized that they had been talking about the ATO (one of them, as I understood it, had returned from the ATO zone), and he had butted into their conversation with some comment about how the people fighting on the Ukrainian side were mercenaries.

This confrontation threatened to turn into a full-blown fight, so the manager, Mr. Kabanov, went up to these people and asked the stranger to leave the premises and not to provoke a conflict.

To this he responded that he would be happy to leave, but he feared that he would be beaten by the guys standing at the exit. To this the manager replied that he would make sure no one touched him. After that, the patron left the premises and was followed out by the manager, who made sure that no one touched him. I also went out after him myself. The patron went out onto ul. Rymarskaya, started walking down the street toward Bursatsky Spusk, and disappeared from view around the intersection of ul. Rymarskaya and per. Klassichesky.

About two minutes later, the party that had been harassed by the patron also left the premises and headed up ul. Rymarskaya.

I can tell you that it was the first time I had ever seen the aforementioned person – the one who had gotten into the confrontation. As for the two patrons he had accosted, I had seen one of them at the bar before.

I can describe the outward appearance of the aforementioned individuals as follows:



**Transcript of interview with witness R.I. Chernenko dated 11/10/2014 (continued)**

- the man who had ordered the beer and started the conflict was white, around 1.8 meters tall, with dark unkempt hair, sporting a dark beard. He was dressed in dark jeans and a dark jacket. He was of medium build with a somewhat oval face. I cannot describe any other features.

- the first of the patrons who had been accosted by this man was about 1.85 meters tall with a heavy build and light brown hair, wearing a sweater and jeans. He had been in our establishment before. I believe he knew the manager.

I do not recall the appearance of the second patron from that party.

After the aforementioned persons left the premises, two young men by the names of Gennady and Nikita sat down at the bar, along with two girls by the names of Vladlena and Anna (they were all inside at the time of the explosion).

About two hours after that, Gennady or Nikita (or possibly Roman) asked me about a package that was lying under the bar. I replied that perhaps someone had stepped out for a smoke and left their things (people often leave their things at our establishment when they step outside). Literally 10-15 minutes later, an explosion rang out inside the building. I was standing behind the bar at the time. The epicenter of the explosion was directly across from me, on the other side of the bar. I understood that it was in the very spot where the patrons had noticed the aforementioned package.

I would also like to point out that all of the persons who had been at the bar that day (excluding the three persons involved in the altercation) remained inside the building at the time of the explosion.

The blast wave from the explosion threw me backward. It seemed to me that I lay unconscious for about 10 minutes (I based this conclusion on the fact that when I grabbed my phone, it said the time was 10:00 PM). I left the premises through the service entrance and helped drag one of the injured outside.

**Transcript of interview with witness R.I. Chernenko dated 11/10/2014 (continued)**

I did not notice any suspicious persons or vehicles near the establishment after the explosion.

In addition, I can tell you that about a month ago – I do not recall exactly when – a conflict broke out among some of our patrons during a concert, on nationalist grounds: one party shouted, “Glory to Ukraine,” but one guy who was sitting at the bar near the restroom disagreed with this cry and responded: “Not glory.” After that, they invited him to step outside, and this patron was holding a screwdriver in his hand. I pointed this out to the other patrons, but they took him outside anyway and beat him up.

I do not remember what that man looked like, and I cannot say whether it was the same patron as yesterday.

**Question:** Did anyone inside the establishment make a video recording yesterday?

**Answer:** Not that I saw.

**Question:** Were any events planned at your establishment yesterday? Were any servicemen or ATO troops expected?

**Answer:** Nothing like that was planned for yesterday. It was a routine day. No meetings of servicemen were ever organized in my presence. I can only point out that there was an assembly on Freedom Square that evening. Perhaps whoever was behind the explosion expected people to come to our place after that.

*I have read the transcript. My words have been accurately recorded. I have no comments and nothing further to add.*

[signature] R.I. Chernenko

**The procedural action was carried out and the transcript prepared by:**

**Special Investigator, Investigations Department,  
Kharkiv Regional Directorate of the Security Service of Ukraine  
Captain of Justice**

[signature] **A. Prosyak**

# Annex 195

Signed Declaration of Valentin Datsenko, Witness Interrogation Protocol (11  
November 2014)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



[...]

I currently reside at the above address with my husband, Valentin Petrovich Datsenko, and my sons, Ilya and Daniil. I am a sole proprietor doing business as “Ye.S. Datsenko.” I specialize in real estate leasing. In particular, the space that I lease out is located at 13 ul. Rymarskaya, Kharkiv. I have owned this space since July 2006. I acquired it from the previous residents (their last name was Bondarenko), whose details I cannot give you at the moment, as I do not remember. In 2008, I officially changed the status of this space from residential to non-residential by order of the Dzerzhinsky District Court. Due to the economic crisis that began in 2008, the space was not rented out and remained vacant.

Some tenants were found in 2012. They proposed to utilize the space as a café once they made some refurbishments. These tenants were Ivan Markovich Panchenko, born in 1977, Dmitry Odin, and Svetlana Gennadiyevna Kharlamova (D. Odin’s wife). The lease was drawn up in the names of Mr. Panchenko and Ms. Kharlamova. By agreement with the tenants, the space was supposed to be used to set up a café for rock music fans. The name itself, “Stena” [The Wall], came from a Pink Floyd music video about tearing down the Berlin Wall. I was not opposed to this idea, particularly since I had no other lease offers. Stena Rock Pub opened its doors on August 1, 2012. My duties as the owner of the premises include making sure that the utilities are paid, preparing a report on electric power consumption, and forwarding the utility bills to the actual occupants.

In the summer of 2013, Mr. Panchenko drowned while on a recreational visit to a water reservoir in the village of Lozovenki outside Kharkiv. I am not aware of the circumstances of his death.

The lease documents were then re-registered in the name of Mikhail Nikolayevich Kabanov, who had previously joined Mr. Panchenko and Mr. Odin in the business. I believe Mr. Kabanov was responsible for organizing events at the rock pub (concerts, performances, etc.). Why the lease was specifically re-registered in Mr. Kabanov’s name I do not know. I am not aware of any conflicts among the tenants. After Mr. Panchenko’s death, the owners of Stena Rock Pub were also joined by Mikhail Ozerov. I spoke with the latter a few times about replacing a water pipe and saw him from time to time at the pub.

A lease agreement was entered into on 08/01/2013 with M.N. Kabanov and S.G. Kharlamova (as I recall, S.G. Kharlamova got married and changed her last name, but I may be mistaken). From that moment forward, I had no issues with the Stena Rock Pub’s operations. Nor were there any complaints from the law-enforcement agencies or neighbors.

I only visited Stena Rock Pub on business matters. I was not a regular customer or patron. Among Stena’s employees, I know the manager, Alena (I do not know any of her other details, and I deleted her phone number after she was let go). I forwarded the utility bills to her. But she was let go in late August 2014 for reasons unknown to me. I also know the bartender, Roman (I do not know his other details), to whom I sometimes gave the bills to be passed on to Alena. Sometimes, instead of Roman, there was another bartender working at the bar (I do not know his details), to whom I also handed the bills. After Alena was let go, she was replaced by a new manager, Yekaterina (I do not know her details, but her telephone number is 913-13-52). I contacted her on multiple occasions about the utilities.

Stena’s clientele consists mainly of young rock music fans. I have also heard from acquaintances who live nearby that supporters of “pro-Ukrainian,” “pro-Maidan” ideas and the “Right Sector” gathered there. I did not oppose such events, but I felt that they should not cause any damage to the venue. In the summer of this year, during a visit to Stena, I noticed that a transparent donations box had been set up on the bar to collect money for the army.

As far as political movements are concerned, I would like to point out that I did not participate in such events on the side of either the “Maidan” or the “anti-Maidan”, such as when they took down the Lenin monument. Nor did I participate in any volunteer work to collect funds or assistance for ATO [antiterrorist operation] troops. I do not know anything about the political activity of my tenants at 13 ul. Rymarskaya or their involvement in any social movements.

At around 10:00 p.m. on 11/09/2014, I received a phone call from the mother of my godchild, Olga Gennadiyevna Trineva, who resides at Apt. 2, 6 ul. Kravtsova. She told me there had been an

TRANSCRIPT

explosion at Stena Pub. Due to the extreme circumstances, I did not know what to do. When I managed to reach my husband on the phone, he said he was already on his way to the scene of the incident. At 11:30 PM that day, I received a phone call from the police – I believe it was field officer Artur Karenovich, from telephone number 068-994-54-54 – who told me that as the owner I had a duty to go to the premises, which I did. Before heading over there, I called Mr. Kabanov (on telephone number 099-075-84-09), but he refused my request to meet me there. When I arrived at the scene (around midnight), the police were there, the ambulances were already gone and Dmitry Odin was there, along with many people I did not know. I was questioned by a police officer, after which my husband and I went home.

**Question:** Are you aware of the nature of the relationship among the owners of the Stena Rock Pub (the tenants)? Are you aware of any conflicts among them? If so, among which of the owners did the conflicts arise, and what were they about?

**Answer:** I do not know anything about any conflicts among the tenants. As far as I know, they did not have any conflicts.

**Question:** Were there any conflicts between the tenants and yourself as the owner of the premises? If so, with whom did you have such conflicts, and what were they about?

**Answer:** I did not have any conflicts with the tenants. We had a straightforward business relationship.

**Question:** Were there any disputes over the property rights to the premises located at 13 ul. Rymarskaya, Kharkiv?

**Answer:** There were no such disputes, nor are there any presently.

**Question:** Please clarify whether you were aware that Stena Rock Pub was a gathering place for members of the Right Sector, volunteer battalion fighters, and citizens with pro-Ukrainian sentiments.

**Answer:** I believe Stena Rock Pub's patrons included not only these people (Right Sector, battalion fighters, etc.) but also people without any active political stance (passers-by, people with children, etc.). I was told, however, that during the march on 10/14/2014, a lot of people had congregated outside Stena, carrying the flags of Right Sector and other nationalistic organizations.

**Question:** Have you received any threats recently?

**Answer:** No, I have not received any threats.

**Question:** Do you know who was responsible for the terrorist act at the Stena Rock Pub on 11/09/2014? Do you suspect anyone of involvement in the bombing?

**Answer:** I do not know who was responsible for the terrorist act, and I do not suspect anyone. I do not even know the motive of the terrorist act.

**Question:** Would you like to add anything else?

**Answer:** No, I have nothing to add.

*My testimony has been accurately recorded. I have personally read it. I have no comments and nothing further to add.*

[signature] Ye.S. Datsenko

Interviewed by Senior Investigator [signature] A.Yu. Berezhny

# Annex 196

Signed Declaration of Marina Kovtun, Suspect Interrogation Protocol (16 November 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

[...]

**In response to the questions that were put to her, the suspect gave the following testimony:**

I have resided at the above address since 1991. I live together with my son, Stanislav Leonidovich Kudrin, born in 1988, and my daughter, Darya Sergeyevna Kovtun, born in 1995.

I was born in the Russian Soviet Federal Socialist Republic but moved to Kharkiv at the age of 15 (in 1982) for school (I studied at the Kharkiv Textile Vocational School from 1982 to 1985), after which I continued living here.

I have a secondary vocational education. I am officially unemployed, but I make some money on the side as a seamstress working from home. I am not a member of any political party. Prior to 2014, I was not involved in any mass protests.

When the "Maidan" started in Kyiv, I didn't really think much of it, as I was at my mother's house in Stavropol Territory, Russia, at the time.

Around February 2014, my attitude toward these events changed, as I considered the overthrow of the President to be unconstitutional. On March 1, 2014, I joined a protest march on Freedom Square in Kharkiv, where I witnessed a speech by Gennady Kernes, as well as the seizure of the regional administration. After that, I went to Freedom Square every weekend and spoke with likeminded people who did not support the current regime in Ukraine.

In the course of these events, around the end of March - early April, I met someone by the name of Vasily (I do not know his last name; his patronymic was Petrovich, but they called him "Kapitonovich") on the square. He also shared my views but did not take any active steps apart from going to the square.

Around April, or possibly May, I became a member of Anton Guryanov's "Russian East" movement. They were signing people up right on the square. Some guys were standing there with a flag and registering people. I did not know Guryanov himself at the time. I

[initials]

**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

got to know him later. After that, I continued going to the square, but somewhat less frequently.

Russian East held training sessions in hand-to-hand combat. They were conducted by a man who went by the nickname “Bizon”, near an abandoned military base at the Kharkiv Tractor Factory, closer to the city of Rogan. I went there several times. These trainings were also attended by Nikolai Varva, Konstantin “Khimik” [“The Chemist”], Andrei, and other persons.

In June, I went to stay with my mother in Russia again, spending about 20 days there. Upon returning to Kharkiv, I went out to the square, where a woman by the name of Arina (I do not know her other details; I had met her on the square before but did not know her well) invited me to travel to Belgorod to study at a school specializing in politics and economics, so that I could help wage the information war against Ukraine’s current authorities, since I was not happy with them.

She said that the program would last three days. It was free, and they would pay for my travel expenses, plus a per diem of 500 rubles. I accepted this offer. Vasily, whom I mentioned earlier, also received the same invitation. He and I discussed it and decided to go. We were supposed to make our own way to Belgorod, after which we were supposed to meet at the Patriot Hotel.

We left Kharkiv somewhere around the middle of July. I do not remember exactly when, but it was a Friday. We took a mini bus from South Station to Belgorod. Upon arrival, we headed to the aforementioned hotel. There we were greeted by two young men, Ivan and Mikhail, whom we had not met before. Appearance-wise, they looked like Jews. They booked us into rooms at the hotel. I got my own room at first, but later they put a woman from Dnipropetrovsk in the same room with me. Her name was Tatyana (I do not know her last name). When we first arrived, they entered our details (full names and copies of our passports) into a computer. They also reimbursed us for the cost of the trip to Belgorod.

Classes began at 9:00 AM the following day at the DOSAAF [Voluntary Society for Assistance to the Army, Air Force and Navy] center next to the hotel. We were divided into groups. Each group had its own color, which changed each day. Each group consisted of around 20 people. Each group was in a separate auditorium. Vasily and I were in the same group.

Classes were held in the form of lectures, which lasted until 5:00 PM with a break for lunch. There were about ten lecturers in all. They talked about working with the mass media, working with the Internet and messaging; they taught us how to anticipate how the situation would unfold in the near future; and they talked about economics. The lecturers introduced themselves, but I do not remember their names. Some of them had served time in prison for the Bolotnaya Square protests.

During these lectures, I was also introduced to Anton Guryanov. I met him by the hotel. I had seen him on the square before, but we had never spoken. Now we spoke for about five minutes. We then met again in the evening and spoke for about 15 minutes about events in Ukraine.

The lectures lasted for three days in all. At the end, they gave us our per diems and money for the return trip. The money was handed out to us by a girl we had not met before, by the name of Darya. After that, Vasily and I took a mini bus from the railway station to back to Kharkiv’s South Station. Upon returning to Kharkiv, I went back to normal life. Sometimes I would go out to the square on Sundays.

Immediately before the trip to Belgorod, I also met a man by the name of Aleksandr (I do not remember his last name) on Freedom Square in Kharkiv. He was short and wore glasses. He gave speeches on the square using a microphone. We did not talk about anything substantive; we merely introduced ourselves.

[initials]

**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

Upon returning to Kharkiv, on around July 29, 2014, the aforementioned Aleksandr called me on my cellphone from a Russian number and invited me and Vasily to come to Moscow. I agreed, even though he had not explained why we needed to go there. He asked me for my debit card number so that he could pay for the trip, but I said it would be better if they gave me the money in person in Moscow. I would also like to point out that I had not given him my telephone number. I do not know where he got it.

I also invited my son Stas to travel with us, as I was afraid of being drawn into some risky venture. He understands politics and could advise me.

We left Kharkiv around the end of July or beginning of August. We traveled to Belgorod by mini bus and took the train from there to Moscow.

In Moscow, I bought a Russian SIM card and called Aleksandr. He told me to go to some metro station (I do not recall exactly which one – perhaps Park Kultury). There he met us, and together we went to a library. There, on the second floor, was something resembling an office, where he introduced us to Aleksei Petrovich. In the next room was the aforementioned Darya, who had given us the money in Belgorod.

We then started talking (Sasha [short form of Aleksandr], Aleksei Petrovich, Vasily, and I; Stas was told to stay in another room). During our conversation, Aleksandr introduced us as people from Kharkiv who wanted to do something. They asked us which organizations we belonged to, to which I responded that we were from Russian East. They then asked how many members we had, to which I replied that there were ten of us. They then invited us to stay another day so that we could meet someone else.

We agreed, and they put us up in a monastery that night. The next morning, a man contacted us by telephone, and we agreed to meet at 11:00 AM by the metro station (I do not recall the name of the station).

At the designated place, we (Vasily, Stas, and I) met with a man by the name of Roman, after which we went to a nearby café, where we talked. He asked whether we had people who were prepared to travel for firearms training. He explained that this training was necessary for future subversive activity in Ukraine. He said that a per diem of USD 20 would be paid for attending the trainings, which would last ten days. To this proposal I replied that we would have to speak with people in Kharkiv.

After this conversation, we met with Aleksei Petrovich. He gave me RUB 5,000 for the journey, and we headed back to Kharkiv on the Moscow-Kryvyi Rih train.

We got back to Kharkiv on around August 3, 2014. I then headed over to the aforementioned training site to propose that we make the trip for firearms training. Vasily, “Bizon”, Nikolai (last name Varva), Konstantin (nickname “Chemist”), and Andrei were all there. Vasily and I told them about the proposed trip, but no one agreed right away. They asked for time to think it over.

On Freedom Square, I also shared the invitation with a young man by the name of Pavel, whom I knew from the square (he agreed without hesitation), and Nikolai (a member of the RNE [Russian National Unity]), who also agreed.

Over the course of the following week, the aforementioned people agreed to make the trip. I also invited my son, Stas, and younger nephew, Andrei Bozhko, to go with us. “Bizon” also brought some of his own friends: Andrei,

**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

Vyacheslav, Sergei, and another Vyacheslav. Nikolai (from the RNE) also brought his own friend by the name of Vitaly.

There were 15 of us in all. Somewhere around August 15, 2014, I called Roman in Moscow and told him we had 15 people ready to make the trip at once. To this he replied that it was not a good time to go, and that he would call when the time was right. About a week later, around August 20, Roman called me and told me to go to Belgorod, where we were then supposed to get in touch by phone. Either during that conversation or earlier in Moscow, he said that we should cross the border in small groups or one by one.

I called all the people I had assembled myself. They then called the others. We agreed to meet at the railway station in Belgorod by 2:00 PM. I don't recall the precise date. It was around August 20.

I got to Belgorod with Stas and Andrei (my nephew) by mini bus. When we met the rest of the group at the designated spot, I called Roman, who said we would be picked up at 9:00 PM at the Patriot Hotel. We all split up to go walk around the city until evening, agreeing to meet at the same spot in the railway station at 7:00 PM.

After meeting up again, we walked over to the hotel, where we were picked up by a large long-distance bus (I do not recall the make). When the bus pulled up to the hotel, another group came out of the hotel and boarded it. I later found out that they were Kharkiv Cossacks. We were warned not to speak with this group (Roman told me this by phone).

We rode the bus to the city of Tambov, where we were taken to a tent camp on the outskirts of town. It was early in the morning. We were greeted by two men who introduced themselves as Viktor and Sergei. They were wearing athletic gear, but I later learned that they were military men.

The camp where we stayed consisted of a fenced-in area with pitched tents – there were about ten large ones and five small ones in all, but they were empty. We were assigned two tents – a big one for the boys and a small one for me. The second group was placed in the third tent. There were no permanent structures on the grounds. There was also a separate tent for the kitchen, where it seemed to me that soldiers were working. There was also a latrine (it was a unisex one at first, but they later built me a separate one) and a shower. The whole area measured about 500x500 meters. There was a concrete fence on one side and a little fence on the other three sides that we were forbidden to cross. The entrance to the area was guarded by watchmen. They also patrolled the grounds at night. The personnel wore military uniforms (spotted camouflage), but without any insignia.

After getting us settled in, they fed us and let us rest until lunch. Then two instructors (Aleksandr and Maksim) came to us and gave us an introductory lesson. About 2-3 days later, a specialist also came and had us take a lie detector test. I was asked whether I had ever killed anyone, whether I worked for law enforcement, and other questions that I do not recall.

On the following days they taught us navigation, medicine, firearms training, and demolitions. For shooting practice, they took us to a shooting range at a different location (3-4 times in total). It seemed to me there were soldiers shooting at the same range.

[initials]

**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

At firearms training they showed us a Kalashnikov assault rifle, a Dragunov sniper rifle, a grenade launcher, hand grenades, an under-barrel grenade launcher, and a machine gun. We were told to select a sniper, for which I volunteered.

At shooting practice, I fired an assault rifle once and a grenade launcher once. As the sniper, I also fired an assault rifle, firing off three magazines.

At demolitions, they showed us magnetic mines, MON anti-personnel mines, and “bouncing mines”, as well as TNT sticks, detonators, and fuses. They showed us how to insert a detonator into a stick and how to light fuses. Each of us was given a stick to blow up.

On subsequent days they taught us masking techniques. They also told us that we should film any subversive actions we carried out and send them copies of the video.

The classes lasted a total of 13 days (i.e., three days more than planned). Viktor and Sergei, whom I mentioned earlier, stayed with us the whole time. Before we left, methods of communication were discussed. They asked if I could contact Roma, to which I replied in the affirmative. Then they told me that no further communication was necessary. They discussed methods of communication with the rest of the group as well, but they did not confide in each other. I can tell you, however, that Nikolai Varva later showed me a sheet of paper with instructions about how we should wait for a signal, from which I drew the conclusion that he had a channel of communication via computer.

Before we left, they also appointed a senior member of our group – Nikolai Varva, who was the oldest among us (“Bizon” had been the senior member until his departure).

I would also like to point out that my son and nephew left the camp on the 11<sup>th</sup> day, as Viktor and Sergei had decided that this sort of activity was not for them. They were taken to the train station and put on a bus for Belgorod. Around the 12<sup>th</sup> day (between my son’s departure and our own), “Bizon” left the camp together with the guys he had assembled, as well as Vitalik, whom Nikolai had brought from the RNE. They said they were going to the Donbas region. It is my understanding that they were all selected because they were athletes.

On the 14<sup>th</sup> day, we (i.e., the group that I had assembled, excluding my son, nephew, and Bizon’s people) were put on a regular mini bus to Belgorod. Upon arriving in Belgorod, five of us (I do not remember exactly who) got on a bus for Kharkiv. Three stayed behind to wait for the next bus, as there weren’t enough seats. We returned to Kharkiv in early September. I do not recall the exact date.

After returning, I went back to normal life. I went out to the square a couple of times. I called Roman a few times, but his phone was not working. I found out through Nikolai Varva that we had received instructions to wait.

Around the end of September, Vasily contacted me and gave me a piece of paper with a Russian telephone number (I do not remember whose) and a note that read, “Contact with Anton”. He said that Guryanov had given us this paper. He probably drew this conclusion based on the note. I also thought that it was Guryanov’s telephone number.

I called the number and identified myself. The person on the other end asked whether I could come to Belgorod, to which I replied in the affirmative. We agreed that I would come the following Wednesday and call him on the same number.

On Wednesday, Vasily and I went to Belgorod by commuter train. Upon arrival, I called the telephone number. I could tell from the voice on the other end that it wasn’t Guryanov, but the man said it did not matter. They said they would come to the train station.

About an hour later, I met a man outside the station who introduced himself as Anton. We found each other by phone. He then invited us to get into his car, where a man by the name of Vadim was waiting. I had never met these people before.

We got into the car and started chatting about life. I understood from the conversation that they knew we had been through training, but they did not disclose the source of this information.

We then went to a café for some coffee. During our conversation, they invited us to collaborate with them, as they needed our help and could procure some weapons for us, but they did not provide any further details. We agree to this proposal. They gave us each RUB 1,000 for tickets and told us to go home. Upon arrival, I was supposed to buy a new SIM card, turn it on from time to time, and call Anton's number. We also agreed that if they succeeded in procuring the weapons, the code word would be "potatoes", which they would say on my phone. After that, I was supposed to activate a new card, to which they would text me a telephone number that I was supposed to call in order to pick up the weapons.

We then returned to Kharkiv. There I bought a Kyivstar SIM card, from which I called Anton and told him that this was my secret number.

Nothing happened until around October 23, 2014. Then an unknown man called me on my main number from a Ukrainian number and said: "You ordered potatoes. I've brought them." I immediately turned on my second number, on which I received an SMS with a telephone number. I then called the number and asked for potatoes, in response to which the person on the other end offered to meet at Industrialnaya metro station at 11:00 AM the same day.

Vasily and I set off toward Industrialnaya metro station in my VAZ-2109 car, plate number 0377 (I don't remember the letters). Then the person I had spoken to before called and asked me to continue on toward the intersection of ul. 50 Let SSSR and Moskovsky Prospekt.

I did not know this area well, so Vasily showed me the way based on the description. When we arrived at the designated location, there were some cars standing there, but we did not know which one we needed. My secret phone was out of funds, so Vasily called from his own phone. The person on the other end said to carry on to the area in front of Saltovsky Bridge. There we saw a grey Zhiguli car (I did not notice the exact model or plate number). A tall, skinny young man in a dark blue hat and a light blue jacket got out of the car. He asked whether I needed potatoes, to which I replied in the affirmative.

Then he pulled two checkered bags, a small white bag, and a bundle about one meter long out of his trunk, and together we loaded it into mine. He did not say what was inside. I myself did not peek inside right there, but I could guess that the bags contained mines, while the long bundle looked like assault rifles (during the meeting in Belgorod that I described earlier, it had come out that Anton and Vadim would try to get us some mines).

We then parted ways, and Vasily and I headed off toward downtown along pr. Moskovsky. I dropped him off by the former Target store near Marshal Zhukov metro station and headed home.

I then called Anton and told him that I had received the package but made it clear that he had sent too much. He replied that the rest could just lie in reserve.

I carried the package in several trips to the garage next to my house. There I unwrapped the bundle and saw that they had given me mines (anti-personnel mines and magnetic mines, all of which we had covered in the courses I described



**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

earlier), the exact number of which I did not count, as well as three Kalashnikov assault rifles and other weapons. A user's manual was attached to the mines. The small bag also contained a video camera with a charger and one flash drive. I understood that the camera was meant for recording our actions.

That same day or the next, I went to see my nephew, Artem Mineyev, and asked him to lend me his garage so I could move some junk out of my house. I actually wanted to move the "package" there, but I did not tell him that. Artem agreed and gave me the keys.

The garage was located on ul. Akademika Lyapunova. Artem wasn't using it. I put my own lock on it. Then I went home, and in my own garage I transferred the received weapons and explosives into several bags and boxes, as the items were heavy. Then I moved everything to Artem's garage. I did not tell anyone about this and did everything myself.

Vasily and I then got the idea of setting off an explosion near the Malyshev Factory. Actually, we got the idea immediately after arriving from Tambov, as we had been told to select locations for possible subversive actions. Vasya [Vasily] and I immediately thought of the Malyshev Factory, as it makes equipment for the Ukrainian military, and an explosion might divert the plant's resources from supporting the ATO. We went and scouted out the location a few times, driving around the whole area. Once we received the mines, we had the means to put our plan into action.

Somewhere around November 6, 2014, Vasily and I went out on reconnaissance again, during which we identified a manhole over the heating grid. There was a pipe in there next to which we could place a mine. We decided to place one of the magnetic mines there. We did not agree in advance when we would do it.

On Friday, November 7, 2014, Anton called my secret number and said that I had to give one of the mines to a young man by the name of Dmitry, who was supposed to use it at the Stena Club. I had never heard of this club before. Dmitry was supposed to call me on my secret number. Anton also said that immediately afterwards, Dmitry would have to leave for the "resort", which I understood to mean Russia.

On November 8, 2014, I arranged to meet with the people who had gone to Tambov for training (Vasily, Nikolai Varva, Pavel, and Konstantin ("Chemist")), as well as one new guy, at the same location where we had previously trained with "Bizon." We agreed to this over the phone. I took one of the magnetic mines with me to the meeting.

At the designated location, we had a picnic and grilled some sausages. During our conversation, I said that we had received a package and showed them the magnetic mine. We all remembered how to arm it. I said that we could use these mines, but no one showed any desire to do so. Nikolai suggested we consider the option of blowing up a gasoline tanker truck or seizing a checkpoint (to get more weapons). Vasily and I suggested blowing up the aforementioned pipe at the Malyshev Factory. I also asked one of the guys to assemble the mine in order to use it at Stena, but no one agreed. This conversation about Stena and the Malyshev Factory was definitely heard by Vasily, Nikolai Varva, "The Chemist", and Pavel.

In the end, we could not agree, and after the picnic ended at around 3:00 PM I suggested to Vasily that we detonate the mine ourselves that same day by the pipeline we had discussed. He agreed with this suggestion, and we then agreed to meet that evening by the factory.

Before heading out, I opened the cap of the mine's detonator and saw a red timer inside, which, according to the accompanying table, corresponded to a delay of between 15 minutes and three hours (depending on the air temperature – the warmer the air, the shorter the delay). The mine was ready for use. All that remained was to pull out the pin and lay the mine.

I arrived at the location around 9:00 PM in my own car, which I parked in the courtyard on ul. Morozova. Vasily and I also met on ul. Morozova around 9:00 PM. We walked around the designated spot a few times, and then, around 9:50 PM, we placed the mine in a cellophane bag and tied a rope to it. Then Vasily pulled out the pin and lowered the mine to the bottom of the pipeline shaft, which was covered with a grill. I did not see where exactly the mine ended up, but I thought it was up against the pipe. Meanwhile, I was filming everything on the camera I mentioned earlier.

After placing the mine, we headed back to the car. I gave Vasily a ride to Moskovsky Prospekt and continued on home. In the morning, I checked the Internet and found out from the "Antimaidan" website that there had been an explosion in the Novyye Doma district at around 11:25 PM. I understood that our mine had gone off. A short while later, I arrived at the scene of the incident, but they had changed the rails on the road, so I was unable to approach and film the results of our action.

Then, on Sunday, I turned on my secret phone and called Anton. I told him that we had placed one of the mines the day before. He praised us.

A short time later, that same day, a man by the name of Dmitry called me on my secret number, and we agreed to meet at 4:00 PM by the dolphinarium in Shevchenko Park.

During our meeting, we talked about how I would give him a mine at 6:00 PM that same day. He said that he needed the mine so that he could "take it into the Stena Club and leave it there." I understood that he wanted to blow the place up. He did not explain what sort of club it was or why the bombing had to be carried out there in particular. He also said that he would need another mine the following day. I replied that they had told me he would have to leave right away, to which Dmitry replied that he would need to place another mine on a pipe by the Britannia Hotel in Zhuravlevsky Park.

In the end, we agreed that I would bring the mine at 6:00 PM to the rear side of the Kharkiv National Academic Opera and Ballet Theater. We also agreed to meet at the same time the following day at the Rost supermarket by Kyivska metro station.

I would also like to point out that Anton had previously asked me during our conversation not only to bring him a mine, but also to "get it ready." During our conversation, Dmitry also wondered if he would have enough time to get away before the blast, and I reassured him that he would. I gathered from this that Dmitry did not know much about mines.

I then went to the garage, took one of the mines, made sure the red element was there, placed it in a white bag with polka dots, put it in my car, and headed toward the aforementioned theater.

There, at the agreed-upon time and place, I met Dmitry and gave him the bag. He put it inside another bag – a black one. Then I personally pulled the ring and pin out of the mine, i.e., armed it. I told him he had at least 15 minutes to lay the mine. He said that would give him enough time to drink a cup of coffee. He then headed down ul. Rymarskaya (before that, he told me that the club was located opposite house No. 18, where some riots had taken place). I went back to my car, which was parked on ul. Klochkovskaya, and headed



**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

home. On the way, somewhere near ul. Kotlova – I do not remember exactly where – I threw out the ring from the mine.

At home, I had a cup of tea and did some housework, as I knew from previous experience that the mine would go off a few hours later. I then headed downtown, where Vasily and I had agreed to meet at 9:00 PM to survey the aftermath (he had found out about it at the picnic).

Vasily and I met by the ramp from ul. Rymarskaya to the book market. I parked my car there, and we started walking along ul. Rymarskaya. We went up Rymarskaya, then through the arch onto ul. Sumskaya, then came out on Rymarskaya via per. Grabovskogo. We stood on the corner for a while, then returned to ul. Sumskaya. We had been walking for about 30-40 minutes in total. As we were passing through the arch by Pushok Tailor's Shop, we heard the explosion. I wanted to go out onto ul. Rymarskaya through the arch, but Vasily would not let me go. We went back to Sumskaya, walked down to per. Grabovskogo, and came out onto ul. Rymarskaya again. Then I wanted to go up to the site of the explosion, but Vasily would not let me. In the end, he stayed put, while I headed over to the scene of the incident.

When I arrived at the Stena, I saw explosion marks, people, broken glass, and an ambulance. I took out the aforementioned camera, which I had specifically brought with me to film the aftermath, and took a short video.

Then I went back to Vasily. We got in my car. I gave him a ride to Central Market metro station and headed home. At home, Anton called me on my regular number and asked how many mines we had left (he asked the question in a veiled manner, referring to the mines by some other name, but I immediately understood what he meant), to which I replied that we had one left. He asked if I could give it to Dmitry, to which I replied in the affirmative.

The following day, I went back to the garage, where I took the last magnetic mine, armed it with a black timer (from one to nine hours, I believe – there was no red element). At 6:00 PM, as agreed, I met with Dmitry at Kyivska metro station. I gave him the mine – it was in a dark (black or dark green) bag – and pulled out the pin, arming the mechanism. All Dmitry had to do was lay it. He had previously told me there was a gas pipe and heating main at the site, but he did provide further details. Dmitry then headed to the site, and I went back to my car, which was on the "island" between ul. Shevchenko and ul. Matyushenko. On the way, I threw the ring and pin over a fence onto a nearby construction site.

After getting in my car, I decided to drive around and have a look. I saw Dmitry walking along ul. Shevchenko toward the Britannia. I overtook him, made a U-turn, and parked on ul. Shevchenko. I cannot explain exactly where I made the U-turn and parked, but I can show you at the site.

After some time, I saw Dmitry cross the road (ul. Shevchenko). Then he got on a tram and headed toward Kyivska metro station. I headed in the same direction, bound for home.

When I was at home, around 8:30 PM, Dmitry called me (on my secret number, I think) and said that he was at the railway station and there were no more trains or buses to Belgorod. I said that I could give him a lift to Hoptivka and that he should come to the bridge by the Zheleznodorozhnik Cultural Center. He immediately understood what I meant. Then I met him, and we headed for Hoptivka. While we were passing through Ruska Lozova, I called Anton and told him that Dmitry had been unable to leave, and that I was taking him to Hoptivka. Anton said he would meet him.

**Transcript of interview of M.A. Kovtun dated 11/16/2014 (continued)**

I dropped Dmitry off right next to the customs post, and he headed off toward Russia on foot. I turned around and headed home. He called me and said that he had passed through customs.

I would also like to point out that in one of my conversations with Anton, I said that I was about to go and visit my mother in Russia via Belgorod. He said that we would meet up. I understood this to mean that he would take my video camera with the recordings and might pay me something for the work I had done.

**Question:** Why did you participate in the aforementioned bombings?

**Answer:** We carried out the bombing at the Malyshev Factory with the goal of disrupting the anti-terrorist operation. As for the Stena, Anton said in our telephone conversation that it was a gathering place for national guard members and “degenerates” (those may not have been his exact words, but it was something along those lines). The bombings were also supposed to destabilize the situation in Kharkiv.

**Question:** What were you trying to achieve by participating in the aforementioned criminal acts?

**Answer:** I thought that Kharkiv should no longer remain part of Ukraine, and that the Kharkiv Region should become part of a new country – Novorossiia, consisting of the Donetsk, Luhansk, Zaporizhzhya, Kherson, Mykolaiv, and Odessa Regions.

*This is an accurate record of my testimony, which I have read. I have no comments and nothing further to add. [signature] M.A. Kovtun*

**This procedural action was carried out and the transcript prepared by:**

**Special Investigator, Investigations Department,  
Kharkiv Regional Directorate of the Security Service of Ukraine  
Captain of Justice [signature] A. Prosnjak**

[stamp:] [illegible] Security Service of Ukraine, Copy, No. \_\_\_\_ dated \_\_\_\_

[initials]

# Annex 197

Signed Declaration of Konstantin Morev, Suspect Interrogation Protocol (18  
November 2014)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



Transcript of interview of suspect K.V. Morev dated 11/18/2014 (continued)

[...]

Regarding the questions that were put to him, K.V. Morev explained the following:

I, Konstantin Vladimirovich Morev, born on 2/22/1974, am registered and actually reside, together with my wife, Viktoria Viktorovna Moreva, born on 4/19/1979, at the following address: Apt. 63, 17 ul. Vtoroy Pyatiletki, Kharkiv. Since February 2014, I have actively followed the political situation in the country, as I was opposed to the anti-constitutional coup that took place in the city of Kyiv. I therefore started visiting Kharkiv's city center, specifically Constitution Square, where protests were being held and pamphlets were being handed out. I would also like to point out that I was outraged by the seizure of the Kharkiv Regional Administration (KRA) by supporters of the so-called "Right Sector."

In March, when the KRA was being liberated from "Right Sector," I met Kolya. During and after the liberation of the KRA, I helped find people to provoke fights with both the police and activists with other political views, and we later drew such "provocateurs" from the administration building and the mass protests. Later, during the protests on Freedom Square, I also met a woman by the name of Marina and her husband, who introduced himself as Vova (nickname "Bizon"). These people, like me, were actively interested in sociopolitical life in the city of Kharkiv, regularly took part in pro-Russian protests, and collected various pamphlets, which they handed out on the square.

During a large protest on May 9, 2014, someone (I can no longer remember exactly who) gathered people together for a so-called "May Day rally," which was supposed to take place the following weekend. I also volunteered to participate. A week after these events, on either Saturday or Sunday (I do not remember exactly when), I met with Kolya at the circle of trolley No. 46 (the Rogan district of Kharkiv), and together we went by trolley to an abandoned military installation located in Rogan—the so-called "Military Department." In total, about ten people came to this meeting, including Vova "Bizon" and Marina. There I also met men by the names of Vasya and Andrei. During the meeting, we discussed the sociopolitical situation in the country, after which Vova demonstrated several hand-to-hand combat moves, which took about 30–40 minutes. We then started a campfire, ate some sausages, and went home. A similar meeting was held a week later at the same location. About 13–14 people came. In addition to myself, the people I knew there were Kolya, Marina, Vasya, Andrei, and Vova. These meetings followed the same pattern: first we talked about the sociopolitical situation in the city of Kharkiv, then Vova "Bizon" demonstrated a couple of hand-to-hand combat moves, and in the end we started a campfire and ate some sausages.

Around the beginning of June, I received a call-up notice from the military enlistment office. I collected my things and went to the Ordzhonikidze Military Enlistment Office. From there I was sent, together with other people who had been mobilized, to some new army brigade that was being formed. Upon our arrival in Kirovohrad, a lieutenant colonel came

[signature]

Transcript of interview of suspect K.V. Morev dated 11/18/2014 (continued)

out to us, as new arrivals, and asked whether anyone among us did not want to be mobilized. I said that I did not want to serve in the army (since my wife and I had also received, at the same time as my call-up notice, an invitation to participate in a state-run fertility program, which we had long eagerly awaited). Two other people also expressed similar wishes. The rest of the people said they were prepared to serve (there were around 70–80 of them, but it soon turned out that there were not enough military uniforms, tents and combat equipment for everyone (the brigade was supposed to consist of around 1,500 people, but there were only enough tents for 600, and of the 54 authorized units of combat equipment, they only provided 12, of which only three were in working order). For these reasons, our entire group was sent home from Kharkiv.

In July-August, nothing special happened. I pretty much stopped going to the square, and just went to work (I was working as a mill operator at the Tyazhmash factory). In August, I went on vacation, and around August 22–24, 2014, I received a call from Marina, who proposed that we meet. During our meeting, she invited me to travel to the Russian Federation for about ten days to learn how to shoot, in order to return to Kharkiv and wait for the approach of ~~Russian forces~~. *Novorossiia forces*. [signature]

On August 24, 2014, I took a mini bus from South Station to the railway station in Belgorod (I crossed the Ukraine-Russian Federation border at Hoptivka). Upon arriving at the aforementioned place, I met with Marina, who was already waiting for me by the main entrance to the train station. We were then joined by other people. Among the people I already knew were Kolya (whom I had met on the square), Vasya, and Andrei (both of whom I had met at the May Day rallies). Among the people I saw for the first time (I learned their names later) were Kolya, Vitalik, Pasha, Sergei (they called him “Yakut,” but he was later given the call sign “Latysh” [Latvian]), and Slavik. We were then loaded onto a waiting bus together with twenty Cossacks and taken in a direction I did not know. Our final point of arrival was a military firing range of some sort, located outside the city of Tambov, Russian Federation (I learned what city it was from the road sign on the approach). In Tambov itself, our group was transferred to a bus, and the Cossacks were put on a covered truck.

As we drove into camp, there was a brick checkpoint at the entrance where a soldier in Russian-style uniform was standing. Upon arrival at the camp, we were given military uniforms and settled in. Our group and the Cossacks were kept separate (I would also like to point out that during our stay at the camp, we hardly communicated with anyone). The camp itself was a tent camp and was located in a mixed forest. The only permanent structures were the checkpoint I mentioned earlier and a wooden bathhouse, store room, and restroom. Throughout our stay at the camp, we had six firing sessions. They also gave us a navigation class and one class in mines and explosives, during which they told us how to use mines, TNT sticks, and trip wires. For shooting lessons, they took us in army Ural trucks to a shooting range where we fired AK-74s, RPG-7s, Shmel rocket-propelled flamethrowers, and Kalashnikov hand-held machine guns, while Marina and “Yakut” fired Dragunov sniper rifles. The Cossacks also fired AGS-17 mounted grenade launchers. We were trained by two

[signature]

Transcript of interview of suspect K.V. Morev dated 11/18/2014 (continued)

instructors. I do not remember their last names and ranks. I only remember that one of them was called Maksim (I do not know the other one's first name). We and the Cossacks also had the same handler, who conducted various surveys among us and filled out some questionnaires. We also received one visit from an instructor who gave us a class in first aid. In addition to us, there were also some soldiers in the camp. My understanding is that they were regular Russian Army soldiers, but they did not communicate with us at all.

The whole training lasted about ten days. On the morning of September 4, the handler assembled our group and the Cossacks and suggested that we go to Luhansk to fight on the side of the LPR [Luhansk People's Republic]. Vitalik, Vova "Bizon," Slavik, Sergei "Yakut," Andrei, and I agreed to this proposal.

On September 5, Vitalik, Vova "Bizon," Slavik, Sergei "Yakur," Andrei, and I were put on the mini bus that had brought us to the camp (before leaving, each of us was given money in Russian rubles equivalent to USD 200). That same day, we arrived at a tent camp outside Rostov, Russian Federation. Upon arriving at the camp, we were fed and bedded down for the night. The following morning, they issued us military uniforms (I was issued a bicolor "Gorka" tactical suit), AKM assault rifles, four magazines, and 100 spare cartridges (five boxes of 20 cartridges each).

On September 7–8, our group was loaded onto a green KRAZ truck, which took us into Ukrainian territory. I did not see exactly where or how we crossed the Russian-Ukrainian border. There were also some boxes in the truck. I understood them to be boxes of ammunition. Upon arrival, we were settled onto the grounds of a Luhansk school (on ul. Ostraya Mogila), where we spent about 2–3 week. There were about 30 other people there in addition to us.

About 2–3 weeks later, a man who introduced himself as "Mongol" came and said that he was the commander of the Don battalion. He transferred the six of us over to a former Interior Ministry post. There I spent about one week, after which I wrote a letter of resignation and left for Kharkiv (as I needed to go to my wife, since we were taking part in the state-run fertility program and she had completed all the necessary courses). I would like to point out that I did not directly participate in any combat, did not go on any reconnaissance, and did not serve at any checkpoints. When I resigned, I turned in my uniform and weapon, after which I received UAH 300 in financial assistance.

I traveled from Luhansk to Kharkiv on the Luhansk-Moscow bus, making a transfer in the city of Voronezh, Russian Federation, onto the Voronezh-Belgorod bus, and arriving in Kharkiv on October 11–13.

A week after my arrival, I received a call from Kolya. As far as I know, he had learned of my departure from Russia to Ukraine from the guys who had remained in Luhansk. I met with him by the Kulinichi restaurant, which is close to where I live. During this meeting, we discussed sociopolitical topics and the situation in the city of Kharkiv.

Around the end of October–beginning of November, I met a few times with Marina, Vasya, and Pasha. During these meetings, I told them about Luhansk, and they told me about

[signature]

Transcript of interview of suspect K.V. Morev dated 11/18/2014 (continued)

the situation in Kharkiv. Marina said something had to be done to get Kharkiv to rise up, but I did not take her words seriously. Vasya suggested blowing up the gas pipe by the Malyshev

[signature]



Transcript of interview of suspect K.V. Morev dated 11/18/2014 (continued)

Malyshev Factory. They also proposed attacking the Ukrainian military checkpoint by Vasishchevo. I went out myself to see the pipe by the Malyshev Factory and the checkpoint by Vasishchevo and reported back at our next meetings that the pipe by the Malyshev Factory should not be touched under any circumstances, as there was a residential building right next to it, while the checkpoint was well guarded and could not be taken without the use of firepower. In any case, I warned them against taking such radical steps.

[signature]

**Question:** Did you have a call sign or nickname during your stay in the Luhansk Region?

**Answer:** Yes, after the events on Freedom Square in Kharkiv they gave me the nickname "Chemist." They gave me this nickname because I had attempted at one point to make an explosive device and fuses on my own, but these attempts were unsuccessful. I would also like to point out that I wanted to make the explosive device exclusively for self-defense.

[signature]

**Question:** What forces and resources did Marina, Vasya, and Pasha plan to use to blow up the pipe by the Malyshev Factory and to attack the checkpoint by Vasishchevo?

**Answer:** I do not know how Marina, Vasya, and Pasha were planning to blow up the pipe by the Malyshev Factory or to attack the checkpoint outside Volnovakha.

[signature]

**Question:** Did Marina, Vasya, and Pasha have any firearms, explosives, mines, grenades, or other weapons?

**Answer:** I do not know anything about whether Marina, Vasya, and Pasha had any firearms, explosives, mines, grenades, or other weapons.

[signature]

**Question:** Why did you go out to the checkpoint located in the vicinity of Vasishchevo?

**Answer:** I went out to the checkpoint located near Vasishchevo in order to scope out the situation there. Afterwards, I told Marina, Vasya, and Pasha about everything I had seen.

*I have read the transcript of the interview. It is an accurate record of my testimony. I have no comments or corrections and nothing further to add.*

[signature] K.V. Morev

Interview conducted and transcript prepared by:

**Senior Investigator, Investigations Department,**

**Kharkiv Regional Directorate of the Security Service of Ukraine**

**Senior Lieutenant of Justice**

[signature]

**O.B. Butyrin**

[illegible handwriting]

[signature]



# Annex 198

Signed Declaration of Mykola Varva, Suspect Interrogation Protocol (18 November 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



**Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)**

[...]

**In response to the questions put to him, suspect M.B. Varva gave the following testimony:**

**Question:** Have your constitutional and procedural rights as a suspect been explained to you, and do you understand them?

**Answer:** Yes, my rights as a suspect have been explained to me, and I fully understand them.

**Question:** You are suspected of committing a crime under Article 258-3(1) of the Criminal Code of Ukraine.

Do you understand the nature of the suspicion of which you have been informed? If so, do you admit that you are guilty of the crime of which you are accused, do you wish to give testimony in the course of this interview, and what can you tell us about the suspicion of which you have been informed?

**Answer:** The essence of the allegations against me are entirely clear. I plead guilty in part, as I took part in but did not commit any terrorist acts. I am ready to testify to the pre-trial investigation body on a voluntary basis.

I, Nikolay Vasilyevich Varva, date of birth: 2/5/1955, am registered and actually reside at Apt. 71, 168 Kosiora Prospekt, Kharkov. Living with me are my wife, Vera Nikolayevna Varva (Balkina), date of birth: 11/27/1956, my wife's daughter – Yekaterina Yuryevna Samoylova, whose date of birth I can't remember, and grandson, Yekaterina's son – Rostislav Dmitriyevich Samoylov, whose date of birth I can't remember either. My wife and I also have our own daughter – Vasilina Nikolayevna Varva, born in the summer of 1984, I can't remember the exact date, who lives with her husband in the Alekseyevka district, virtually opposite the Klass supermarket, I can't remember the exact address, although I can point it out at the location. I also have a mother – Nina Yakovlevna Yedykina, date of birth: 12/26/1913, who is registered and resides at Apartment 57, 22a Sadovy Proyezd St., Kharkov.

Between 1978 and 1980 I did my compulsory military service in Serpukhov in the Moscow Region in the construction corps, building residential buildings, a hospital complex, etc. After the army, in 1985, I graduated from the Kharkov Polytechnic Institute, majoring in electrical engineering. I worked as an electrical engineer in different places.

From around 2013 onwards, I had no direct orders for my work, namely for the manufacture of truck and railway scales, and therefore found myself in a difficult financial position, and what is more, I had two bank loans: one for my car with Brokbiznesbank, the other for the manufacture of scales with Alfa-Bank, in hryvnia. Therefore, recently, I have had to earn a living with casual earnings.

I believe what happened in Ukraine from November to February 2014 to be wrong, as there were human victims and administrative buildings were captured, therefore all this led to the complete destabilization of the situation within the country, which is why there is a war at present in the east of the country. In connection with this, from early April 2014, I started attending rallies on Freedom Square, near the Lenin monument, where people who

## **Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)**

did not agree with the current situation in the country would gather, along with people who were for Russia. What's more, I went to the rallies being of the view that the Russian language should be recognized as the second state language, or at least as a regional language, as it had been prior to the start of 2014. At these rallies, I met Kostya, Andrey, Marina and Vladimir, who I subsequently learnt had the nickname "Bison." We met up at these rallies virtually every weekend, where leaflets and newspapers were distributed from the Communist Party of Ukraine and the "Russian East" organization, on whose behalf Anton Guryanov actively spoke, as did Alla Aleksandrovskaya and many others. Usually, after the rallies, Kostya, Andrey, Marina, Vladimir and I would go to the Kulinichi café, where we started to become friends. We exchanged phone numbers and, when these rallies stopped being relevant, in around July, we would phone one another from time to time and meet up near Kulinichi on Freedom Square.

Vladimir "Bison" also invited us to hand-to-hand combat lessons which he held in the district of the former flying school which is located beyond the Rogan development, I don't know the address although I can point it out at the location. I personally went to his training sessions two or three times, where I once met Marina, I saw Kostya a couple of times, but I didn't know the other people. In actual fact, I went there not for the training sessions, but to talk to Vladimir about the political situation in the country. I also saw Marina's son, Stas, there for the first time, who was taking part in the training sessions.

In around the second half of August, Marina phoned me and asked that we meet up. We met in the square behind the Lenin monument. She told me that in around the middle of August, a day or two before we met, she had been in Belgorod in the RF, and the proposal had been put to her there that she gather together a group of eight to ten people for initial military training and training in handling weapons in the Russian Federation, she didn't say where exactly. From this conversation, I realized that she had access to some influential people in Russia. I didn't immediately say anything in response to her proposal, and we went our separate ways. Two days after this meeting, Marina phoned me again and said that if I'd decided to go to these training camps, then I should be at the railway station in Belgorod at twelve noon the next day. She also said that there would be around fifteen people there, and that the group would gather near the entrance to the railway station between twelve and one in the afternoon.

After this conversation, I decided to take part in these training camps, and so the next day, I don't remember the exact date, but it was either August 23 or 24, I gathered together my belongings and went to the railway station in Kharkov, got on the fixed-route taxi and went to Belgorod, to the railway station. When I arrived at the station, at around midday Kiev time, I saw that already standing near the entrance to the railway station were Marina, her son Stas, another young man I hadn't met previously, and also Kostya. Later, over the course of an hour and a half, the remaining people came along: Kolya "Tuz" [bigwig] together with Vitalik, Sergey, Andrey and Pavel. When we all got together, Marina phoned someone on her mobile phone, after which she told us that we had to wait around three hours to be picked up. Some of the group went for a walk around the city, but

## **Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)**

I went to the waiting room where I remained the entire time. At around six in the evening, Andrey came up to me and said that we needed to go. We all walked away from the station together for around 30 minutes, after which we went to a hotel whose name I can't remember, we all sat down on a bench, and Marina left her bag and went up to a man who was standing to the side of the hotel, he looked to be older than 50, of average build and average height, with light, fair hair. Andrey, Kostya and I went into the shop, bought some food and returned to the hotel around 20 minutes later. Marina was already sitting on the bench, the man was no longer there, and she said we had to wait for the transport to arrive. We sat there for around an hour and a half to two hours, and at around 8:00 in the evening, a bus came along, as it had started to get dark, a group of around 19 men aged between 23 and 27 came out of the hotel, headed by the man that Marina had been talking to and a second man of around 40, with a beard. Marina got up and went with them towards the bus. They spent around ten minutes talking about something, and we then all started getting into the bus and then we headed off.

Initially, Marina had told us, back at the station, that the training was supposed to take place somewhere in the Greater Moscow Region, but during the journey it turned out that we weren't going in the direction of Moscow but in the direction of Voronezh, as I'd previously gone to Moscow several times, and had passed through Belgorod, Kursk, Oryol, Tula, Serpukhov, then Moscow. But we were going in another direction. After about three to four hours, I saw the turning to Voronezh, but we passed it, and I couldn't understand where we were going, we asked where we were going but we were told that we would find out upon arrival. It was already close to morning when we stopped, but it was still dark, we got out of the bus, there was some sort of settlement and private dwellings nearby. We, that is our group from Kharkov: Marina, her son Stas, some other relatives of hers called Andrey, another Andrey, Kolya "Tuz," Vitalik, Sergey, Pavel and I got into a PAZ bus, and a group of young men that had joined us in Belgorod got into a covered vehicle, which I think was a Ural vehicle, and set off. The blinds on the bus [windows] were pulled down fairly tightly, we were asked not to move the blinds, the journey took around an hour. As we were travelling, there was a pine forest on either side of us. Later, we arrived at some gates with a boom gate, next to which there was a man in camouflage, we went through the gates, travelled onwards for around ten minutes and stopped. When we got out of the bus, we were met by someone in civilian clothing who introduced himself as Viktor and Vladimir "Bison" with Slava [sic]. I saw that in front of us was a tent camp, and we were told that we weren't far from the city of Tambov. We were told that the group from Kharkov should occupy one big tent, Marina had a separate small tent, and the group of the men I described above had another big tent. When we had unpacked our belongings, we were lined up and told that we could rest, that breakfast was at eight in the morning, lunch at two in the afternoon and dinner at eight in the evening, that we would be told about all the organizational issues later, and we were dismissed.

After we'd had a rest, we were gathered together in a little square with benches, and the man with the beard who had come out of the hotel in Belgorod introduced himself as an ataman of the Cossack Hundred, and the people who had travelled with him as

**Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)**

representatives of the Cossack Hundred. Then Viktor introduced himself, said that we could address him by name and that if we had any questions, we should ask him. He then demanded that we hand over all our mobile phones and other mobile devices, tables were set out and we all put down these electronic devices and our documents, after which they were gathered up. All the phones and documents were put into packages separately, depending on who they belonged to, and put in a box. By then, it was time for lunch, after which we were again sat down in the same place and introduced to two instructors who said that it was they that would be working with us. The instructors were in camouflage without any identifying insignia. They brought a table, placed on it an assault rifle, an SVD rifle and started showing us how to take it apart, how to clean the weapons, and asked who wanted to try themselves out as a sniper, and said that they themselves had decided who would undergo this type of training.

The next day, after breakfast, they loaded the Cossacks into a covered goods vehicle and took them somewhere, then this same vehicle came back for us and took us to a shooting ground where we met the Cossacks. At the training ground were boxes containing AK-74 assault rifles, in total there were 20 assault rifles, there were boxes containing tins, in which were 5.45 cartridges. The first day we did only shooting practice until lunch, then we returned for lunch, after which we cleaned weapons. Our training went on for two weeks, from around August 24 until September 4, 2014. During the training, we all shot from: AK-74 assault rifles, GP-25 grenade launchers, RPG-7, SVD rifles, an automatic grenade launcher (AGL), which we called the "snail." We also did ground navigation and engineering exercises: we put wires on MON-50 mines, were shown how to handle a detonator and place it in a TNT block, how to use Bickford fuses. Almost two days were devoted to the rendering of first aid in the field: how to stem bleeding, how to treat a wound sustained in the region of the lungs, and lots more. On one of the days, we all filled in forms which contained columns similar to those in job application forms.

Out of the Kharkov group, Marina and Sergey underwent special sniper training, and out of the Cossacks, four guys were trained, but insofar as we didn't talk to them all, I don't even know their names.

In addition, the training took place in groups, we were asked to split into groups of four to six people, and to develop interaction within the group during a battle in the field, and we had explained to us how to deploy the group, who should open fire first, who should be in a support role, who should shoot and in which direction, including when someone was reloading their weapons. I was in a group with Vladimir "Bison," Andrey, Kostya and Pavel, sometimes people in a group swapped with other groups, but our group mostly remained the same, as we knew one another well from Kharkov and were of a similar age.

**At 4:55 p.m. there was a break in the interview pursuant to Article 224(2)  
of the Criminal Procedure Code of Ukraine.**

About three or four days before we left the camp, Bison, who had just been talking to Viktor (the overseer at the camp), came up to our group and said that a briefing had been



## Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)

received that whoever wanted to could go with him to Donetsk where combat operations were underway. Everyone understood that we were to take part on the combat operations on the side of the DPR. I hadn't initially been planning to take part in any combat operations, so I rejected this offer, but Kostya, Vitaly, Sergey, Andrey and Slava, headed by "Bison," decided, upon completing their training, to go to Donetsk. What's more, they left the camp a day before us, a minibus arrived in the middle of the night, at about three in the morning, and picked them and their things up. During this conversation, "Bison" told me in the presence of the others to stop Marina from doing anything stupid and in general to keep away from her.

That day, when "Bison" came up to us with this offer, Viktor had been holding a talk with all of us, namely with the group from Kharkov, at which he told us that our objective, upon arriving in Kharkov, should be guerrilla warfare in the event that the combat operations should reach the Kharkov Region, in which case our group would have to get instructions from him by e-mail, and he told us not to engage in any independent action. I wrote down for him my two e-mail addresses: [tenzopribor@list.ru](mailto:tenzopribor@list.ru) (password: Vasilinka, English layout, but typed in Russian letters), and [mefodiy56@mail.ru](mailto:mefodiy56@mail.ru) (password – 05021955), and he told me to write an undertaking to read as follows:

Nikolay Vasiliyevich Varva  
date of birth: 2/5/1955  
resident in Kharkov

do hereby undertake not to disclose to anyone what I learnt and where I was in the Russian Federation from 8/23/2014 to 9/2/2014.

date

signature,"

which I wrote, and as far as I am aware, the other members of our group from Kharkov also wrote such an undertaking.

Before "Bison's" group left for Donetsk at night, during the daytime on that same day, two young guys called Stas (Marina's son) and Andrey left the camp for Kharkov, and two Cossacks left with them, although I don't know where they were going, but they were on the same vehicle.

The next day, after "Bison's" group left, all the rest of us from Kharkov, namely: Marina, Pasha, Kolya "Tuz" and I and the Cossacks remained at the camp. Following our departure, I never saw any of the Cossacks again.

I want to add that Kolya had the nickname "Tuz" from the very start, as he'd allegedly done time in prison. What's more, when Viktor was talking to everyone and taking the aforementioned undertakings, he proposed that we choose ourselves a code name. I chose the code name "VAN," Marina chose "ZED," Kostya chose "KHIMIK" [CHEMIST], Vladimir chose "BISON," Vitaly chose "SCHMIDT." I don't know about any of the others.

**Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)**

We left the camp in a UAZ [vehicle], we were taken to the bus station in Tambov, everyone was given a ticket for the bus to Belgorod and 500 (five hundred) Russian rubles for the trip from Belgorod to Kharkov. We had been given our documents and mobile phones back in the camp before our departure, but Viktor warned us not to turn them on until we were in Kharkov. When we got to Belgorod and got out at the bus station, Kolya "Tuz" said goodbye to us and left immediately, telling us that he had other things to attend to in Belgorod. It was about one o'clock in the morning, a bus came along, we got it and each gave the driver 200 rubles for the journey and left for Kharkov. We arrived at the bus station on Gagarin Prospekt in Kharkov at around four in the morning, after which we went our separate ways home.

Following our arrival on September 4, we (Marina, Pasha and I) continued to phone one another and we also met up at weekends near Kulinichi on Freedom Square, and sometimes we met at the park named after T.G. Shevchenko. We also discussed the political situation in the country. It was at these meetings that Marina started to give voice to the active calls to action, [saying] that our group had to start doing something, prove itself in some way, and basically saying what our overseers from Russia were thinking, but we stopped her and said that we needed to await information from the overseers. Vasily Petrovich, whom Marina brought with her, also started coming to these meetings. He said that he was fed up with simply doing nothing, and that he wanted to go to Lugansk or Donetsk to take part in the combat operations. Besides Vasily Petrovich, as far as I remember, it was Marina that brought with her Anatoly, who I entered in my phone contacts as "Tolya Comp," as I think his work was connected to computers. I also learnt during these meetings that Pasha worked or was working for the armor repair plant as a video surveillance specialist.

At the end of September I got a call from Andrey in Lugansk, the one who had gone away with Bison, who told me that Kostya was supposed to be coming to Kharkov and that I should keep an eye on him as not all was well with his nerves. The day after this call, I got a call from Kostya "Khimik," who said that he was already in Kharkov. It therefore works out that Kostya had spent a little over two weeks in the Donbass.

In the latter third of September, I got a call from Alexander, whom I haven't mentioned above, but whom I had also met on Freedom Square in around May 2014, with whom I had also spoken on the phone from time to time and met up with a couple of times. He asked to meet me. When he and I met near the fountain at the Kharkov State Academic Opera and Ballet Theatre, he told me that one of his friends had gone to Belgorod and that he had an acquaintance in some security agency or other, and that if he managed to agree on a meeting, then it would be possible to go there, and he proposed that I went with him to get funding for the sort of campaigns that were being written about online, namely that financial aid would come from Russia for people distributing leaflets, painting fences, painting over painted-on Ukrainian flags. I want to note that I wanted to get this financial

## **Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)**

aid to repay my loans. Alexander said that as soon as he got the call from Belgorod, he would tell me immediately.

On 10/28/2014, Sasha [Alexander] phoned me and said that we were expected on October 29 at noon at the railway station in Belgorod. In the morning of the next day, we left, but Sasha also took with him an acquaintance called Sergey, whom I'd never seen before, and whom I never met again following our return. We arrived at the station just after midday, Sasha phoned his friend and we began waiting. Around 20–30 minutes later, his friend arrived in a grey or silver Hyundai Tucson with Ukrainian registration plates, although I can't remember what they were. He picked up Sergey first, and they returned after around an hour and a half – two hours. He then arrived on his own again, Sasha and I got into his car and went somewhere around a fifteen minute drive away. I then got out of the car and sat down on a bench where Sergey was already sitting, and Sasha's friend explained to Sasha where to go to get to the park and that he would be met there. He was gone for about an hour, then came back and told me that I now had to go to the same place in the direction of the park and talk to someone. When I approached the park, a man aged around 28–30, of average height and slim build, came up to me and said that his name was Dmitry. He started the conversation talking about general matters and in a roundabout way, then he started making inquiries about me. I said that there were a few people who could engage in outreach work against what was going on in Kharkov, as by then several Lenin monuments had already been brought down, that I was very upset about this, but that at least some financial aid was required for this, because quite simply there wasn't enough money for petrol. He listened to me and asked for my e-mail address, in response to this I wrote my work e-mail address for him on a piece of paper: [tenzopribor@list.ru](mailto:tenzopribor@list.ru). He also said that he was the lower tier and that he therefore couldn't promise anything, but he would have a talk about our issue, he didn't say with whom, and that he would e-mail me the response. We then said goodbye, and I returned to Alexander and Sergey, after which we went back to the railway station.

When we arrived at the station, we went into the café and saw that there was someone sitting there with a laptop, and we sat down with him, as Alexander said that it was an acquaintance of his friend who had met us in Belgorod that day. This person introduced himself as Vadim Medvedev, said that he was currently living in Belgorod, travelling to Moscow and would try to get funding for the projects associated with the "Anti-Maidan" information war. I also understood from the conversation that he was from Kharkov. I told him that I had a friend in Kharkov (meaning Pavel) who wanted to set up an Anti-Maidan information center to gather together information and put it online, and asked him whether, if it worked out for him to get financial support in Moscow, we could also rely on this support. He said in response that he wasn't opposed to it, and that he would raise this issue in Moscow, and asked me for my e-mail address. I gave him the address [mefodiy56@mail.ru](mailto:mefodiy56@mail.ru). We said goodbye, got our tickets for the bus to Kharkov and left.

We arrived at the Southern station in Kharkov that same day at about eleven at night, after which we went our separate ways home. In early November, Pasha called me and said that he'd found people in the Rostov Region who could help in the creation of an

**Transcript of interview of suspect M.V. Varva dated 11/18/2014 (continued)**

information center, that is, they could provide financial support, but that we had to go to them in the town of Millerovo in the Rostov Region and meet up. We decided that if they helped us with the petrol for the trip, we could go. That was how this matter ended for me. I don't know if Pasha phoned these people.

Before October 14, that is, before the day of the UNA-UPSD [Ukrainian National Assembly – Ukrainian People's Self-Defense] or the UIA [Ukrainian Insurgent Army], Marina phoned me and said that we needed to meet up. We met at the embankment near the Central Market. She told me that she had met people calling themselves the "Kharkov Partisans" and that they had handed over to her: three Kalashnikov assault rifles, whose model I don't know, and four magazines for each of them; three or five MON mines; two grenades which, judging from her description, were smoke grenades; three mines with "sticky" magnets. She also said that she had all of this already and that it had all been given to her on the condition that it all had to be somehow used before the 14th or on the 14th, as there was information that there would be an act of provocation by the Right Sector and other radical organizations aimed at capturing the Orthodox churches in Kharkov, and in particular the Cathedral of the Annunciation, to which I responded that these weren't our methods of combat, especially as peaceful civilians would get hurt and we ourselves would get hurt. She was outraged by the stance I had expressed. We then went our separate ways. We did not speak again for around a week after this.

Then, one weekend, she also came to our so-called "get-togethers" and, during the conversation, she again raised the issue of the use of the weapons in her possession, and the idea was raised of attaching the checkpoint between Bezlyudovka and Vasishchevo. Her idea was supported by Vasily Petrovich, but Pasha, Kostya and I rejected this idea, and she was again unhappy about this.

Our last meeting with Marina was on Sunday, 11/9/2014, in the open air, in the region of the ring road near to the Rogan development, not far from where "Bison" had held his training sessions. Also present at this meeting were Vasily Petrovich, Tolik "Comp" and Kostya "Khimik." Suddenly, she got a "sticky" mine out of the trunk of her dark-red VAZ-2109 car, whose registration plate I can't remember. Tolik, who had never seen anything like it before, immediately went up to Marina and asked what it was and how it worked, and I told him that you had to take out the plastic plug and, in its place, screw in the trigger element. Marina again started saying that something had to be done urgently, otherwise it would be taken off her, to which I responded that it would be better if they took it all away than if something were to happen. After that she went completely mad, took Vasily Petrovich with her, and left.

*I have read this record, it was correctly written down from my words, and I have nothing to add to it.*

[signature] N.V. Varva

Defense lawyer [signature] [illegible]

Investigator [signature] [illegible]

# Annex 199

Signed Declaration of Pavlo Korostyshevskiy, Suspect Interrogation Protocol (18 November 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



[...]

**On the subject matter of the questions asked, suspect P.Ya. Korostyshevsky testified as follows:**

I, Korostyshevsky, Pavlo Yakovych, born 07.08.1987 in Kharkiv, am registered and actually residing in Kharkov at 10 Marharynovy Lane. For some 9 years, I have used the number 093-458-29-98; for some 5 years, I have used the number 050-28-046-28, and for 2 years, I have used the number 096-061-03-89. Mobile provider cards for said numbers have been seized from me during the body search.

At the moment, I live in Kharkov at 10 Marharynovy Lane, together with my parents: father, Yakov Leonidovich Korostyshevsky, b. 1964, and mother, Anna Vadimovna Mospak, b. 1963, as well as my brother Gigoriy Yakovlevich Korostyshevsky, b. 1996, and four sisters: Yekaterina, b. 1991; Anastasia, b. 1992; Daria, b. 1995 and Sofia, b. 2004.

I have secondary education, and I am not officially employed at the moment. Since 2007, I have been unofficially installing locks and CCTV systems. I did not get to serve in the army—first, because I was the eldest son in a family with many children, and then for health reasons.

I am not married and have no minor children.

In February 2014, I came to the Freedom Square in Kharkov since I had an interest in what was going on. I have not taken any active part in the events transpiring and joined no organizations.

At the Freedom Square in Kharkov, I just watched and talked to people. I would for the most part remain in the vicinity of the Kulinichi café near the exit from the University metro station in the Shevchenko Park.

On or around August 17 or 18, 2014, when I was in the vicinity of said Kulinichi café, a woman named Marina approached me. I had not met her before, but I did see her a couple of times at the Freedom Square.

She offered me participation in a training course in Moscow, the Russian Federation. She explained it was going to be physical education training, with per diem of USD 20, and they would also cover my transportation to the training location and back, [and provide] free meals and accommodations. I took her up on that offer since money was tight at the moment.

At that time, it never even occurred to me that after the training was complete, the party conducting it would keep a close eye on me and require that I perform certain tasks in the future.

I specifically asked if that training was a preparatory stage for a trip to Donbass, but Marina said we would all come back to Kharkov. I did not know that training in the RF would specifically be military in nature. I only expected physical education.

On August 21, 2014, Marina called my number and said I had to be in Belgorod on August 22, 2014. My phone that has a Life card in it has a record of SMS messages from Marina, but I have no record of her [calls] in my account.



On August 22, 2014, I came to the Southern Train Station in Kharkov where I took a shuttle bus to Belgorod, RF at the Northern Terminal.

We arrived at the train station in Belgorod where Marina was already waiting for me as we had previously agreed upon. She had a few others with her, of whom I knew two: Vassily whom I met at Kulinichi (known as Ded (Grandpa) or Farmer; his patronymic was Petrovich) and Andrey, whom I met at the same place (his last name was Besarabov, or something like that; I didn't know if he had any nicknames). There were 9 strangers too. I eventually learned their names or monikers: Bison (Vladimir, I don't know the last name); Konstantin (nicknamed Chemist, I don't know the last name), Nikolay ("Ace," I don't know the last name), Stas (Marina's son), Sergey (nicknamed Latvian, I don't know the last name), Nikolay ("Barbarian" or "Van," I don't know the last name), Konstantin (I don't know his nickname or last name), Vladimir (I don't know his nickname or last name), and Andrew the Bessarabian (I don't know his real last name).

Having met each other, we had a bite right there, at the station, and then stepped to the side somewhere (I did not quite get what the place was since my navigation skills are not so good). A large bus drove up to that place (I do not remember the make). At that moment, yet another group arrived, which we had not seen before. It was my understanding that this was a second group of people that came for the training.

Marina [mostly] talked to her son and nephews, and also Kolya whose last name was Varva (Bison appointed him group leader) and Bison whose first name was Vova (I don't know his last name). The man nicknamed Bison arrived at the camp under his own power some time later, accompanied by yet another man. A few days later, they left for Donbass in the same manner, all by themselves. As I learned from conversations with Bison, he used to be a law enforcement officer, with the SBU (Security Service of Ukraine) or the Ministry of the Interior. Bison never told us where exactly it was he served, except that he served in Afghanistan [too].

During training she communicated with the instructors on an equal footing with all the other group members. I did not notice any condescension or additional privilege in the way the instructors treated her.

Here's a description of the abovementioned man: Caucasian; height: 165 cm; of a lean build; short, dark hair; dark, medium eyebrows; dressed in either an Adidas training suit or camos with no insignia, such as chevrons, stars or collar insignia. The only thing there was, was a belt buckle with a star on it. He had no [identifying] speech defects.

Upon returning to Kharkov from training, all group members went home, promising to stay in touch by phone. The first time the group members had a call for a meeting, I was absent. The first time I did meet with the group was at the Sovetskaya metro station, not too far from the monastery, on the downhill run near the monastery's bakery. The person who told me about the meeting may have been Kolya Varva, Marina or Andrey Besarabov. At that meeting, someone among the members suggested that in the event of any vigorous action in the territory of Kharkov and Kharkov Region, the group had to be equipped with radios and optical equipment, and also conduct reconnaissance to prevent any such action from being taken. Group members bought radios with their own money.



To the best of my knowledge, it was Marina who received weapons and explosive devices from somewhere. I have no idea where she kept those weapons and explosive devices.

At the subsequent meetings, people began suggesting we blow things up in Kharkov. I do not remember who exactly talked about it at that moment, but at the last meeting, which took place last week (11.09.2014) in the territory of an old military unit located behind the Proletarskaya Metro Station, Marina and Vassily Petrovich, aka Farmer or Ded (Grandpa) bragged about a successful detonation they accomplished somewhere in the vicinity of Kharkov's V.A. Malyshev Transport Machinery Manufacturing Plant. In addition, during that meeting, Marina and Vassily Petrovich suggested we blow up some kind of a café in Kharkov, but I refused to participate. After that, Marina and Vassily got into a vehicle and left for some meeting, and on the same day, an explosion occurred at the Stena (Wall) pub on Rymarskaya Street in Kharkov. Kolya Varva and Kolya the Chemist were also present at that meeting.

I attended a total of four meetings, of which two took place in the Bavaria neighborhood of Kharkov, and specifically, down near the bridge across the Uda River, not far from the pet market. I was the one who suggested that place since it was close to

home and there were few people there. At those meetings, Kolya Varva told us he was trying to get in touch with the RF, but no orders were received from them, and no equipment or devices for actions had been received. At the second meeting, he said the connection was lost altogether, and no one was picking up.

I never informed law enforcement of any of this because I was not quite sure Marina and Vassily Petrovich were in fact involved somehow, and that they were not simply showing off to the rest of the group.

I do not know how those explosions were perpetrated. Our group leader was Kolya Varva, and Marina handled logistics. Marina also called me and [sic].

Additionally, I have a VKontakte page, Antimaidan, where I reposted [things] from other groups. That page also contains the number of the Sberbank of Russia bank card for funding the militia and the Kharkov Partisans and creating an information center. However, I used whatever funds were remitted there for my personal needs and never passed them along to anyone. I obtained said bank card at the Sberbank of Russia branch in Belgorod, RF sometime in June 2014. I took out that bank card to be able to receive funds for the militia from Russia via Privat 24 and Sberbank Online, and posted the card's details on the abovementioned page online. I used the login name +380960610389 to access that page online and the password was "pashapicasso" or "picassopasha."

Overall, over 6 months, I have received some 50,000 Russian rubles via that card. I withdrew the funds received using cash machines in Kharkov or used the card to pay for clothes at the Denim store (Kharkov, Heroes of Labor Street), the Dafi mall and at a McDonalds.

I do not know anything about Gennady Vladimirovich Anishchenko, b. 1961; Gennady Leonidovich Broder, b. 1969; Ruslan Anatolyevich Panchuk, b. 1972; Aleksandr Viktorovich Rozlomi, b. 1971; Valera Sergeyevech Shekhovtsev, b. 1992; Sergey Vladimirovich Shekhovtsev, b. 1967; Valera Nikolayevich Marenich, b. 1988; Oleg Sobchenko or Vadim Monastyr'ov.

I cannot say anything of substance about the explosion on the night of 11.10.2014–11.11.2014 near the Hydropark [and] Britannia café, except for what I heard or read on the news. Nor do I know anything about the circumstances or persons who blew up train tracks in Kharkov Region, fired on trains, fired on military commissariats in Kharkov, blew up electric transmission towers near Bezlyudovka of Kharkov Region, fired on a law office at 3 Lebedinskaya Street in Kharkov, fired on tank cars with aviation fuel and the fuel storage facilities in a military unit, or fired on PAO Privatbank on Malomyasnitskaya Street in Kharkov. I have only learned about all of those events and other acts of terrorism from the news.

As to the shooting at the Kharkov Tank Plant (GP HBTZ) located on Kotlov Street in Kharkov, I can only say that I have learned about it from the news.

During one of our group's meetings, which took place about a month ago, Marina and Kolya Varva suggested we overrun some checkpoint at night, and that Marina would obtain all necessary weapons and equipment for that. I refused to take part in anything like that, and I have no knowledge of whether any such action has been taken. Additionally, I could clarify that while talking to Marina, I learned that she had come by some kind of weapons because she began to actively promote making attacks of some sort.

In addition, I would like to say that during training at that camp in Tambov Region of the RF, they asked me to pick a call sign. I chose Picasso. I did so because that was my nickname back in school because I liked drawing graffiti [sic] in pencil.

I could describe the woman I mentioned above, Marina, as follows: height: about 165 cm, sturdily built, medium-long hair (she may have dyed her hair a dark color after training, because she was a blonde before), regular-sized and shaped nose. I could identify her if need be.

And here is a description for Konstantin the Chemist: height: around 170 cm, round face, hair closely cropped, a small belly. I could identify Stas (Marina's son) and her nephew, but I am not quite sure which of them is which, so I would rather not describe them because I could be mistaken. Here is a description of Nikolay the Barbarian, or Van (I don't know his last name): of medium build, height: around 180 cm, a small beard, hair combed back. Andrey the Bessarabian: of medium height, balding, of medium build. I could definitely identify all of the above individuals.

I am also voluntarily attaching to this interrogation a [record] of encrypted communications on the Antimaidan page with Slava Sladky. Slava Sladky made gunpowder and improvised explosive devices. The communications included instructions on the use of explosive devices that he could make and [information] for remitting funds. I am attaching said correspondence on 17 pages to the record of this interrogation.

**Suspect** \_\_\_\_ P.Ya. Korostyshevsky \_\_\_\_  
(Last name, first name, patronymic)

/[signature]/  
(signature)

**Defender** \_\_\_\_ S.G. Pozdnyakov \_\_\_\_  
(Last name, first name, patronymic)

/[signature]/  
(signature)

**Investigator:**

**Senior major crimes investigator of the Investigations  
Department of the Directorate of the Security Service  
of Ukraine for Kharkiv Region  
Major of Justice**

[signature] **A.V. Ryzhylo**



# Annex 200

Signed Declaration of Andreii Bessarabov, Suspect Interrogation Protocol (19  
November 2014)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



[...]

**In response to the questions put to him, suspect A.R. Bessarabov gave the following testimony:**

I, Andrei Rostislavovich Bessarabov, born in Kharkiv on 02/11/1962, am registered and actually reside at Apt. 61, 29-a ul. Timurovtsev, Kharkiv. I have been using telephone number 067-380-86-20 since 2004, and 066-605-08-13 since 2009.

I currently reside in Kharkiv at Apt. 61, 29-a ul. Timurovtsev. I live together with my wife, Svetlana Vasilyevna Bessarabova, born in 1964; my son, Denis Andreyevich Bessarabov, born in 1984, and my daughter, Elina Andreyevna Bessarabova, born in 1994.

[signatures]

I have a higher education and am currently employed as a lead engineer at Vestron LLC. I served in the army – in the Anti-Aircraft Missile Troops of the Air Defense Forces – from 1984 to 1986.

I am married. I do not have any minor children.

In March 2014, I went to Freedom Square in Kharkiv, as I was interested in what was happening. I myself did not actively participate in the events there and did not belong to any organizations.

On Kharkiv's Freedom Square I observed what was happening and supported the protesters.

In April 2014, when I was near Kharkiv's Freedom Square, I was approached by a woman by the name of Marina. I had never met her before. She introduced me to a man by the name of Kostya, who invited me to participate in gatherings of people who supported pro-Russian ideology at a location by Proletarskaya metro station, where the 45<sup>th</sup> trolley line ends. At these gatherings we did physical training, cooked shish-kebabs, and talked. These meetings were attended by Marina, Nikolai, Kostya, Volodya "Bizon", and Sergei "Latysh" ["The Latvian"]. The meetings were held every Saturday and Sunday, but I did not attend them regularly. At a meeting in mid August, however, Marina invited me to do some training in the Russian Federation. She explained that it would consist of physical training under field conditions. I accepted her invitation, as I wanted to do the training, particularly since some of the people I had been getting together with at these meetings were also going.

I did not stop to think what the ramifications of consenting to this might be.

On August 21, 2014, Marina called me on my phone and said that I should be at the railway station in Belgorod on August 22, 2014. Marina's number was saved in my phone's contacts under "RV Marina".

On August 22, 2014, I arrived at Kharkiv's South Station, where I got on a mini bus to the city of Belgorod, Russian Federation.

I arrived at the railway station in Belgorod. Marina was already waiting for me there. We had agreed on a meeting spot in advance. She was accompanied by several other people, two of whom I knew: Vasily [handwritten:] [illegible] (I had met him on the square (people called him "Ded" ["Grandpa"] or "Fermer" ["The Farmer"], and his patronymic was Petrovich)), [handwritten: illegible] Kolya "Tuz" ["Ace"], Sergei "Latysh" ["The Latvian"], and Slavik Sokho.

Pasha “Picasso” later arrived as well. After we had all met up, Vasily and Marina drove us to some dormitory, and a large commuter bus (I do not recall the make) pulled up outside. At that moment a second group of people that I had not seen before approached the bus. I understood that this was a second group of people who were also on their way to get training.

The second group consisted of Cossacks. They were led by an ataman, who, I believe, was called Slavik. I realized that the second group were Cossacks by the fact that they were commanded by a hetman and spoke like Cossacks. Marina was in charge of our group, and a man by the name of Sergei was escorting the second group of “Cossacks”, who traveled on the bus with us to a training camp outside of Tambov, Russian Federation.

Someone told us to get on the bus (I did not notice exactly who), and everyone belonging to the two groups that had assembled by the bus got on board. Marina also got on the bus and traveled with us. About 8-9 hours after departing from the hotel, which is located about 15 minutes’ walk from the railway station in Belgorod, our bus arrived at the bus depot in Tambov, Russian Federation. From the Tambov bus station, our two groups, together with Marina and a man I had not met before (I believe his name was Viktor; I do not know who he worked for or what his job was), transferred onto another bus, which took us to a base in the forest. Upon arrival at the base, they collected all of our communications and other electronic devices, as well as our passports, which they gave back to us after we completed the training and prior to our departure.

Upon our arrival at the base, after everyone had gotten off the bus, we were greeted by a man who had traveled with us from the Tambov bus depot, as well as Marina and the man I had not met before, who pulled up shortly after our arrival. These people told all of the new arrivals where everything was in the camp. They showed us the tents and said that we would be staying in them. They assigned us to the tents and gave us linen. We were given two forms – one requesting our personal data, and the other comprising an agreement not to disclose anything about our time at the camp. There was no specific addressee in the agreement.

During our stay in the camp, we were trained in shooting, first aid, demolitions, and combat tactics in groups of four. Special attention was paid to mines, various explosive devices, the technical specifications of firearms and explosives, topography, navigation, partisan activity, and demolitions. Upon arriving at the camp, I signed a statement promising not to disclose anything about my stay at the camp. The goal of the training, according to our instructors, was subversive activity against the existing authorities in Ukraine. I learned to be a sniper. Our future objective, they said, would come in the form of orders conveyed through Kolya. They said that if anyone wanted to return to Russia, they would be given all sorts of assistance. The training itself lasted around 13 days. I personally only fired a Kalashnikov assault rifle and a Dragunov sniper rifle.

After completing the training, I personally was given around USD 260. At the end of the training, the man who had met us at the bus depot in Tambov also said that upon returning home we should go back to our normal lives and wait for specific orders. They also told us that we would receive monetary compensation for each successfully completed operation, but the amount would be discussed only upon confirmation of a successful act and its impact.

Prior to starting the training, I and the other members of the group also filled out some questionnaires in which we provided information about ourselves and our family members. We turned these questionnaires in to one of the instructors at the camp (I do not remember exactly which).

Upon arriving in Kharkiv after the training, all the members of the group parted ways and headed home, saying that we would stay in touch by phone. The first time the group members got together after coordinating by phone. I was not present at that meeting. The first group meeting I







# Annex 201

Signed Declaration of Andrey Bozhko, Suspect Interrogation Protocol (19 November 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

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Transcript of interview of suspect A.A. Bozhko dated 11/19/2014

[...]

I, Andrey Andreyevich Bozhko, born on 12/28/1992, reside in the city of Kharkov at 31 Vladivostokskaya Street. I make a living by renting out my apartment and have savings; I also receive assistance from my parents who live separately. My mother, Larisa Anatolyevna Bozhko, works as a cleaner in the Russian Federation and lives in Cherkessk, Karachay-Cherkess Republic, Russian Federation; my father, Andrey Viktorovich Bozhko, born in 1963, is currently

[initials]

Transcript of interview of suspect A.A. Bozhko dated 11/19/2014

unemployed and resides in Kharkov at 1/3 Geroyev Stalingrada Ave., apt. 46; my brother, Roman Andreyevich Bozhko, born on 06/02/1999, resides in Ordzhonikidzevskiy, Karachay-Cherkess Republic.

As far back as February 23, 2014, when various rallies began in Kharkov, I took part in all pro-Russian events, rallies and protests; my longtime friend (and cousin) Stanislav Leonidovich Kudrin, who is four years older than me, accompanied me to these events along with his mother, Marina Anatolyevna Kovtun, who came to these events from time to time. I took part in these rallies and events for several reasons: firstly, it falls within my political views as I support friendship with the Russian Federation, and secondly, many of my friends went to these rallies and I spent time with them (most of the time, we just walked through Shevchenko Park in Kharkov). We tried to visit these events all the time; besides, I also tried to join the people who defended the monument to V.I. Lenin as I was against its demolition. I would also like to note that I was at the rally preceding the capture of Kharkov Regional State Administration but right before the assault on the Administration [building], my friends and I left the square and went to one of the cafeterias nearby (Buffet Pizzeria on Lenin Avenue) so I did not take any part in the capture of the Administration [building]. After one of the subsequent rallies (I do not remember when exactly and under what circumstances), M.A. Kovtun invited me and some other guys (I do not remember whom exactly) to practice hand-to-hand combat and improve my physical fitness and I accepted the invitation. M.A. Kovtun told me to come to Proletarskaya Metro Station on the following weekend and from there I took a trolleybus to a place located near Kulinichi, a garage cooperative, and railway tracks; the place itself was an abandoned semi-oval hangar next to a square concrete building. Our meetings were held in these buildings. I went to these training sessions about 4-5 times; they were attended by 7 to 10 people; in addition to myself, S.L. Kudrin and M.A. Kovtun also came to these lessons. At these sessions, I also met Sergey and Kolya. During these meetings, hand-to-hand combat techniques were shown by a man called "Bison" (I do not know his name). However, I soon stopped attending these classes because we spent more time discussing the political situation in the country than engaging in hand-to-hand combat and sports.

Around August 20<sup>th</sup>, M.A. Kovtun suggested (I do not remember exactly under what circumstances) that I go to the Russian Federation to attend courses; she did not specify what the courses would be, what we were going to do and what we were going to learn. Despite this, I agreed because I thought that there would be some interesting courses with lectures and workshops on politics, peaceful (legitimate) protest actions and the like.

I set off for the courses in late August; we traveled by shuttle bus from Kharkov Southern Station to Belgorod, Russian Federation. About 15 people left Kharkov, including S.L. Kudrin,

[initials]

M.A. Kovtun, Kolya, Bison (I do not know the other people). On the same day, we entered the Russian Federation through checkpoint Goptovka and proceeded to Belgorod on the same bus. In Belgorod, we disembarked near the railway station; in the evening of the same day, a bus arrived to pick us up and we went to Tambov, Russian Federation, via Voronezh. When we arrived in Tambov (in the morning of the next day) we changed transport (there was a car, a truck and a bus; I went by bus), which took us to a wooded area with a large number of tents. After we unloaded, a man in military uniform said that we could rest until lunch. After we rested, all personal belongings (including mobile phones) were taken away from us and we were issued military uniforms (without insignia). During our stay in the camp, we were trained in shooting, first aid, demolition techniques, combat tactics in groups of 4 people; special attention was paid to mines, various explosive devices, specifications of small arms and explosives; there were also classes in topography and land navigation and subversion. Besides us, there were other people in the camp in uniforms without insignia; they mostly introduced themselves by first names and taught the mentioned courses. On the very first day, we were gathered and explained that in the daytime we would be studying warfare and sleeping tight at night; they did not go into details as to the purpose of the training, and I did not ask any questions. Besides me, the people training in the camp whom I can now remember were S.L. Kudrin, M.A. Kovtun, Vasiliy, Bison, Sergey, Andrey, Andrey (with a mustache). Also during our training, a man in civilian clothes came to the camp and interrogated us using a polygraph machine. As I recall, among other questions, he asked the following: "Do you feel danger being here?" to which I replied "Yes;" "Are you joining the militia for the purpose of looting" to which I replied "No;" "Are you capable of betrayal if you and your loved ones are in danger?" to which I replied "Yes;" "Are you collaborating with the SBU?" to which I replied "No;" "Have SBU agents threatened you?" to which I replied "No." As far as I know, everybody took a polygraph. After the polygraph, I signed a non-disclosure statement stating that I pledge not to disclose information that I became aware of during the training period in the camp.

Training in this camp was held for 13-14 days. At the end of the training, everyone was asked what specialty he or she chose; I replied that I wanted to be a rifleman, but they told me that there was no such specialty. Then I said that I would be a sapper. At the end of the training, they summoned me, S.L. Kudrin and two other unknown men who were also training in the camp and told us to return home; they said that we should live as before and not say a word to anyone about

[initials]

what happened to us here. We were given tickets home and money in US dollars at a rate of about \$ 20 per day of training. After that, we took a bus to the Belgorod Railway Station, and from there S.L. Kudrin and I went to Kharkov on a shuttle bus. S.L. Kudrin and I returned to Ukraine in early September (around the 3<sup>rd</sup> or 4<sup>th</sup> day of the month).

Upon arrival in Kharkov, from September to November, I had dealt solely with personal matters and did not attend any rallies or actions, only occasionally communicating with S.L. Kudrin and M.A. Kovtun. About three weeks ago, M.A. Kovtun gave me a flash drive with information about mines and did not explain why she was giving it to me. I looked through only one of the files on this flash drive (it actually contained information about mines); there were three files with information on it. A couple of days after these events, I returned this flash drive to M.A. Kovtun.

[initials]

**Investigator's question:** Do you know an organization called Kharkov Partisans and if yes, from where?

**Suspect's answer:** I know about the Kharkov Partisans; I learned about them from the media and their online message.

[initials]

**Investigator's question:** Do you know any members of the Kharkov Partisans?

**Suspect's answer:** I know nothing about who the members of the Kharkov Partisans are.

[initials]

**Investigator's question:** Did you receive any other training in the Russian Federation except for the case of the camp near Tambov that you described?

**Suspect's answer:** Back in the spring, at the invitation of M.A. Kovtun and S.L. Kudrin, we went to Belgorod in the Russian Federation to take courses where we were given lectures on history, politics and economics. I stayed at these courses for five days; then I returned to Ukraine. At the end of these courses, the people delivering the lectures gave me a flash drive that I brought back with me.

[initials]

**Investigator's question:** When you went to the training camp near Tambov, Russian Federation, did M.A. Kovtun or any other persons promise you any monetary compensation?

**Suspect's answer:** No, I was not promised any money; it was rumored that we could be paid some money and this matter was mainly discussed on the way to the camp.

[initials]



**Investigator's question:** Did you receive any nickname during the training or after completion?

**Suspect's answer:** No, I was not given any pseudonyms, callsigns or nicknames.

[initials]

**Investigator's question:** During training in the camp outside of Tambov, RF, did anyone tell you anything about the purpose for which you were training?

**Suspect's answer:** Nobody said anything specific about the purpose of our training in the camp near Tambov.

[initials]

**Investigator's question:** During the training in the camp near Tambov and the courses in Belgorod, were any tasks or assignments given to you or the people who were with you?

**Suspect's answer:** During the training in the camp near Tambov and the courses in Belgorod, I personally did not receive any assignments, but I cannot say anything about the people around me.

[initials]

**Investigator's question:** After completing the training in the camp near Tambov and the courses in Belgorod, were any tasks or assignments given to you or the people who were with you?

**Suspect's answer:** After completion of training outside Tambov and after the courses in Belgorod, neither I nor any of the people who were with me received any tasks or assignments.

[initials]

**Attorney's question:** Do you know if any of your acquaintances own firearms, explosives (including self-made weapons), mines, grenades or any other weapons?

**Suspect's answer:** I do not know anything about any of my acquaintances owning firearms, explosives (including self-made weapons), mines, grenades or any other weapons, and I did not see any of the mentioned articles in their possession.

[initials]

**Attorney's question:** The Notice of Suspicion dated 11/19/2014 that was served upon you states that you, among others, took part in discussing plans for further terrorist activities, namely, arranging explosions near the Malyshev Plant, blasting the Rock Pub Wall cafe and capture of a checkpoint in the Kharkov Region. What can you say about this?

**Suspect's answer:** Regarding my Notice of Suspicion dated 11/19/2014, I can testify that I did not take part in discussing plans for further terrorist activities, namely, arranging explosions near

[initials]

Transcript of interview of suspect A.A. Bozhko dated 11/19/2014

the Malyshev Plant, blasting the Rock Pub Wall cafe and capture of a checkpoint in the Kharkov Region. Moreover, I want to note that I learned about these crimes from the media.

*I have read the interrogation record.*

*I have no clarifications or additions.*

[signature] *A.A. Bozhko*

*Attorney* [signature] *V.N. Salo*

Interrogated and drew up the record:

**Senior Investigator for Major Cases of the**

**Investigative Department of the SBU Directorate in Kharkov Region**

**Senior Lieutenant of Justice**

[signature]

**O.B. Buturin**

# Annex 202

Signed Declaration of Stanislav Kudrin, Suspect Interrogation Protocol (19  
November 2014)

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language of the Court, pursuant to Rules of the Court, Article 51.

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**Transcript of interview of suspect S.L. Kudrin dated 11/19/2014**

[...]

**Question:** Have your constitutional and procedural rights as a suspect been explained to you and do you understand them?

**Answer:** Yes, my rights as a suspect have been explained to me and I understand them in full.

**Question:** You are suspected of committing an offense under Article 258-3, part 1 of the Criminal Code of Ukraine.

Do you understand the nature of the suspicion that you have been notified of? If so, do you plead guilty of committing the offense you are charged with, do you want to provide evidence during this interrogation, and what can you say regarding the suspicion that you have been notified about?

**Answer:** I understand the nature of the charges brought against me in full. I plead guilty in part because I participated in, but did not commit the terrorist attacks. I am willing to provide evidence to the pre-trial authority on a voluntary basis.

I currently reside at the above address together with my mother, Marina Anatolyevna Kovtun, born on June 3 (I do not remember the year of birth), and my sister Dariya Sergeyevna Kovtun, date of birth 10.10.1995. My father, Leonid Vasilyevich Kudrin, lives separately from us in the village of Rzhavo, Kursk Region, Russian Federation. My mother and sister have different last names because my mother married Sergey Kovtun (I do not know his patronymic) who is my stepfather. He has not lived with us since 2005. I also have a half brother on my father's side – Bogdan Leonidovich Kudrin who lives with his father in Rzhavo. I do not communicate with my half brother and have only seen him once in my life.

Furthermore, I have cousins on my mother's side, namely: my mother's younger sister, Larisa Bozhko (my aunt), has two sons – Andrey Andreyevich Bozhko and Roman Andreyevich Bozhko. Andrey Bozhko lives in Kharkov on Vladivostokskaya Street (I do not know the exact address). L.A. Bozhko and her son Roman live in the Caucasus – the village of Ordzhonikidze, Karachay-Cherkess Autonomous Republic, Russian Federation. As far as I know, Andrei Bozhko does not officially work anywhere and earns money in the construction sector. I am on good terms with him.

The mother's older sister, Svetlana Anatolyevna Mineyeva (my second aunt), has two sons – Aleksandr Sergeyevich Mineyev (about 30-32 years old) and Artem Sergeyevich Mineyev (about 30 years old) who live in Leninsky District of Kharkov, but I do not know his exact address. As far as I know, Aleksandr Sergeyevich Mineyev lives

**Transcript of interview of suspect S.L. Kudrin dated 11/19/2014**

somewhere in Kursk Region, RF. I have no other close relatives. Artem Mineyev has his own garage and repairs cars; officially, he does not work anywhere.

The main source of our family's income are my occasional earnings and wages that my mother received until recently. My mother's last place of employment was a sewing workshop in Kharkov where she worked as a seamstress. My last employment was with Industry Company in Kharkov as a leveler. I worked there from November 2012 to November 2013. In addition, I worked unofficially making armor for chivalric tournaments and selling it online. I worked in a garage located in our house. My last official place of work was in the village of Pervomayskiy, Tambov Region, Russia, building turkey coops. My employment was arranged by my older cousin Aleksandr. In fact, I had stayed there from late September 2014 to November 12, 2014.

Since the beginning of active Maidan-related events in Ukraine, I have been their overt opponent and have taken part in numerous rallies at a square in Kharkov under Antimaidan slogans. Actually, the active Antimaidan stage began in Kharkov after the capture of the regional administration building. I did not take part in the seizure of the administration building, but I went there after it was captured. Later on, there were numerous meetings of activists near the Lenin monument in Liberty Square. I went there when there was an online call for a gathering to prevent provocations. Activists communicated through social networks in Antimaidan Kharkov and Antimaidan groups.

I am registered in the VKontakte social network under the name "Kudrin Stanislav," login name **Kudrinsl@gmail.com**, password **Stas\_1488**.

My mother, Marina Anatolyevna Kovtun, accompanied me to the square on numerous occasions. She spent more time at that square than I since she is also an active supporter of the Antimaidan.

Around June 2014, my mother suggested that I go to Belgorod, Russia, to study and listen to lectures on the political situation and politics in general. I agreed to the trip. There were five of us – myself, my cousin Andrey Bozhko, Vladimir Mazurin (my friend, 27-28 years old, long hair, elongated face, about 180 cm tall, small beard), my mother M.A. Kovtun, a man named Vasily (I can describe him as a man of medium build, 180 cm tall, about 50 years old, without a beard and mustache, short, gray hair. I could easily identify him); we were also accompanied by another man whom I did not know before and met at the station; his name may have been Sergey. In addition, we met a guy named Aleksandr at the Kharkov Railway Station who was our guide, as my mother explained to me.

We left Kharkov on a shuttle bus going to Belgorod, RF. We crossed the border between Ukraine and RF at the Goptovka checkpoint. Having arrived in Belgorod, the guy named Sasha who was our guide escorted us to the Patriot Hotel and checked us in. I

**Transcript of interview of suspect S.L. Kudrin dated 11/19/2014**

stayed in a room together with Volodya and Andrey. On the next day and the following days, lectures were held in the DOSAAF (Volunteer Society for the Promotion of the Army, Navy and Air Force) building located near the hotel. I stayed there for a total of 5 days. My friend Volodya spent only 2 days in Belgorod and returned back to Kharkov saying that he had to go to work. We listened to lectures on economics, forecasting of events, psychological games, working with the press, conducting PR campaigns, and information security. In addition, I also received a white flash drive with various information (lectures and books). This flash drive is presently in my room at home. I stayed in Belgorod for 5 days and then returned to Kharkov together with Andrey and my mother.

After arriving in Kharkov, I did not do much of anything and continued to communicate with Antimaidan activists via social networks. In addition, during this period I learned from my mother that training in hand-to-hand combat and self-defense was conducted in the Rogani District of Kharkov (near the airplane monument) in the building of a ruined factory. I could participate if I wanted. I decided to go and see what the training was all about. I went there with my mother and cousin Andrey. The exercises were conducted by a guy nicknamed "Bison." I did not see this man before. Vasya attended the training sessions as well. No other friends or acquaintances of mine went to these sessions. I visited the sessions two or three times.

Then my mother invited me to Moscow to listen to similar workshops and lectures. I agreed to this offer. I went to Moscow around July 2014; I cannot recall the time more accurately.

I was accompanied by my mother M.A. Kovtun and Vasily. We left Kharkov on a shuttle bus to Belgorod, then by train from Belgorod to Moscow. After arriving in Moscow, my mother phoned a man named Sasha who was supposed to meet us, as she explained. Regarding this Alexander, I can say that he told me that he took part in numerous rallies in Kharkov near the Lenin monument.

Near one of the metro stations, we were met by a guy who introduced himself as Sasha (about 35-40 years old, short hair, 175 cm tall, lean physique, and wears glasses) who accompanied us to the Writers' House. This House was a three-story old building with columns at the entrance. In this House, I saw several rooms; in one of them I saw and recognized journalists and news anchors from DNR, LNR, Novorossia. We spent the night in a church. We stayed there only one night. On the following day, we met with a man whose appearance I do not remember who asked us about the situation in Kharkov and whether anyone was willing to go for special training if necessary. My mother, Vasya and I were present at the meeting with this man. There was nobody else. On the same day, the three of us left for Kharkov by train. They gave us (my mother, Vasya and me) 5000

**Transcript of interview of suspect S.L. Kudrin dated 11/19/2014**

rubles to cover pocket expenses for all of us and bought us train tickets. When leaving, we each gave them our phone numbers because we were told that they would call us and let us know when it was necessary to go to the camp for training. After arriving in Kharkov, I did not do anything and waited for them to send orders to go to the camp.

After about 9-10 days, my mother told me that she received a call and that it was necessary to pack and go to the camp for training. We were supposed to get to Belgorod, where they would tell us where to go next. I arrived in Belgorod together with my mother, Vasya and Andrey in early August 2014. In Belgorod, we came close the Patriot Hotel and waited. At this time my mother called someone and spoke about something. She told me that we were waiting for a bus to pick us up. In the evening of the same day, a bus arrived at the hotel; my mother said that we should board it and go. There was another group of about 20 people near the hotel who also boarded the bus. Near the railway station, I met the guy nicknamed "Bison" who conducted exercises in hand-to-hand combat and also joined our group. After boarding, one of the people on the bus who introduced himself as Sergey told everyone to turn off their phones and the bus drove off. Nobody told us where we were going. We rode the bus for about 10 hours and arrived in Tambov as I learned later, where we changed vehicles – one group went on a bus, and the other on a military Ural truck. We rode for about 20-25 minutes to the outskirts of Tambov, entered a forest and eventually arrived at a military base. I understood this because we passed through a checkpoint. At the military base, our entire group of about 25 people, was accommodated in two army tents equipped with double beds. I settled in the same tent with Bison.

The following people lived in the tent together with me: Vasya, my cousin Andrey, Pasha (a guy of lean physique; sharp nose; 175 cm tall; according to him, a resident of Kharkov), Slavik (a cross-eyed guy; I saw him several times in training; 180 cm tall; medium build; about 40 years old; according to him, a resident of Kharkov employed in the IT sector), Andrey (40 years old; gray hair; lean; medium height; resident of Kharkov), Sergey (up to 45 years old; short hair; no prominent physical characteristics), a guy named Vitalik nicknamed "Bolgar" (medium build; 30-35 years old; 180 cm tall), an older man named Nilolay (about 60 years old; stout and decrepit physique), a guy named Andrey (30-35 years old, strong build, medium height), Bison's friend nicknamed "Sailor" (185 cm tall, lean physique, black hair). I chose the specialty of "Mine Handling" my mother was trained under the "Sniper" program, Andrei as a "Mine Handler," and Vasya as a "Machine Gunner". We were all issued BDUs. A few days after arriving in the camp, I was checked on a polygraph with the following questions: whether I was a member of the Right Sector, whether I collaborated with the SBU, whether I participated in attacks on police officers in Kiev during the Maidan and other questions, which I do not remember.



**Transcript of interview of suspect S.L. Kudrin dated 11/19/2014**

The combat training schedule and routine in the camp was as follows: wake up at 7:30, breakfast at 8:00 (in the mess at the military base), first class at 10:00, lunch at 14:00, second class at 15:00, dinner at 19:00, and the lights were out at 22:00. There were a total of two classes per day lasting up to three hours. Our team leader was a man of about 40 who, I understand, was a service member of the Russian army, I do not remember his name. We were taught by two young guys named Maksim and Sasha. They wore BDUs without insignia. I do not know anything else about them. We were taught firearms, demolition, military medicine, navigation on the ground.

Since I chose the specialty of demolition, I remember this subject best. During the training, they told me about the kinds of explosives – plastic, TNT, types of mines and their specifications, types of cords, types of detonators for explosion, demolition of railways, rails, bridges and other buildings. Additionally, I was able to practice detonating explosives using detonators.

Firearms training was also conducted. I fired an AK-74 chambered in 5.45 mm, including underbarrel grenades; I also fired an RPG and PKM once. Shooting was conducted at a range with special targets. Furthermore, psychologists worked with us in the camp; they talked about why I came there, what I wanted, but did not give any instructions. Also, while at the camp, I saw service members of the Russian army in blue berets, so I assumed that we were with a Russian airborne unit.

Later on, in 10 days, the team leader summoned me, Andrey and two more guys from the other group and said that our training was over and we should return to Kharkov and wait for further instructions. He took our phone numbers once again, had us sign non-disclosure statements concerning the fact that we underwent this military training in the territory of the Russian Federation and said that upon arrival in Kharkov we should turn on our phones and wait. And do nothing without orders. We came back from the camp in the following way: the team leader took us to a bus station in Tambov, where he bought us tickets to Belgorod. Then we went to Belgorod where we took a bus to Kharkov. They gave us 200 US dollars each for the road. They said that should anything happen, we were supposed to tell our relatives that we were working and earned this money.

After arriving in Kharkov, I stayed home and did not engage in any illegal activities. A few days later, my mother called me and asked if everything was OK and if I got home all right; I said that everything was alright. She returned a few days later. During the days after my arrival, I socialized on my “Kudrin Stanislav” page in VKontakte with Vladimir who was signed in as “Svyatoslav Berkut”. During one of the meetings, Vladimir Mazurin told me that he made gunpowder at home. As far as I know, he did not make any use of it and burned it outside.

**Transcript of interview of suspect S.L. Kudrin dated 11/19/2014**

A month later, approximately in the middle of September, I went to my cousin Aleksandr's place to build turkey coops in the village of Pervomaysky, Tambov Region.

I returned to Kharkov on November 12, 2014. I crossed the border through the Goptovka checkpoint at 21:00. After crossing the border, I met my mother near the border and we drove home.

**At 6 pm, the interrogation was suspended for a break under Article 224(2) of the Ukrainian Code of Criminal Procedure**

**Question:** Please testify whether you know Ukrainian citizens Oleg Vasilyevich Sobchenko (callsigns – “Vasilyevich”, “Nine”) and Vadim Viktorovich Monastyrkov; if yes, when, and under what circumstances did you meet them, what are your relations? What do you know about the role of these individuals in the activities of the Kharkov Partisans and their involvement in terrorist acts in the territory of the Kharkov Region and the city of Kharkov?

**Answer:** I do not know Oleg Vasilyevich Sobchenko (callsigns – “Vasilyevich”, “Nine”) and Vadim Viktorovich Monastyrkov. I have never heard about them.

**Transcript of interview of suspect S.L. Kudrin dated 11/19/2014**

**Question:** What do you know about the activities of the Kharkov Partisans and their members' involvement in terrorist acts in the territory of the Kharkov Region and the city of Kharkov?

**Answer:** I know about the activities of the Kharkov Partisans and their members' involvement in terrorist acts in the territory of the Kharkov Region and the city of Kharkov only from the Internet and Antimaidan groups in VKontakte.

**Question:** Here is a geographical map of Tambov and surrounding areas taken from the online Google Maps service. Can you show the location of the training camp?

**Answer:** Yes, I have been shown a map of Tambov and the surrounding areas. I can show the location of the camp and its facilities on the map. (**Annex No. 1 to the Interrogation Record on three pages.**)

**Question:** Do you want to add anything?

**Answer:** Yes, I wish to add that I have not participated in terrorist acts in the territory of Ukraine and had no such intentions. I trained at the camp out of curiosity. I am ready to provide full assistance to the pre-trial investigation.

*I have read the interrogation record; it was recorded correctly from my words; I have no remarks or additions.*

[signature] *S.L. Kudrin*

*Defense attorney* [signature] *O.G. Smorodskiy*

**Interrogated and drew up the record:**

**Senior Investigator for Major Cases of the  
Investigative Department of the SBU Directorate in Kharkov Region**

**Major of Justice**

[signature]

**O.S. Zahumenniy**



# Annex 203

Signed Declaration of Gennadiy Shmorovoz, Witness Interrogation Protocol (17  
December 2014)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



[...]In response to the questions that were put to him. G.R. Shmoryvoz gave the following testimony:

I learned about the existence of Stena Rock Pub from my friends about two and a half years ago. My acquaintance Sergey Kordyuk first showed me the establishment. After that, I started visiting the establishment from time to time and met many people there (including both the management and other patrons). I visited the establishment about twice a week. I did so on various days of the week, whenever I had the free time and desire.

Among the establishment's managers, I know: Mikhail Kabanov, Mikhail Ozerov, Marina Ovcharenko, Roma Chernenko, and Yevgeny Serzhantov. I also know two of the women from the kitchen, but I do not know their names. Among the regular patrons, I know: Igor Ulezchenko, Nikita Soloshenko, Sergey Kordyuk, Olga Vitushnyak, Kiril Marchenko, Dima Utkin, and Anton Belousov, as well as other people whose names I do not recall.

Regarding Stena Rock Pub, I can tell you that the establishment does not have any clear, specific orientation. It is frequented by soccer fans when soccer matches are on. It also hosts live rock music, and fans of that kind of music often come to the establishment to hear it (to relax). As for whether the establishment has a pro-Ukrainian orientation, I cannot tell you anything specific, except that the establishment's patrons are generally in favor of a unified and indivisible Ukraine. That being said, no propagandistic events were held at the establishment.

Question: Do you know if the establishment is frequented by military servicemen from any of the volunteer battalions?

Answer: I saw a man in uniform at the establishment literally a couple of times. I understand from Marina that this person had been coming to the pub even before ATO [anti-terrorist operation] started. After the armed conflict began, he signed up for a volunteer battalion and still continued visiting the establishment. No meetings of military servicemen returning from the ATO were held at the establishment. The establishment is the most typical one of its kind.

Question: Were there ever any conflicts at the establishment?

Answer: As far as I can recall, such conflicts were extremely rare (one or two incidents) and they usually ended with management calling security.

Question: As far as you know, have the establishment's managers had any conflicts with patrons or other persons, including social activists (volunteers), supporters of a pro-Russian orientation, etc.?

Answer: No, I am not aware of any such circumstances.

Question: Tell us about the day of the explosion at the establishment (11/09/2014).

Answer: At around 6:30 p.m., I met with the aforementioned Nikita ~~Sova~~<sup>lo</sup>shenko by the Sportivnaya metro station, after which we headed to Stena Rock Pub, as agreed in advance. We continued on to Sovetskaya Station and walked to the pub from there. We arrived at the pub around 6:50 p.m. Being by the entrance at that moment, we witnessed a man being escorted out of the pub, I later learned that he had spoken ill of the "Azov" battalion. He initially came out accompanied by the guests with whom he had had the altercation. They were then approached by Mikhail Kabanov, who led the man away from the pub. The guests who had initially escorted the man out I had seen before, but I do not know their names. As for the man who started the conflict, I had never seen him before. After that, we went into the café and found somewhere to sit by the bar.

While at the establishment, we drank and went out a couple of times to smoke. The first time we went out was after about 30 minutes, followed by another three times (the last time was right before the explosion). About ten minutes after we came back into the establishment for the

third time following a smoke, a man walked into the establishment and found a spot not far from us, around the middle of the bar. He ordered a coffee “Americano,” drank his coffee for about 20 minutes, and then left the establishment. About 5 minutes before he left, the man smiled, turned to me, and commented on my conversation with Nikita, something along the lines of: “our jokes are so cruel,” to which I replied, “I know.” After that, the man got up and headed for the exit, adding, “we’re good friends.” A couple of minutes later, we went out to have a smoke. When we came back in, we sat down in our original spots again. About a minute and a half or two minutes later, an explosion rang out inside the café.

Question: Can you give a detailed description of the man who was sitting next to you drinking coffee?

Answer: The man was about 30–35 years old. He was wearing a dark grey knit sweater (possibly with a zipper), a thermal-lined, light-colored jacket, and a pair of jeans. I didn’t notice his shoes. He was of Slavic appearance with dark, slightly graying hair, a short haircut, and a bit of stubble. He did not have any distinguishing features.

During his time there he was holding a telephone in his hands and pressing something on the screen. The phone looked like an LG. Based on my interaction with the man, I got the impression that he was friendly, so I did not become suspicious.

Question: Had you ever seen this man before?

Answer: No.

Question: Did he tell you his name?

Answer: No, we hardly spoke.

Question: Are you a member of any political parties, organizations, or social movements?

Answer: No, I am not.

Question: Would you be able to recognize the man you have described?

Answer: Yes, I would be able to recognize him.

Question: Can you tell us what happened after the explosion?

Answer: The blast threw me toward the exit, a bit to the left of the entrance. After that, people dragged me outside, where I was put in the second ambulance (the first one had already taken Nikita), which transported me to Hospital No. 4.

According to the medical reports, as a result of the explosion I received burns over approximately 50% of my body, perforated eardrums, a fracture by the base of my skull with discharge of cerebrospinal fluid through my ear, detachment of the last phalanx of the ring finger on my right hand, numerous shrapnel wounds, pneumonia, a broken funny bone, and a fracture of the petrous part of my temporal bone. The skull fracture also damaged my auditory nerve.

Question: The man you mentioned, who was drinking coffee – was he holding anything in his hands?

Answer: Not that I noticed.

Question: Did you notice a package in front of the bar?

Answer: Before the man who was drinking coffee arrived, there was no package, but after he left, when we had already returned from our fourth smoke, one of the guests pointed out a package that was lying in front of the bar. He asked the other patrons, including me and Nikita, whether the package was ours, to which we responded that it was not. He looked inside and, seeing that it contained nails and bolts, put it back where he found it.

Question: Can you indicate on a diagram the events that took place at the establishment: the places where you, Nikita, the man who ordered coffee, and any other guests you know were sitting?

Answer: Yes, I can show you that.

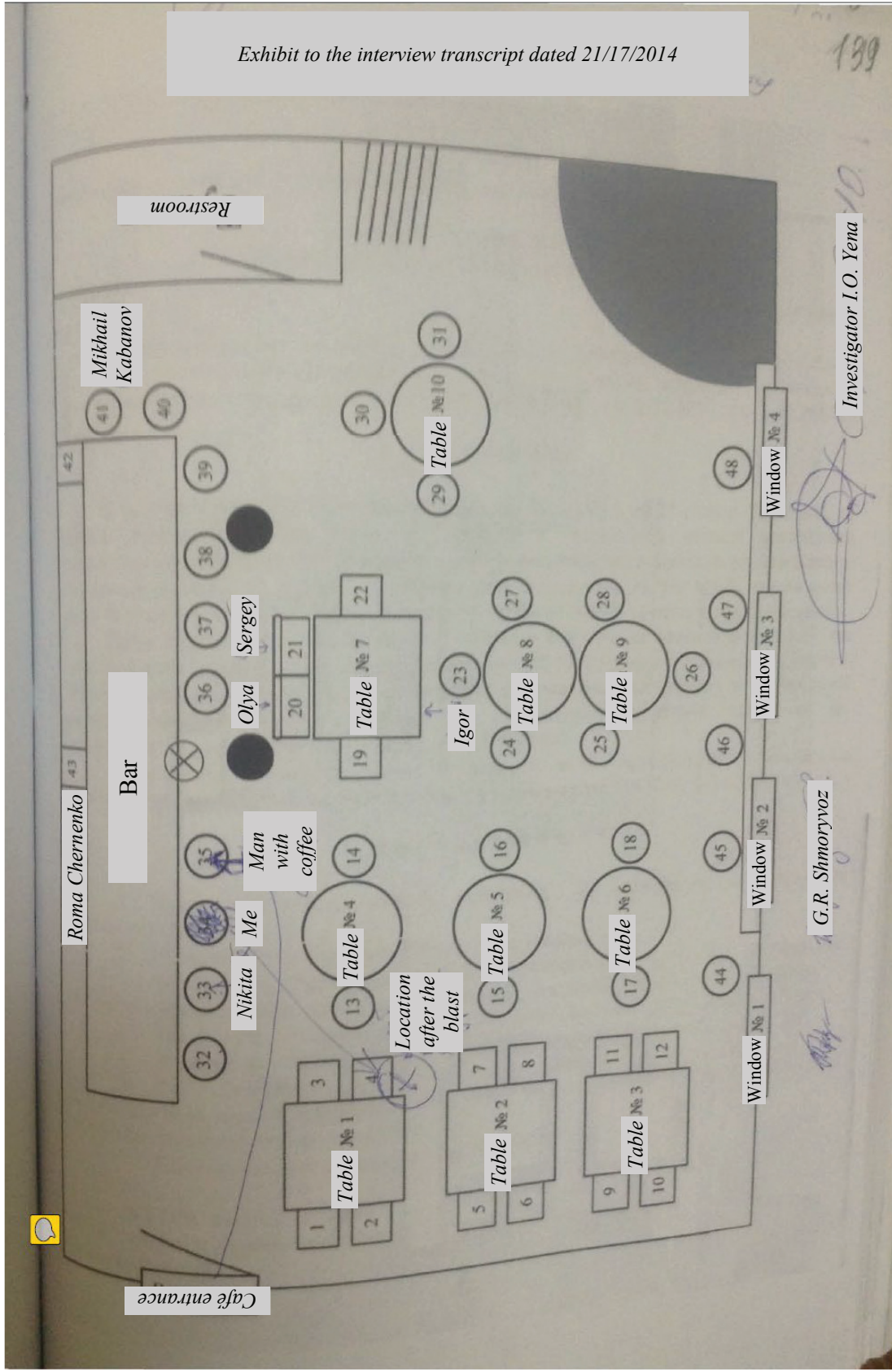


*I have read the transcript, and it is an accurate record of my testimony. I have nothing further to add and no comments or corrections to make.* [signature] G.R. Shmoryvoz

*Interview conducted and transcript prepared by:*

**Special Investigator, Investigations Department,  
Kharkiv Regional Directorate of the Security Service of Ukraine  
Captain of Justice** [signature] **I.O. Yena**

Exhibit to the interview transcript dated 21/17/2014



# Annex 204

Signed Declaration of Artem Kalus, Witness Interrogation Protocol (17 January 2015)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



**RECORD  
of witness questioning**

Mariupol, Donetsk Region

01/17/2015

Questioning began at 2:30 PM

Questioning ended at 4:00 PM

Major of Justice D.I. Deyneha, a special investigator with the investigations section of the Donetsk Regional Directorate of the Security Service of Ukraine, based on the case file of the criminal proceeding entered into the Unified Register of Pretrial Investigations as No. 22015050000000021 dated 01/13/2015, questioned the following person as a witness on the premises of the Main Mariupol Office of the Donetsk Regional Directorate of the Security Service of Ukraine in accordance with the requirements of Articles 65, 66, 95, 104, 106, 223, 224 of the Criminal Procedure Code of Ukraine:

1. Full name: **Artem Oleksandrovych Kalus**
2. Date and place of birth: **03/25/1988, Mariupol, Donetsk Region**
3. Ethnicity: **Greek**
4. Citizenship: **Ukraine**
5. Education: **higher**
6. Place of employment (study): **Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine**
7. Type of work and job title: **senior special investigator, Office for the Investigation of Crimes against the Person, Criminal Investigation Department, Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine**
8. Place of residence (registration): **m.t. 380950423226, 32 vul. Italiyska, Mariupol, Donetsk Region**
9. Criminal convictions: **claims to have none**
10. Member of Parliament (specify which): **claims not to be a member of parliament**
11. Passport or other ID information: **official ID: VK No. 036480, issued by the Volnovakha District Department of the Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine on 06/26/2004**  
[redacted]

In response to the questions that were put to him, witness **A.O. Kalus** gave the following testimony:

I have served as a senior special investigator with the Office for the Investigation of Crimes against the Person at the Criminal Investigation Department of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine since October 28, 2014.

Pursuant to an order of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine, the number of which I cannot recall at the moment, I was deployed to the Volnovakha District Department of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine to carry out a field mission involving the fight against crime. Since the Buhas checkpoint, which is located at the site of fixed post No. 5 of the State Traffic Inspectorate as one leaves Volnovakha heading in the direction of Buhas, Donetsk Region, along the N-20 highway (Mariupol-Donetsk), falls within the service area of the Volnovakha District Department of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine, and I

needed to check the functioning of the “Armor” database, with the approval of Police Captain Sarkhan Eyvazovych Guseynov, the senior district police inspector of the district police inspector sector of the Volnovakha District Department of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine, I arrived at said post at around 8:00 AM on 01/13/2015. I cannot name any of the people who were serving at the post, as I do not know their profile data and they addressed each other by their callsigns, which I also do not recall, as I was only at the post for a short time.

At around 8:30 AM on 01/31/2015, I started working with the “Armor” database. Specifically, I was checking the passport data of people who had passed through the checkpoint.

At 2:35 PM on 01/13/2015 I saw soldiers of the Kyiv-2 unit who were serving at the checkpoint run into the corridor of the checkpoint building and hit the deck. At first I did not understand what was happening, and I did not hear to explosions, but for the sake of my personal safety I decided to do the same, so I lay on the floor next to a soldier from the Kyiv-2 unit. A few seconds later I heard exploding shells, probably from a grad multiple-rocket launcher. There were a lot of explosions. I heard more than ten of them.

After the sounds of exploding Grad shells stopped, the Kyiv-2 soldiers and I went outside. There I saw a column of civilian buses, as well as two fixed-route buses with civilians heading from Donetsk to Mariupol (a blue Yutong bus) and from Zlatoustovka to Donetsk (a yellow-orange bus, probably an I-Van). The windows of these buses were gone. A ladder had been placed on the left side by the gauge. I saw wounded people on the bus. At that moment I could not determine which of them were alive and which had already perished. I focused on evacuating the wounded from the site of the shelling. Some of the survivors from the buses made their way to the trenches alongside the road. Some of the soldiers were providing medical assistance to wounded civilians near the buses. Some of the other soldiers and I dragged a second [text cut off] the I-Van so that we could pull the wounded civilians out of it. At that point they started bringing stretchers to the site of the shelling, and medics started taking away the wounded civilians. I would like to clarify that around 10 meters to the right of the I-Van bus I saw a shell crater that I assume was formed by one of the Grad shells used in the shelling.

The heads of the law-enforcement agencies that served that area, as well as members of field investigative groups, then started to arrive and carry out investigative actions to document the incident.

At that point I started heading home in my personal vehicle, which had been parked next to the checkpoint. Along the road, as I returned home, I saw numerous (more than ten) traces of Grad shall explosion. Specifically, I saw one shell crater to the left on the median, approximately 100 meters from the checkpoint’s fortifications, while the rest of the craters were around 300-400 meters to the right of the checkpoint. I would like to clarify that I saw these traces and craters from exploding Grad shells near the checkpoint on the Donetsk side.

**Question:** Can you tell us where exactly the shelling came from that resulted in civilian casualties among the bus passengers on 01/13/2015?

**Answer:** Judging by what I saw and heard during the shelling, as well as the words of other people who were at the checkpoint during the shelling, I know that the shelling came from the direction of Dokuchayevsk, Donetsk Region. Since the territory of Dokuchayevsk, Donetsk Region, is under the control of members of the “Donetsk People’s Republic”, I assume the shelling was carried out by members of armed formations of the “Donetsk People’s Republic”.

**Question:** Could you tell us about the intervals between the shell explosions under the circumstances you described earlier? Did the explosion that damaged the I-Van bus appear to be separate?

**Answer:** I heard explosions at identical intervals. I did not hear any separate explosions.

**Question:** Did the I-Van and Yutong buses arrive at the aforementioned checkpoint on 01/13/2015 in damaged or undamaged condition?

**Answer:** The I-Van and Yutong buses, as well as other separate vehicles, arrived at the checkpoint intact. I did not see any damage on them. I saw that the vehicles were undamaged.

[signature]

**Question:** Could you explain once more how the I-Van and Yutong buses were damaged?

**Answer:** Judging by what I saw, the I-Van and Yutong buses were damaged by the explosion of Grad shells fired from the direction of Dokuchayevsk, Donetsk Region. During the shelling on 01/13/2015, I only heard the explosions of Grad shells. I did not hear machine gun fire or shots from other firearms or grenade launchers, or detonations of mines, grenades, or other explosive devices. All of the explosions were uniform and occurred at equal intervals. The Ukrainian servicemen located at the checkpoint did not return fire.

I have nothing further to add at this time.

The participants in the procedural action was told how they could review the content of the report, specifically by personally reading the provided written record.

Having reviewed the text of the record of questioning from the participants in the procedural action

*The record has been read by me, my words are accurately recorded, and I have neither objections nor anything else to add*

(indicate whether a request was received to make changes to the record, as well as any additions or objections)

**Witness:** A.A. Kalus / [signature] /  
(full name) (signature)

Questioned by:

**Major of Justice D.I. Deyneha,** [signature]  
**Special Investigator with the Investigations Section of the Donetsk Regional Directorate of the Security Service of Ukraine**





# Annex 205

Signed Declaration of Yaroslav Maksymov, Witness Interrogation Protocol (17  
January 2015)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



**RECORD  
of witness interrogation**

City of Mariupol

01/17/2015

Interrogation commenced at [illegible]

Interrogation ended at 4:45 PM

Lieutenant D.V. Velichko, an investigator with the Investigations Department of the Donetsk Regional Directorate of the Security Service of Ukraine, having reviewed the files of Criminal Proceeding No. 2201505000000021 dated 01/13/2015, on the premises of the Mariupol Central Office of the Main Donetsk Regional Directorate of the Security Service of Ukraine, pursuant to the requirements of Articles 65, 66, 95, 104, 106, 223 and 224 of the Criminal Procedure Code of Ukraine, questioned as a witness:

1. Full name: Yaroslav Gennadiyovych Maksymov
2. Date and place of birth: 12/02/1987, Volnovakha, Donetsk Region
3. Ethnicity: Ukrainian
4. Citizenship: Ukraine
5. Education: higher
6. Place of employment (study), position: police inspector of the Volnovakha District Office of the Donetsk Main Regional Directorate of the Ministry of Internal Affairs of Ukraine
7. Marital status: married
9. Place of residence (registration): Apt. 8, 8 vul. Lenina, Volnovakha, Donetsk Region
10. Criminal convictions: claims to have none
11. Is he/she a member of parliament (if so, which one)? no
12. Details of passport or other identity document: passport VN No. 753811 issued by the Selydove City Office of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine on 10/28/2010

The witness was advised that he has been summoned to give testimony in a criminal proceeding entered into the Unified Register of Pretrial Investigations as No. 2201505000000021 dated 01/13/2015 concerning elements of a criminal offense provided for by Article 258-3(1) of the Criminal Code of Ukraine.

[signature]

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The witness was advised of the content of Article 63 of the Constitution of Ukraine, which provides that a person may not be held liable for refusing to give testimony or explanations concerning himself, members of his family or close relatives, as defined by law.

[signature]

---

The witness was advised of the content of Article 18 of the Criminal Procedure Code of Ukraine concerning freedom from self-incrimination and the right not to testify against close relatives or family members.

[signature]

---

The witness was advised of the interrogation procedures and his rights and obligations under Article 66 of the Criminal Procedure Code of Ukraine, according to which:

1. A witness shall be entitled:

1) To know what he is being questioned about, and in which criminal proceedings;  
2) In the course of giving testimony and participating in other procedural actions, to use the legal assistance of an attorney, whose powers shall be confirmed in accordance with the provisions of Article 50 of the Criminal Procedure Code of Ukraine (specifically: 1) by a license to practice law; 2) by an engagement letter or agreement with the defense attorney or a mandate provided by a body (institution) authorized by law to provide free legal assistance);

3) to refuse to give testimony concerning himself, his close relatives or members of his family that may incriminate him, his close relatives or members of his family, as well as testimony concerning information that is not subject to disclosure according to the provisions of Article 65 of the said Code (specifically, the following persons may not be questioned as witnesses: 1) a defense attorney, counsel for a victim, civil claimant, or civil respondent, or legal representative of a victim or civil claimant in criminal proceedings, regarding facts of which they became aware in connection with performing the functions of a representative or defense attorney; 2) lawyers, regarding information protected by lawyer-client privilege; 3) notaries, regarding information protected by notary-client confidentiality; 4) medical workers and other persons who, through the performance of their professional or official duties, become aware of an illness, a medical examination and the results thereof, or intimate and marital aspects of a person's life, regarding information protected by doctor-patient confidentiality; 5) clergymen, regarding information received by them through confession; 6) journalists, regarding confidential information provided on the condition of non-disclosure of the authorship or source of the information; 7) professional judges, people's assessors, and jury members, regarding the circumstances surrounding the discussion of matters in the deliberation room that arose at the time of issuing of the court decision, except in the case of criminal proceedings concerning a knowingly unlawful verdict or ruling issued by a judge (or judges); 8) persons who were involved in entered into and performing a settlement agreement in criminal proceedings, regarding the facts of which they became aware by virtue of their involvement in entering into and performing the settlement agreement; 9) persons against whom interim measures have been imposed, regarding current information about their identity; 10) persons who possess information concerning the current details of persons against whom interim measures have been imposed, regarding such details. Persons with diplomatic immunity may not be questioned as witnesses without their consent (and may refuse to give testimony), nor may employees of diplomatic missions without the consent of a representative of the diplomatic mission);

4) to give testimony in his native language or in another language that he speaks fluently, and to use the services of an interpreter;

5) to use notes and documents when giving testimony in cases where the testimony involves any calculations or other information that is hard to keep in memory;

6) to be reimbursed for expenses associated with being summoned to give testimony.

7) to review the record of the interrogation and submit requests to make changes, additions or comments to it, as well as to make such changes and comments by his own hand;

8) to request that provision be made for his personal security in cases provided for by law;

9) to request that the interpreter be replaced.

2. A witness must:

1) appear when summoned before an investigator, prosecutor, investigating judge, or judge;

2) give true testimony during a pretrial investigation or trial;

[signature]

3) not disclose without the permission of the investigator, prosecutor or judge any information that directly pertains to the merits of the criminal proceedings or any procedural actions taken in the course of the proceedings, of which the witness became aware in connection with the performance of his duties.

3.[sic] A person involved in procedural actions during a pretrial investigation in the capacity of an attesting witness or who has witnessed such actions shall not, at the request of the investigator or prosecutor, disclose any information about the procedural action that was performed.

In addition, pursuant to Article 224(7) of the Criminal Procedure Code of Ukraine, a questioned person may, if he so wishes, set forth his testimony by his own hand. Additional questions may be posed to the person regarding his written testimony.

\_\_\_\_\_  
[signature]

Pursuant to Article 67, the witness was advised of the criminal liability provided for by Article 384 of the Criminal Code of Ukraine (*Knowingly false testimony*) and Article 385 of the Criminal Code of Ukraine (*A witness's refusal to testify*).

\_\_\_\_\_  
[signature]

Having been familiarized with his rights, the witness stated that he speaks Ukrainian but wishes to give his testimony in Russian, in which he is fluent and conversant, and that the does not require an interpreter.

\_\_\_\_\_  
[signature]

In the course of giving testimony he declined to use the legal assistance of an attorney.

\_\_\_\_\_  
[signature]

Regarding the questions that were put to him, the witness gave the following testimony:

I, Yaroslav Gennadiyovych Maksymov, have been serving as a district police officer at the Volnovakha District Department of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine since September 2014. In early December I started going on duty at checkpoint No. 5 of the State Traffic Inspectorate, which is located on the road leading out of Volnovakha toward the village of Buhas, Donetsk Region.

At 9:00 AM on January 13 I went on combat alert duty at the said checkpoint together with district police officer Aleksei Chechel. Our duties included checking vehicles and persons passing through the checkpoint.

At around 2:30 PM, after I had checked one of the vehicles passing through the checkpoint and was about to head over to a yellow passenger bus bound for Zlatoustivka from Donetsk, standing about 30 meters away from the front of the bus, I heard the sounds of exploding shells. A member of the Kyiv-2 unit, or perhaps it was a border guard, shouted: "Shells!" I turned and looked toward Donetsk and saw about 10 shell explosions 200 meters from our post. The shells were falling along the road, approaching us from Donetsk, each explosion getting closer and closer to us. Seeing this, I immediately jumped behind the border guards' "trailer", which was located 25 meters from the yellow bus, on the other side of the road. I then heard the loudest and closest of the explosions. After that explosion, everything went quiet, and I heard the cry of a Kyiv-2 serviceman

\_\_\_\_\_  
[signature]



# Annex 206

Signed Declaration of Anton Ovcharenko, Witness Interrogation Protocol (18  
January 2015)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
an extract of the original document constituting this Annex. In further  
compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document





**RECORD  
of witness interrogation**

City of Mariupol

January 18, 2015

Interrogation commenced at 09:50 AM  
Interrogation ended at 11:50 AM

Major of Justice A.V. Cherechyn, a senior special investigator with the Investigations Department of the Donetsk Regional Directorate of the Security Service of Ukraine, having reviewed the files of Criminal Proceeding No. 2201505000000021 dated 01/13/2015, at the Mariupol Office of the Donetsk Regional Directorate of the Security Service of Ukraine, pursuant to the requirements of Articles 65, 66, 95, 104, 106, 223 and 224 of the Criminal Procedure Code of Ukraine, questioned as a witness:

1. Full name: Anton Mykolayovych Ovcharenko
2. Date and place of birth: 02/21/1992, Makiyivka, Donetsk Region
3. Ethnicity: Ukrainian
4. Citizenship: Ukraine
5. Education: specialized secondary
6. Place of employment (study), position: inspector, 2<sup>nd</sup> class, of the State Border Service of Ukraine, sergeant
7. Marital status: single
9. Place of residence (registration): Apt. 191, 10 vul. Pylypenka, Cherkasy
10. Criminal convictions: claims to have none
11. Is he/she a member of parliament (if so, which one)? no
12. Details of passport or other identity document: passport VK No. 490122, issued by the Budyonivskyi District Department of the Main Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine

The witness was advised that he has been summoned to give testimony in a criminal proceeding entered into the Unified Register of Pretrial Investigations as No. 2201505000000021 dated 01/13/2015 concerning elements of a crime provided for by Article 258(3) of the Criminal Code of Ukraine.

[signature]

The witness was advised of the content of Article 63 of the Constitution of Ukraine, which provides that a person may not be held liable for refusing to give testimony or explanations concerning himself, members of his family or close relatives, as defined by law.

[signature]

The witness was advised of the content of Article 18 of the Criminal Procedure Code of Ukraine concerning freedom from self-incrimination and the right not to testify against close relatives or family members.

[signature]

The witness was advised of the interrogation procedures and his rights and obligations under Article 66 of the Criminal Procedure Code of Ukraine, according to which:

1. A witness shall be entitled:

1) to know what he is being questioned about, and in which criminal proceedings;

2) in the course of giving testimony and participating in other procedural actions, to use the legal assistance of an attorney, whose powers shall be confirmed in accordance with the provisions of Article 50 of the Criminal Procedure Code of Ukraine (specifically: 1) by a license to practice law; 2) by an engagement letter or agreement with the defense attorney or a mandate provided by a body (institution) authorized by law to provide free legal assistance);

3) to refuse to give testimony concerning himself, his close relatives or members of his family that may incriminate him, his close relatives or members of his family, as well as testimony concerning information that is not subject to disclosure according to the provisions of Article 65 of the said Code (specifically, the following persons may not be questioned as witnesses: 1) a defense attorney, counsel for a victim, civil claimant, or civil respondent, or legal representative of a victim or civil claimant in criminal proceedings, regarding facts of which they became aware in connection with performing the functions of a representative or defense attorney; 2) lawyers, regarding information protected by lawyer-client privilege; 3) notaries, regarding information protected by notary-client confidentiality; 4) medical workers and other persons who, through the performance of their professional or official duties, become aware of an illness, a medical examination and the results thereof, or intimate and marital aspects of a person's life, regarding information protected by doctor-patient confidentiality; 5) clergymen, regarding information received by them through confession; 6) journalists, regarding confidential information provided on the condition of non-disclosure of the authorship or source of the information; 7) professional judges, people's assessors, and jury members, regarding the circumstances surrounding the discussion of matters in the deliberation room that arose at the time of issuing of the court decision, except in the case of criminal proceedings concerning a knowingly unlawful verdict or ruling issued by a judge (or judges); 8) persons who were involved in entering into and performing a settlement agreement in criminal proceedings, regarding the facts of which they became aware by virtue of their involvement in entering into and performing the settlement agreement; 9) persons against whom interim measures have been imposed, regarding current information about their identity; 10) persons who possess information concerning the current details of persons against whom interim measures have been imposed, regarding such details. Persons with diplomatic immunity may not be questioned as witnesses without their consent (and may refuse to give testimony), nor may employees of diplomatic missions without the consent of a representative of the diplomatic mission);

4) to give testimony in his native language or in another language that he speaks fluently, and to use the services of an interpreter;

5) to use notes and documents when giving testimony in cases where the testimony involves any calculations or other information that is hard to keep in memory;

6) to be reimbursed for expenses associated with being summoned to give testimony.

7) to review the record of the interrogation and submit requests to make changes, additions or comments to it, as well as to make such changes and comments by his own hand;

8) to request that provision be made for his personal security in cases provided for by law;

9) to request that the interpreter be replaced.

2. A witness must:

1) appear when summoned before an investigator, prosecutor, investigating judge, or judge;

2) give true testimony during a pretrial investigation or trial;

3) not disclose without the permission of the investigator, prosecutor or judge any information that directly pertains to the merits of the criminal proceedings or any procedural actions

taken in the course of the proceedings, of which the witness became aware in connection with the performance of his duties.

3. A person involved in procedural actions during a pretrial investigation in the capacity of an attesting witness or who has witnessed such actions shall not, at the request of the investigator or prosecutor, disclose any information about the procedural action that was performed.

In addition, pursuant to Article 224(7) of the Criminal Procedure Code of Ukraine, a questioned person may, if he so wishes, set forth his testimony by his own hand. Additional questions may be posed to the person regarding his written testimony.

[signature]

Pursuant to Article 67, the witness was advised of the criminal liability provided for by Article 384 of the Criminal Code of Ukraine (*Knowingly false testimony*) and Article 385 of the Criminal Code of Ukraine (*A witness's refusal to testify*).

[signature]

Having been familiarized with his rights, the witness stated that he understands Ukrainian but wishes to give his recorded testimony in Russian, in which he is fluent and conversant, and does not require the services of a translator.

[signature]

He declined to receive legal assistance from an attorney when giving testimony.

[signature]

Regarding the questions that were put to him, the witness gave the following testimony:

I have been serving as an inspector, 2<sup>nd</sup> class, at the border control department of the Operational Border Command Post of the Lviv Border Detachment of the State Border Service of Ukraine since October 5, 2012. In November 2014, I started going on patrol duty at State

Traffic Inspectorate checkpoint No. 5, which is located on the road heading out of the city of Volnovakha toward the village of Buhas, Donetsk Region. My duties at the said checkpoint include checking the passports of persons passing through the checkpoint, as well as checking vehicles, finding weapons, drugs and other prohibited cargo items, and identifying members of the terrorist organizations DPR [Donetsk People's Republic] and LPR [Luhansk People's Republic].

At 9:00 in the morning on January 13, 2015, I went on combat alert duty at the said checkpoint together with Andriy Mykhalchuk (call sign "Poker"), who was the commanding officer of our group, Ihor Nychyporov (call sign "Frenchman"), Misha Tymchuk (call sign "Huzul") and Ihor Karaba I do not recall [sic] (call sign "Zhora"). We do passport control at the said checkpoint, in accordance with the established rules, in order to identify suspicious persons and detain members of the terrorist organizations DPR and LPR. We also inspect the vehicles that pass through the checkpoint in order to detect firearms, ammunition, explosives and other prohibited items. It generally takes about 2-3 minutes to check each vehicle, or about 5-8 minutes to check a bus. Any males between the ages of 16 and 60 we always pull off the bus in order to check their passports and identify suspicious persons and members of illegal fighting units.

At around 2:25 PM on January 13, 2015, I was out on the road covering my partner – a volunteer fighter from the Kyiv-2 battalion with the call name "Chudo" ["Miracle"], who had boarded a yellow bus on the Donetsk-Zlatoustivka route in order to check the passports of the passengers. In front of the Donetsk-Zlatoustivka bus, which I had approached, stood a large blue Icarus bus. I took up a position right next to the bus – specifically, I was standing in front of the bus, closer to the front door, so that I could see "Chudo" inside the bus and monitor everything that was going on in there. After "Chudo" boarded the bus, a few seconds went by and then I heard about 6-7 loud explosions not far from me, specifically from the side where vehicles left the checkpoint, in the direction of Donetsk. When I turned my head, I saw earth and snow flying sideways to the left side of the explosion, and I realized that our checkpoint was actually under fire. The whole incident lasted about 3-4 seconds. At that instant I hit the ground, and half a second later I heard a loud explosion right next to the bus, not far from the fallen tree indicated on my map (the yellow bus is No. 1 on my map). I would like to point out that this tree had been lying there for a long time. When I first came to the checkpoint in November 2014, it was already lying there. Why it had been felled, and when, I do not know. After the explosions I was stunned, but when I lifted my head I saw "Chudo" and the driver jumping out the driver's door onto the road. I started to crawl toward the blindage, which was located about 15 meters from the bus in the direction of Donetsk. There were no soldiers or passengers by the blue bus, but next to a grey car there was a man and a woman, who also hit the ground after the explosions and started looking for cover. I got to the blindage within a few seconds. When all of the explosions had died down and about a minute had passed, I came out of the blindage and headed for the yellow bus, where I helped the soldiers pull the wounded and survivors out of the bus. We sent the wounded to the concrete structure next to the blindage, and there they were given first aid. The people who were not wounded hid in the trench, because we were afraid the shelling might resume. The front doors were open, and the wounded passengers were exiting through them, but we couldn't open the back doors, since dead passengers were lying inside and blocking the door with their bodies. At that moment I saw a woman inside the bus whose lower jaw had been blown off by the blast. We got her off the bus with the help of a ladder we had put up against a window. We sent this woman straight to the hospital. When we had pulled the rest of the wounded out of the bus, I went up to the concrete barricades, behind which some cars were standing, and saw our soldiers trying to turn the cars around, since everyone was afraid of renewed shelling. Due to all the commotion, the people in the cars could not understand what had happened and still continued driving toward the checkpoint, and I heard the soldiers firing in the air several times to get people's attention and turning the cars around to avoid further casualties in the event of resumed shelling. Since my whole face was covered in blood – I had fallen by the Donetsk-

Zlatoustivka bus and badly split my lip – I was taken to the hospital in Volnovakha. I later learned that among the group of soldiers who had been standing at the checkpoint, a fighter from the Kyiv-2 volunteer battalion with the call name "Volk" [Wolf] had been wounded (No. 2 according to my map).

**Question:** Tell us, how long was the interval of the explosions during the shelling of the checkpoint, and where exactly did the shelling come from.

**Reply:** The interval of the explosions during the shelling of the checkpoint on 01.13.2015 was around 15 seconds, and the explosion next to the Donetsk-Zlatoustivka bus occurred more or less at the end of the shelling. The explosion by the bus, which resulted in the deaths of the passengers, was in no way separate. It was the same as all the others – i.e., it was fired from the same weapon, specifically from a GRAD.

**Question:** Was there any damage to the Donetsk-Zlatoustivka bus before the shelling, or was the bus hit by gunfire?

**Reply:** No, the bus was whole before the checkpoint got shelled, and there was no gunfire directed at the bus. As I mentioned before, the soldiers fired into the air several times after the shelling, in order to get people's attention and turn cars around so as to avoid further casualties in the event of renewed shelling.

**Question:** Could the bus have been damaged by a land mine or other weapon?

**Reply:** No, it could not have been damaged by a mine, because there were no mines along the road.

**Question:** Were male passengers taken off the Donetsk-Zlatoustivka bus to have their passports checked?

**Reply:** No, because the shelling started immediately after "Chudo" boarded the bus, and none of the passengers left the bus before it was shelled.

**Question:** Do you have anything to add?

**Reply:** I do not have anything to add, but I would like to include the map I drew together with the record.

The witness was advised how to review the content of the record, specifically: by personally reading the provided written record.

**Witness**      \_\_\_\_\_ [signature]      / A.M. Ovcharenko /

Interrogated by:

**Senior Special Investigator with the Investigations**

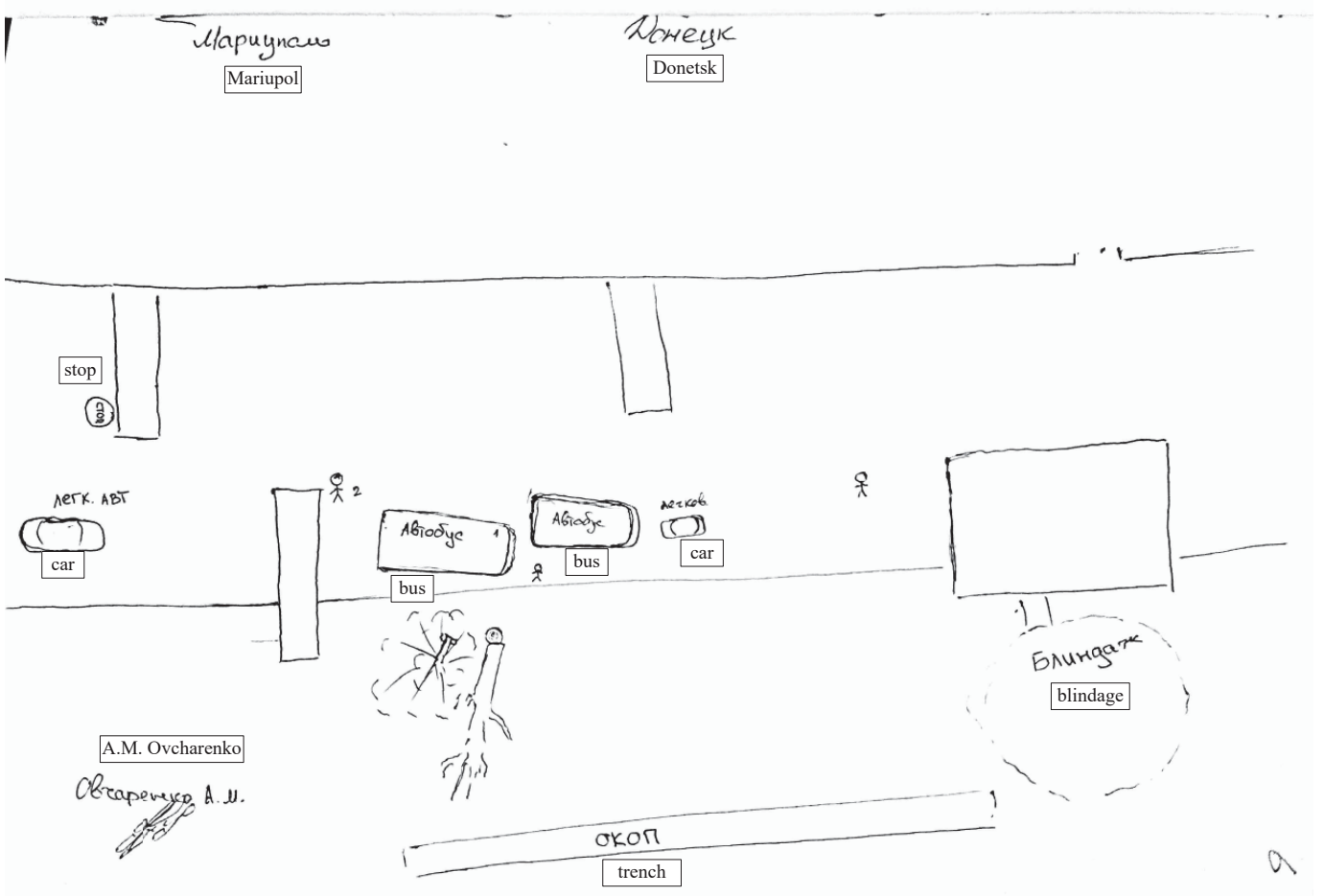
**Department of the Donetsk Regional Directorate**

**of the Security Service of Ukraine**

[signature]

**A.V. Cherechyn**

**Major of Justice**



# Annex 207

Signed Declaration of Oleg Stemasov, Suspect Interrogation Protocol (9 December 2014)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document





The witness, O.V. Stemasov, offered the following testimony in response to the questions asked:

In 2012, I coordinated the "Borotba" [Struggle] movement in Kharkiv. One Sergey Kiriychuk (who appears under the same name in the Terrorist Questionnaire) coordinated this movement in Ukraine. Main tasks involved:

- Recruiting members
- Obtaining official registrations with the public authorities
- Getting party members elected to various ranks of government
- Resisting fascism
- Nationalizing the means of production
- Supporting LGBT communities

I left the party in 2013.

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 4

I opposed the Euromaidan Revolution. When mass protests broke out in Kharkiv, I voluntarily joined these protests that demanded a referendum that was expected to change the status of Ukraine's southeast either through splitting this part of the country from the rest of Ukraine or changing the country's territorial form of government to that of a federation. The rallies took place between March and June 2014, and I participated in some 20 to 30 rallies. At one of the rallies on June 23, 2014, I met with "Dar" (Vitaliy) and "Iskander" (Alexander, possible last name: Zaytsev or Bobrov), whom I met previously in connection with my involvement in the Borotba public movement. During the rally we were approached by a man named Vladimir (close to 45 years old, 175 cm tall, athletic build, dark hair, crew cut; appears under the name of "Vladimir R." in the Terrorist Questionnaire), who offered us an opportunity to earn some extra cash along with a military profession in Rostov-on-Don, Russia. Specifically, he told us that we would be trained in the art of war and return to Ukraine to fight against the Armed Forces of Ukraine, for which we would be remunerated. Since the referendum failed at the official level, I decided to take Vladimir up on his offer and fight against the Armed Forces of Ukraine after acquiring specialist skills.

According to Vladimir, in Rostov we would be met by one called Erik (45 to 50 years old, 180 cm tall, overweight, dark hair with streaks of gray, crew cut, Asian-shaped eyes, possibly of Oriental origin), who would give us further instructions on what we must do next. "Dar" and I agreed, while "Iskander" took some time to think about the offer but ended up declining it.

On June 25, 2014, "Dar" and I arrived in Rostov by train. At the railway station I called Erik's number that Vladimir gave me. Erik arrived in a car (I don't remember the make; it was light-colored) and took us to a training camp (the ride to the camp took some 40 minutes). As previously advised by Vladimir, "Dar" and I located a man who went by the code name of "Chekh" (to the best of my understanding, he was a citizen of Ukraine; he was in charge of the local logistics; 35-40 years old, 180-183 cm tall, medium build, fair hair with streaks of gray, crew cut). "Chekh" showed us our accommodations and signed us up for our food rations. According to him,

we had to wait for the complete group to form before our training could begin. There were 10 to 15 people at the camp at the time of our arrival. We stayed there for a little over one week. When this time elapsed, there were close to 20 people:

I chose the code name "Dzhigit" for myself;

- "Dar" – up to 30 years old, 187-190 cm tall, thin build, fair hair, crew cut, citizen of Ukraine, studied in Kharkiv, infantry man, operator of shoulder-launched surface-to-air missile launchers and anti-tank grenade launchers, formerly a member of "Volga's" group, participated in combat missions in the town of Krasnodon, Luhansk Oblast, until recently stationed in the village of Novaya Tavriya; I have no information about his involvement in combat missions after the November 19, 2014 rotation.

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 5

- "Chekh" – 35-40 years old, 180-183 cm tall, medium build, fair hair with streaks of gray, crew cut, a citizen of Ukraine, to the best of my understanding; was in charge of logistics at the training camp outside Rostov;

- "Chechen" – real name Vitaliy, 40 years old, 160-165 cm tall, athletic build, fair hair, crew cut, wears a beard, infantry man, automatic grenade launcher operator, participated in combat missions in the town of Krasnodon, Luhansk Oblast, got expelled from the group in August 2014 in Sevastopol on account of his alcohol abuse;

- "Chelya" – real name Artiom, a native of Chelyabinsk, up to 30 years old, 180 cm tall, overweight, fair hair, crew cut, Russian citizen, was stationed in the village of Leninskoe, was assigned to the headquarters;

- "Monakh" – presumably a citizen of Ukraine, 25 years old, 160-170 cm tall, athletic build, fair hair, crew cut, operator of shoulder-launched surface-to-air missile launchers, mortar man, was stationed in the village of Leninskoe;

- "Smolya" – presumably a citizen of Russia, up to 35 years old, 185 cm tall, thin build, fair hair, crew cut, wears a beard, infantry man; I have no information about his involvement in combat missions;

- "Ded" – presumably a citizen of Ukraine, up to 50 years old, 190 cm tall, overweight, gray hair, crew cut, infantry man, participated in combat missions in Krasnodon, Luhansk Oblast; as of now I have no information about his involvement in combat missions;

- "Moskva" – a citizen of Russia, 30-35 years old, 180 cm tall, thin build, dark hair, crew cut, infantry man, grenade launcher operator, participated in combat missions in Krasnodon, Luhansk Oblast; as of now I have no information about his involvement in combat missions;

- "Oper" – presumably a citizen of Ukraine, 35 years old, 160 cm tall, stocky build, dark hair, crew cut, stubble, infantry man, also trained to operate automatic grenade launchers,

participated in combat missions in Krasnodon, Luhansk Oblast; as of now I have no information about his involvement in combat missions;

- "Chekhov" – a citizen of Ukraine, a native of Odesa, 30 years old, 195 cm tall, thin build, dark hair, crew cut, stubble, machine gun operator, trained to operate the Utios mounted machine gun, participated in combat missions in Krasnodon, Luhansk Oblast, until recently stationed in the village of Leninskoe, was assigned to the headquarters, acted as "Volga's" deputy; I have no information about his involvement in combat missions after the November 19, 2014 rotation;

- "Krym" – a citizen of Ukraine, a native of Odesa, 30 years old, 185 cm tall, medium build, dark hair, crew cut, assistant to a machine gun operator, trained to operate the Utios mounted machine gun, participated in combat missions in Krasnodon, Luhansk Oblast, until recently stationed in the village of Leninskoe; I have no information about his involvement in combat missions after the November 19, 2014 rotation;

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 6

- "Nik" (appears under the same name in the Terrorist Questionnaire) – a citizen of Ukraine, a native of Luhansk, contraband smuggler, up to 30 years old, 180 cm tall, thin build, fair hair, crew cut, operator of shoulder-launched surface-to-air missile launchers, participated in combat missions in Krasnodon, Luhansk Oblast, manned a roadblock near the village of Novaya Tavriya, Donetsk Oblast; I have no information about his involvement in combat missions after the November 19, 2014 rotation;

- "Neft" – presumably a citizen of Ukraine, 25 years old, 185 cm tall, medium athletic build, fair hair, crew cut, infantry man, participated in combat missions in Krasnodon, Luhansk Oblast; as of now I have no information about his involvement in combat missions.

We were issued camouflage uniforms (brown, made in Russia) and army boots. A tarpaulin truck (possibly Ural) came to pick us up and took us to what we were told would be our training site (it took us close to 24 hours to get there). We were taken out into a field where army tents were set up. "Chelya" (who was appointed as our commander and who reported directly to "Svat" upon arrival in Luhansk) collected our mobile phones, after which we retired for the night. The following day we were arranged in a line and assigned various specializations. We were offered a chance to choose a weapon and specialization: I chose the Iгла shoulder-launched surface-to-air missile launcher. We were then split up into groups by specialization (my group included "Monakh", "Dar", "Nik", and myself).

Our training began in early July 2014 at the campsite. Our instructors were apparently representatives of the Main Investigative Directorate of the General Staff of the Russian Ministry of Defense. The instructor teaching us to operate the Iгла shoulder-launched surface-to-air missile launchers was a man who went by the code name of "Petrovich" (presumably a citizen of Russia, 50 years old, 183 cm tall, thin build, fair hair with streaks of gray, crew cut). The sniper instructor was a man who went by the code name of "Boyets" (presumably a citizen of Russia, 30 years old, 180 cm tall, thin build, fair hair, crew cut, always clean-shaven). The Utios mounted machine gun instructor was a man who went by the code name of "Fomich" or "Ilyich" (more likely "Fomich") (presumably a citizen of Russia, 35 years old, 185-187 cm tall, medium build, dark hair, crew cut).

I don't remember the code name of the automatic grenade launcher instructor; it was something like "Makedonets" (presumably a citizen of Russia, 30-35 years old, 183-185 cm tall, athletic build, dark hair, crew cut). The tactics instructor did not have a code name and introduced himself as Viacheslav (30-35 years old, 185 cm tall, thin build, fair hair, crew cut). There was also an anti-tank grenade launcher instructor whose code name I don't remember (presumably a citizen of Russia, 30-35 years old, 185-187 cm tall, overweight, dark hair, crew cut). The training lasted for about a week. In addition to learning how to operate the Igla shoulder-launched surface-to-air missile launcher, I was trained in combat using a Kalashnikov assault rifle and also received a crash course in tactics. Afterwards, we were ordered to get in the back of two trucks and were told we were going to Krasnodon, Luhansk Oblast, to a border crossing point under the control of militants where we would receive our further combat orders.

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 7

One of the trucks was driven by a militant who went by the code name of "Runich". The other truck was driven by "Givi" (a citizen of Ukraine, 50+ years old, 180 cm tall, thin build, dark gray hair, crew cut, of Georgian ethnicity, driver). We crossed the border between the Russian Federation and Ukraine after dark, bypassing the border crossing check points of the two countries. On arriving at a military unit in Krasnodon, we were assigned to the barracks. We were tasked with guarding the outer perimeter of this military unit (the group of guards was supervised by "Chelya"). Two weeks later my group was redeployed to guard one of the schools in Krasnodon. To the best of my understanding, we were posted at a line of defense and awaited our combat orders. In Krasnodon we were joined by "Petrovich" (a citizen of Ukraine, 50 years old, 190-193 cm tall, stocky build, slightly overweight, dark hair with streaks of gray, crew cut, a native of Krasnodon, infantry man). In Krasnodon I met a man who went by the code name of "Sova", who subsequently changed this code name to "Svat". "Svat" commanded the detachment, and "Chelya" reported to him.

In late July 2014, my group (led by "Chelya") was again taken in two trucks to the training camp outside Rostov where we spent a little more than a week. The camp was a staging point, and they gave us some time to rest. Russian citizens were allowed to go home but were ordered to leave their numbers where they could be contacted by "Chelya". At the camp I decided to practice shooting the Igla shoulder-launched surface-to-air missile launcher. A group of volunteers was formed (myself, "Dar", "Nik", "Sheva" (an infantry man; I lost contact with him in Sevastopol, Autonomous Republic of Crimea), "Koval", "Monakh", "Jurgen" (an infantry man; I lost contact with him in Sevastopol, Autonomous Republic of Crimea)) and we were taken to an active military unit in the city of Eysk, Russian Federation, for practice, since this military unit had exercise machines for practicing Igla shoulder-launched surface-to-air missile launcher shots. While en route to the above-mentioned military unit, we were joined by militants of the "Vostok" battalion (close to 10 people). On our arrival at the unit, we were welcomed by a uniformed man who had the rank of captain; he wore a light-colored service uniform (35 years old, 180 cm tall, overweight, dark hair, crew cut). I spent about a week at this military unit. The training was provided by one Yuri Petrovich (he did not wear a uniform but was clearly a military man; 45-50 years old, 185 cm

tall, thin build, gray hair with a bald patch, military bearing, profound knowledge of shoulder-launched surface-to-air missile launchers). A group that practiced operating anti-aircraft guns was also present at the military unit. This group included militants of the "Vostok" battalion (the instructor was referred to by his name as Petrovich or Andreyevich, 55-60 years old, 160 cm tall, overweight, heavysset, gray hair, bald patches, crew cut).

In early August 2014, we were redeployed to Sevastopol, Autonomous Republic of Crimea, to train for participation in operations designed to destabilize the situation in Odesa Oblast. Our instructors informed us about this. "Sova" was our commander in Sevastopol. Our group was transported in Ural trucks. We entered the Autonomous Republic of Crimea through Russian territory: across the Kerch Strait to the peninsula. We crossed the border between Ukraine and Russia bypassing border crossing check points.

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 8

In Sevastopol, we stayed in the barracks of a military unit. They allowed us to rest for a few days. Our training then began. I continued my previous specialization, i.e. combat with the use of an Igla shoulder-launched surface-to-air missile launcher. Since there were no shoulder-launched surface-to-air missile launchers on the camp grounds, I received tactical training, and more specifically skills essential to moving through the territory in groups of 2, 3 or 20-25 people and shooting.

During our training in Sevastopol we were joined by:

- "Multik" – a citizen of Ukraine, 30-35 years old, 175 cm tall, medium build, fair hair, crew cut, wears a beard, infantry man, group commander (the entire group consisted of natives of Donetsk Oblast, presumably from Slovyansk): "Kok", "Balamut", "Tyulen", "Alan", reporting directly to "Svat";

- "Kok" – a citizen of Ukraine, 30-35 years old, 180 cm tall, medium build, dark hair, crew cut, infantry man;

- "Balamut" – a citizen of Ukraine, 30 years old, 180 cm tall, overweight, dark hair, crew cut, operator of grenade launchers and automatic grenade launchers;

- "Tyulen" – a citizen of Ukraine, 40 years old, 180-185 cm tall, overweight, dark hair, crew cut, machine gun operator, portable machine gun; in his own words, his father was a Chechen and his mother a Ukrainian;

- "Alan" – a citizen of Ukraine, 30 years old, 185 cm tall, medium build, dark hair, crew cut;

- "Alushta", "Sochi", "Doberman" – I had no contact with them and can't say anything.

The training was provided by the following instructors (highly-skilled military men, presumably representatives of the Main Investigative Directorate of the General Staff of the Russian Ministry of Defense):

- "Stalker" – a sniper instructor, 40 years old, 185 cm tall, athletic build, slightly overweight, dark hair with streaks of gray, crew cut, wore a beard and mustache;
- "Khomyak" – mines and explosives instructor, 30-35 years old, 160-165 cm tall, overweight, fair hair, crew cut, prominent cheek bones;
- "Rim" – large caliber machine gun instructor, 30 years old, 190 cm tall, athletic build, fair hair, crew cut.

I met Giurza in Crimea. He is a native of Odesa. I gathered from conversations that he and Svat had been acquainted before. Svat said that Giurza would possibly become our commander. Giurza was Svat's right-hand man. They said he was a native of Odesa. I can identify him. Subsequently Giurza was also involved in combat missions against the Ukrainian Army outside Novoazovsk. He opened fire on Ukrainian positions. Together with Svat, Giurza participated in preparations of the roadblock terrorist attack in which a car exploded at a roadblock outside Mariupol.

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 9

After one week of training, we received 1,200 dollars each. With our weapons (I carried a Kalashnikov assault rifle with an under-barrel grenade launcher and 5 magazines with ammo) we got into two or three Ural tarpaulin trucks and left at night in the direction of Rostov for the training camp at which we arrived in 24 hours. We entered Russia from Crimea through the Kerch Strait. We stayed for about 2-3 days at the training camp, during which time we perfected our rifle shooting skills and combat tactics. Then we set out in the direction of Novoazovsk. We bypassed the border crossing check point in Russia, while the Novoazovsk check point was already under the militants' control. We were not told the reason why they did not send us to Odesa. They told us that there were not enough people willing to join the coup in Odesa. We were then taken to a crossroads between the villages of Dzerzhinskoe and Novaya Tavriya, where we were ordered to dig trenches and assume a defensive position. We spent about a month at this position (from September to early October 2014) and built a roadblock called "Berkut". We were told it was 15 kilometers away from Mariupol. At the roadblock I was issued an Igla shoulder-launched surface-to-air missile launcher and two missiles for it (a Ural truck would bring us weapons and ammunition). A militant who went by the code name of "Berkut" was my direct superior. The roadblock was tasked with:

- Observing the manpower and resources of the Armed Forces of Ukraine;
- Screening vehicles;
- Checking papers;
- Engaging in combat if the roadblock got attacked.

The roadblock also had one tank in an emplacement, one anti-tank grenade launcher, and one automatic grenade launcher under "Berkut's" command.

In early October 2014, the "Berkut" roadblock was reinforced by a group of militants (about 20) commanded by "Malenkiy" (a.k.a. "Malyi" – a citizen of Russia, 30-35 years old, 202 cm tall, thin build with a belly, fair hair, crew cut; he referred to himself as a Terek Cossack). The group included militants with the following code names:



- "Shum";
- "Sekret";
- "Arbuz";
- "Matematik";
- "Filin";
- I don't remember the others.

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 10

After reinforcement, "Berkut" stayed behind to continue commanding the roadblock, while a group of about 8 people, including myself, was redeployed to a roadblock in the village of Novaya Tavriya (the roadblock was originally named "Pripyat" but was renamed "Topol" since November 5-7, 2014) and placed under the command of a militant who went by the code name of "Britanets", who reported back to "Berkut" (appears under the same name in the Terrorist Questionnaire; a citizen of Ukraine, 35 years old, 185 cm tall, thin build, fair hair, crew cut). I stayed at this roadblock from early October to mid-November 2014.

"Iskander" came to visit "Berkut" at the roadblock (appears under the same name in the Terrorist Questionnaire; a citizen of Ukraine, a native of Kharkiv, 37 years old, 185 cm tall, stocky build, fair hair with streaks of gray, crew cut, infantry man) and stayed there with us for about a week. Afterwards, he came with us to the roadblock in Novaya Tavriya, where he stayed for 2-3 weeks. He left after this time, saying he intended to go to Kharkiv. In early November, while I was keeping watch at the "Topol" roadblock, a signal flare went off in the nearest forest belt. I opened fire from the assault rifle in the direction of the forest belt with the intention of killing enemy personnel, since it was not to be ruled out that the flare marked the arrival of a sabotage and reconnaissance group of the Ukrainian Armed Forces.

On November 17-18, 2014, we were ordered to prepare our positions for a handover.

On November 19, 2014, we got into 2-3 Ural trucks and were taken in the direction of the Novoazovsk border crossing check point where we handed in our weapons and received 400 dollars US each. Those who had civilian clothes changed into them and threw away our uniforms. We then split up into groups and headed out in the direction of the Russian border crossing point (a pillar with a boom gate) to cross the border. We were checked for any weapons. They did not ask us any questions about the uniforms. I, "Britanets", "Nik", "Berkut", "Tyulen", "Mel" and a few others flagged down a minivan and headed for the Kerch Strait with the intention of ferrying across into the Republic of Crimea. After crossing the strait, "Mel", "Britanets", and I rented an apartment to spend the night through a taxi driver. The following day I bought civilian clothes and a ticket for a train to Kharkiv. On the night of November 23-24, 2014, I arrived in Kharkiv. When we parted our

ways, "Britanets" promised to get in touch with me to assemble a "group to go to Odesa" and sort out the issue involving an extra payment for work in the amount of 1,600 dollars US.

I use the following social network and email accounts:

- VKontakte: login name - [vselennay@ukr.net](mailto:vselennay@ukr.net);

password – [blank]

- email: login name - [vselennay@ukr.net](mailto:vselennay@ukr.net);

password – [blank]

The following individuals in Kharkiv are associated with the Donetsk People's Republic:

"Spartak" (appears under the same name in the Terrorist Questionnaire) – arrested to the best of my knowledge.

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]

Continuation of the record of questioning of witness O.V. Stemasov dated December 9, 2014

Sheet No. 11

- Vitaliy (appears under the same name in the Terrorist Questionnaire); we spoke on the phone only; he works at a gas station in Kharkiv; I have no other information on him.

As for "Svat", I know that he is a native of Odesa, a military man who served in the landing troops. We fired at positions of the Ukrainian Armed Forces exclusively following a command from "Svat". Without his permissions, other field commanders could not give orders to open fire on their own. Specifically:

- When I manned the "Berkut" roadblock, on September 15-16, 2014 a militant who went by the code name of "Elvis" (a sniper who observed the operations of the Ukrainian Armed Forces between the village of Leninskoe and the town of Mariupol and reported back directly to "Svat" and "Volga") contacted "Svat" on the radio and reported that signal flares went off in the sector observed by him. Later "Svat" ordered (through "Sanych", who was in charge of the mortar gun details) mortar fire (6 mortars) to be opened at the location where the signal flares went off;

- When I manned the "Berkut" roadblock, in early September 2014 we came under attack from a grenade launcher from the direction of the village of Kominternovo; "Berkut" requested permission from "Svat" to open tank fire in the direction of the village of Kominternovo; after permission was granted, a tank fired two shots in the direction of Kominternovo;

- Because signal flares went off frequently, "Svat" authorized "Berkut", "Volga", "Sanych", and "Multik" to open fire from the available weapons at their own discretion.

Svat's detachment, of which I was a member, also included one of the commanders who went by the code name of "Volkodav". He reported only to Giurza and Svat. Volkodav was together with his wife – a sniper who went by the code name of "Barsa", also a native of Odesa. I can identify her. He is short, about 160 cm tall, stockily built, with a pockmarked face, dark hair, and a neck tattoo. She also opened fire on Ukrainian positions. She carried a Dragunov sniper rifle. By November 19, Svat's detachment outside Mariupol included almost 180 people. The detachment had 12 T-72 and T-64 tanks, 6 or 8 GRAD BM-21 multiple rocket launchers, four Uragan systems, three 120-mm mortar guns, and six 82-mm mortar guns. After we redeployed to Novoazovsk we took a delivery of 2 BTR-80 armored personnel carriers and 2 BMP-2 infantry fighting vehicles from the Russian Federation. All vehicles were delivered from Russia. We also had 2 fully armored KAMAZ command vehicles. The detachment was commanded by Svat.



Witness: O.V. Stemasov

[Signature]

(Last name, first name, patronymic)

(Signature)

I have read the record of questioning. My testimony has been written down accurately. I have no comments or additions to make.

Witness: O.V. Stemasov

[Signature]

(Last name, first name, patronymic)

(Signature)

Questioned by:

Chief of the 1<sup>st</sup> Unit of the Investigative Department

[Signature]

[Seal: FOR DOCUMENTS No. 5. General Prosecutor's Office of Ukraine \* Central Military Prosecutor's Office]

[True to original]



# Annex 208

Signed Declaration of Sergey Cherepko, Witness Interrogation Protocol (20 January 2015)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



**RECORD  
of witness interrogation**

City of Mariupol

January 20, 2015

Interrogation commenced at *11:40 AM*

Interrogation ended at *1:25 PM*

Captain of Justice V.V. Romanenko, Senior Special Investigator with the Investigations Department of the Donetsk Regional Directorate of the Security Service of Ukraine, having reviewed the files of Criminal Proceeding No. 2201505000000021, entered into the Unified Register of Pretrial Investigations on 01/13/2015, concerning elements of a crime provided for by Article 258(3) of the Criminal Code of Ukraine, on the premises of the Mariupol Central Office of the Donetsk Regional Directorate of the Security Service of Ukraine, pursuant to the requirements of Articles 42, 95, 104, 106, 223 and 224 of the Criminal Procedure Code of Ukraine, questioned as a witness:

1. **Full name:** Sergey Yakovych Cherepko
2. **Date and place of birth:** 11/09/1954, city of Volnovakha
3. **Ethnicity:** Ukrainian
4. **Citizenship:** Ukraine
5. **Education:** secondary
6. **Place of employment (study), type of occupation and position:** driver with Autoexpress LLC
7. **Marital status:** married with two adult children
8. **Place of residence (registration):** registered at 92 vul. Chelyuskina, Volnovakha, Donetsk Region; 0502041470
9. **Criminal convictions:** none
10. **Is he/she a member of parliament?** no
11. **Details of passport or other identity documents:** Ukrainian passport VS547608 issued by the Volnovakha District Office of the Donetsk Regional Directorate of the Ministry of Internal Affairs of Ukraine on 11/16/2000

Witness **S.Ya. Cherepko** was advised of the requirements of Article 66, Part 3 of the Criminal Procedure Code of Ukraine concerning his duty not to disclose any information about the completed procedural action. \_\_\_\_\_ [signature] \_\_\_\_\_

The witness was advised that he has been summoned to give testimony in Criminal Proceeding No. 2201505000000021 concerning elements of a crime provided for by Article 258(3) of the Criminal Code of Ukraine.

The witness was advised of the content of Article 63 of the Constitution of Ukraine, which provides that a person may not be held liable for refusing to give testimony or explanations concerning himself, members of his family or close relatives, as defined by law.

The witness was advised of the content of Article 18 of the Criminal Procedure Code of Ukraine concerning freedom from self-incrimination and the right not to testify against close relatives or family members. \_\_\_\_\_ [signature] \_\_\_\_\_

The witness was advised of the interrogation procedures, his rights and obligations under Article 66 of the Criminal Procedure Code of Ukraine, according to which:

1. A witness shall be entitled:

[signature]

1) to know what he is being questioned about, and in which criminal proceedings;

2) in the course of giving testimony and participating in other procedural actions, to use the legal assistance of an attorney, whose powers shall be confirmed in accordance with the provisions of Article 50 of the Criminal Procedure Code of Ukraine (*specifically: 1) by a license to practice law; 2) by an engagement letter or agreement with the defense attorney or a mandate provided by a body (institution) authorized by law to provide free legal assistance*);

3) to refuse to give testimony concerning himself, his close relatives or members of his family that may incriminate him, his close relatives or members of his family, as well as testimony concerning information that is not subject to disclosure according to the provisions of Article 65 of the said Code (*specifically, the following persons may not be questioned as witnesses: 1) a defense attorney, counsel for a victim, civil claimant, or civil respondent, or legal representative of a victim or civil claimant in criminal proceedings, regarding facts of which they became aware in connection with performing the functions of a representative or defense attorney; 2) lawyers, regarding information protected by lawyer-client privilege; 3) notaries, regarding information protected by notary-client confidentiality; 4) medical workers and other persons who, through the performance of their professional or official duties, become aware of an illness, a medical examination and the results thereof, or intimate and marital aspects of a person's life, regarding information protected by doctor-patient confidentiality; 5) clergymen, regarding information received by them through confession; 6) journalists, regarding confidential information provided on the condition of non-disclosure of the authorship or source of the information; 7) professional judges, people's assessors, and jury members, regarding the circumstances surrounding the discussion of matters in the deliberation room that arose at the time of issuing of the court decision, except in the case of criminal proceedings concerning a knowingly unlawful verdict or ruling issued by a judge (or judges); 8) persons who were involved in entering into and performing a settlement agreement in criminal proceedings, regarding the facts of which they became aware by virtue of their involvement in entering into and performing the settlement agreement; 9) persons against whom interim measures have been imposed, regarding current information about their identity; 10) persons who possess information concerning the current details of persons against whom interim measures have been imposed, regarding such details. Persons with diplomatic immunity may not be questioned as witnesses without their consent (and may refuse to give testimony), nor may employees of diplomatic missions without the consent of a representative of the diplomatic mission*);

4) to give testimony in his native language or in another language that he speaks fluently, and to use the services of an interpreter;

5) to use notes and documents when giving testimony in cases where the testimony involves any calculations or other information that is hard to keep in memory;

6) to be reimbursed for expenses associated with being summoned to give testimony.

7) to review the record of the interrogation and submit requests to make changes, additions or comments to it, as well as to make such changes and comments by his own hand;

8) to request that provision be made for his personal security in cases provided for by law;

9) to request that the interpreter be replaced.

2. A witness must:

1) appear when summoned before an investigator, prosecutor, investigating judge, or judge;

2) give true testimony during a pretrial investigation or trial;

3) not disclose without the permission of the investigator, prosecutor or judge any information that directly pertains to the merits of the criminal proceedings or any procedural actions taken in the course of the proceedings, of which the witness became aware in connection with the performance of his duties.

3. A person involved in procedural actions during a pretrial investigation in the capacity of an attesting witness or who has witnessed such actions shall not, at the request of the investigator or prosecutor, disclose any information about the procedural action that was performed.

In addition, pursuant to Article 224(7) of the Criminal Procedure Code of Ukraine, a questioned person may, if he so wishes, set forth his testimony by his own hand. Additional questions may be posed to the person regarding his written testimony.

\_\_\_\_\_ [signature] \_\_\_\_\_

Pursuant to Article 67, the witness was advised of the criminal liability provided for by Article 384 of the Criminal Code of Ukraine (*Knowingly false testimony*) and Article 385 of the Criminal Code of Ukraine (*A witness's refusal to testify*).

\_\_\_\_\_ [signature] \_\_\_\_\_

Having been familiarized with his rights, the witness stated that he wishes to give testimony in Russian and on the record. He does not require the services of a translator, since he speaks both Ukrainian and Russian. He does not wish to use the legal assistance of an attorney in the course of giving testimony.

\_\_\_\_\_ [signature] \_\_\_\_\_

Witness **S.Ya. Cherepko** gave the following testimony:

I have been working as a driver for Autoexpress LLC, which provides private transportation services in the Donetsk Region, since around 1994. In 2009 I started driving a yellow i-Van Tata A0718 for this company, with plate number AH0985AA. I work according to a schedule: two days on, two days off. The second driver of this bus is Yury Sobol. According to the work schedule, I was performing the functional duties of driving the said bus on 01/13/2015.

The route of the bus on 01/13/2015, as on other days, was as follows: Zlatoustivka (Volnovakha District) – Vesele – Khibodarivka – Kalynyno Farm – Shevchenko – Oktyabske – Dmytrivka – Volnovakha – Buhas – Novotroyitske – bus stop on the H-20 road near the city of Dokuchayevsk – Olenivka – Dolya – Andriyivka – Donetsk.

On January 13, 2015, I had managed to complete the following route on the aforementioned bus: I departed Zlatoustivka for Donetsk at 6:30 AM and departed Donetsk for Zlatoustivka at 9:20 AM.

I then departed Zlatoustivka at 1:00 PM, carrying passengers along the aforementioned route to the city of Donetsk. Along the route, the following persons boarded the bus as passengers: approximately 3 people in Zlatoustivka, 1 person in Khibodarivka, and 1 person in Kalynyno. Upon arriving at the Volnovakha bus station in the Donetsk Region at around 1:40 PM, the bus was boarded by 21 people who occupied the passenger seats and an additional 17-18 passengers (I do not recall the exact number) who remained standing on the bus. Thus, the total number of passengers in the bus at time of its departure was around 43-44 (I do not recall the exact number).

In accordance with the established schedule, I departed at 1:50 PM behind the wheel of the yellow i-Van Tata A0718 bus with plate number AH0985AA, from the Volnovakha bus station in the Donetsk Region, carrying 43-44 passengers.

At around 2:10 PM I arrived at a checkpoint set up by the Armed Forces of Ukraine on the territory of fixed post No. 5 of the State Traffic Control Directorate of the Ukrainian Interior Ministry's Main Administration on the H-20 road between Slovyansk and Mariupol, Donetsk Region. At the time of our arrival at the checkpoint, there were 2-3 buses waiting in line at the checkpoint to go through passport control. In front of the bus that I was driving was a blue Yutong bus with plate number AH9329CX, which also carries passengers along the Mariupol-Donetsk route.

The doors of the bus that I was driving were closed. At approximately 2:25 PM, while waiting for my turn to go through passport control at the checkpoint, with only one bus – the aforementioned Yutong – remaining ahead of me in line, I suddenly heard a whistling noise approaching from roughly a northerly direction. I did not register exactly where it came from, however, because it happened very fast. And a fraction of a second later, from the right side of the bus (going from Volnovakha in the direction of Donetsk) I heard a loud boom, which sounded like an exploding shell, and the windows of the bus simultaneously shattered, while metal fragments damaged the body of the bus. These fragments penetrated the bodies of the passengers, as a result of which several (I do not remember exactly how many) were killed and several more (I do not remember exactly how many) were wounded.

The Ukrainian servicemen who were present at the checkpoint at that moment advised everyone to take cover somewhere safe – in the blindages that had been set up – which most of the passengers did.

The wounded survivors among the bus passengers were then taken by the servicemen to a hospital (I do not know exactly which one) for medical treatment.

I do not know what exactly exploded, what its trajectory was, or how many explosions there were, as I am not an expert in this area.



I do not know whether the explosion I mentioned before was followed by others, since immediately after the first explosion, which damaged the bus and injured its passengers, I became disoriented and was in a state of shock.

I myself did not receive any injuries from the blast.

**Question:** Did you know any of the passengers who were on the yellow i-Van Tata A0718 bus with plate number AH0985AA travelling from Zlatoustivka to Donetsk on 01/13/2015?

**Reply:** The only passenger I knew was Yury Bakhal, a resident of Buhas, whose arm was injured in the incident. I did not know the other passengers.

I can tell you that among the passengers who departed Volnovakha on the aforementioned bus at 1:50 PM on 01/13/2015, four people were bound for Olenivka (Donetsk Region), eight for Buhas, and 5-6 for Donetsk. But I did not know any of these passengers.

I can also tell you that most of the passengers had come from territory controlled by the so-called "Donetsk People's Republic", particularly from the cities of Donetsk and Volnovakha (Donetsk Region), to re-register their pensions or withdraw their social benefits from ATMs. I know this from the conversations I overheard among the passengers during the trip.

**Question:** Did the Yutong bus with plate number AH9329CX and its passengers sustain any damage or injuries on 01/13/2015 on the territory of the checkpoint set up by the Armed Forces of Ukraine in the vicinity of fixed post No. 5 of the State Traffic Control Directorate of the Ukrainian Interior Ministry's Main Administration for the Donetsk Region?

**Reply:** I do not know whether the Yutong bus with plate number AH9329CX and its passengers sustained any damage or injuries on 01/13/2015 on the territory of the checkpoint set up by the Armed Forces of Ukraine in the vicinity of fixed post No. 5 of the State Traffic Control Directorate of the Ukrainian Interior Ministry's Main Administration for the Donetsk Region.

As I stated before, that bus was in front of the one that I was driving and was going through passport control at the time of the blast. After the explosion, when I had already gotten off the bus, I saw that the Yutong with plate number AH9329CX had turned around and was heading back in the direction of Mariupol, Donetsk Region, with its passengers.

**Question:** Did you give any interviews to members of the mass media regarding the events that occurred on 01/13/2015 on the territory of fixed post No. 5 of the State Traffic Control Directorate of the Ukrainian Interior Ministry's Main Administration for the Donetsk Region?

**Reply:** No, I did not give any interviews to members of the mass media regarding the events that occurred on 01/13/2015 on the territory of fixed post No. 5 of the State Traffic Control Directorate of the Ukrainian Interior Ministry's Main Administration for the Donetsk Region.

I can tell you, however, that on 01/19/2015 I received a call on my phone (number 0502041470) from an unknown female caller (I do not remember her number, nor did I write it down), who did not introduce herself but immediately asked me whether I was the driver of the bus that had been hit by shellfire on 01/13/2015. After I answered in the affirmative – i.e., told her that I was indeed the driver of the yellow bus that had been struck under those circumstances – she started asking me additional questions about the shelling incident.

In response to her questions, I said that the bus I had been driving had been at the checkpoint near Volnovakha, Donetsk Region, on 01/13/2015, and had been hit by an exploding shell. In response to the woman's question as to what sort of shell it was and where it had come from, I said that the shell had exploded to the right of the bus (as viewed from the direction of travel), but I did not know where it had come from.

The woman did not ask me any more questions. Our conversation lasted about one minute.

I would like to point out that what I told the SBU [Security Service of Ukraine] investigators during my interrogation is the truth. Nor did I lie to the woman described above. I told her exactly what I stated above, including the fact that I did not know what kind of shell had exploded or where it had come from.

I do not know who gave the woman my number. Apart from this one time, I did not speak with her again.

**Question:** The Website <http://korrespondent.net/ukraine/3468394-vodytel-avtobusa-smerty-nas-obstrelialy-so-storony-volnovakhu> published an interview dated 01/19/2015, allegedly with the driver of the bus that was shelled on the territory of a checkpoint near Volnovakha on 01.13.2015, under the title "Driver of 'Bus of Death': We Were Shelled from the Direction of Volnovakha", which contains the following passage:

**"Korrespondent.net was the first to get an interview with the driver of the minibus that was shelled at the Volnovakha checkpoint.**

**Korrespondent.net** interviewed the driver of the minibus that was shelled at the Volnovakha checkpoint.

Driver Sergey Cherenko, who came under the tragic shelling on January 13, received light injuries on his finger and cheek. The man did not seek medical attention and continues to work on the same route.

In his interview with **Korrespondent.net**, the driver stated that shelling of the checkpoint came from the direction of Volnovakha, under the control of Ukrainian forces, to the left of the bus, and that the passengers were not killed by a Grad shell but by a fragmentation mine that exploded to the right of the bus.

**- Sergey, how do you feel? What injuries did you receive from the shelling?**

- I did not receive any injuries. I got slight cuts on my finger and cheek, but overall I am alive and well. I have already worked two shifts on the bus.

**- Are you scared to drive near the "flashpoints"?**

- I have been a driver in general since 1972, and a bus driver for 21 years. I am used to it already. Yesterday, for example, I was in Donetsk. But I had to leave because there was some intense bombing there.

**- How do they treat bus drivers at the checkpoints?**

- They treat us well. I can't say they're rude to us or cause us any problems.

**- Were you summoned by the law-enforcement agencies to discuss the tragedy of January 13?**

- I was summoned by the transit police in Volnovakha and by the SBU, where I gave written testimony. They asked me how many passengers I was carrying.

**- Can you describe the moment of the blast?**

- A bus bound for Mariupol pulled into the checkpoint ahead of me, and they were checking it. The guys from the National Guard beckoned me to drive up. I pulled up behind. I was not allowed to open the doors yet, because the check was underway. And suddenly there was a swish of some sort from the left side, a humming, and then an explosion.

People were shouting: "Open the door!" But it was jammed. I push the buttons, but I can't open either the front or the rear (*doors – editors*). So I open the driver's door and jump out. I ran out. The emergency window would not open, so I kicked open the front door. Several of the passengers managed to run out through it.

I run over to the back door. I can't open it. I kick it and hit it with my hands, but it's no use. Then, on the left side of the bus, the undamaged side, the passengers started kicking the windows out. The National Guard soldiers put a ladder there, and people were using it to get out.

**- Which side do you think the shelling was coming from?**

- They were firing in the path of the bus. I was travelling toward Donetsk, and the fire was coming from the left side, from Volnovakha. This is what we call the "northern area". Not from Dokuchayevsk.

- **What do you think they were firing at you?**

- The checkpoint itself was shelled by Grads. But if a Grad shell had landed next to us, I would not be talking to you now. It just happens that there are also mines at the checkpoint. And it was a mine that went off, specifically a fragmentation mine.

Did you give this interview, and are the facts laid out in the interview true?

**Reply:** As I indicated before, a woman called me on 01/19/2015, but she did not tell me she was a journalist. Ninety percent of the information contained in the interview was made up by the author. I never said anything of the sort to anyone.

I did indeed tell the woman described above the following things during our telephone conversation on 05/19/2015. In response to her question: *"Sergey, how do you feel? What injuries did you receive from the shelling?"*, I replied: **"I did not receive any injuries. I got slight cuts on my finger and cheek, but overall I am alive and well. I have already worked two shifts on the bus."**

In response to her question: *"Are you scared to drive near the 'flashpoints'?"*, I replied: **"I have been a driver in general since 1972, and a bus driver for 21 years. I am used to it already. Yesterday, for example, I was in Donetsk. But I had to leave because there was some intense bombing there."**

In response to her question: *"How do they treat bus drivers at the checkpoints?"*, I replied: **"They treat us well. I can't say they're rude to us or cause us any problems."**

In addition, I told her that the shell that had damaged the bus and injured the passengers had exploded to the right of the bus, but I did not know what kind of shell it was or where it had come from.

All of the other information contained in the interview is untrue. I did not say such things to anyone. For instance, the following portions of my alleged conversation with the journalist **are untrue:**

"In his interview with **Korrespondent.net**, the driver stated that shelling of the checkpoint came from the direction of Volnovakha, under the control of Ukrainian forces, to the left of the bus, and that the passengers were not killed by a Grad shell but by a fragmentation mine.

- **Were you summoned by the law-enforcement agencies to discuss the tragedy of January 13?**

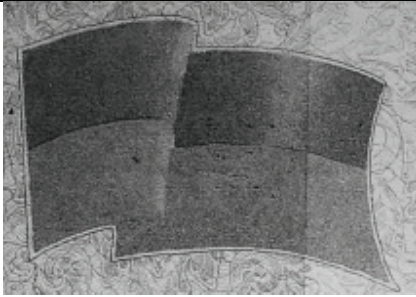
- I was summoned by the transit police in Volnovakha and by the SBU, where I gave written testimony. They asked me how many passengers I was carrying.

- **Can you describe the moment of the blast?**

- A bus bound for Mariupol pulled into the checkpoint ahead of me, and they were checking it. The guys from the National Guard beckoned me to drive up. I pulled up behind. I was not allowed to open the doors yet, because the check was underway. And suddenly there was a swish of some sort from the left side, a humming, and then an explosion.

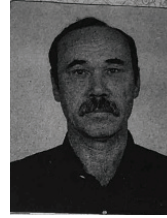
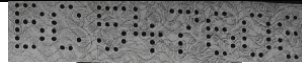
People were shouting: "Open the door!" But it was jammed. I push the buttons, but I can't open either the front or the rear (*doors – editor*). So I open the driver's door and





**PASSPORT OF A CITIZEN OF UKRAINE**

**Ukrayina Printing Factory**



**Cherepko**

*Last name*

**Serhiy**

*First name*

**Yakovych**

*Patronymic*

**November 9, 1954**

*Date of birth*

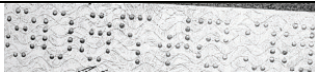
**Volnovakha**

*Place of birth*

**Donetsk Region**

[signature]

*Passport holder's signature*



**Cherepko**

*Last name*

**Serhiy**

*First name*

**Yakovych**

*Patronymic*

**November 9, 1954**

*Date of birth*

**Volnovakha**

*Place of birth*

**Donetsk Region**

**Male**

*sex*

**Volnovakha District Department of the Donetsk**

*passport issued by*

**Main Regional Administration of the Ministry**

**of Internal Affairs of Ukraine**

[signature]

*Official signature*

**November 16, 2000**



*Passport holder's signature*

[seal:] Ministry of Internal Affairs of Ukraine, 05-63

*Statement*

*On January 19, 2015, I received a telephone call from a woman who did not introduce herself and asked me whether I was the driver of the bus that was shelled at the checkpoint on the road from Volodymyr to Donetsk on January 13, 2015, to which I replied in the affirmative. The woman then started asking me which direction the shell had come from. I said that the shell had exploded to the right of the bus and did not tell her anything else.*

*I did not tell her (or anyone else) that the shell that damaged the bus and injured the passengers had come from the direction of Volnovakha, or that the shell was in fact a mine.*

*I do not know what kind of shell exploded next to the bus or where it came from.*

01.20.2015                      [signature]      *Sergey Yakovlevich Cherepko, 11.09.1954* [text cut off]



[omitted:] advertisements and unrelated hyperlinks

## **Driver of 'Bus of Death': We Were Shelled from the Direction of Volnovakha"**

Korrespondent.net, Yesterday, 5:33 PM



**Photo: Kanal 112**

Twelve people were killed and sixteen wounded in the tragedy outside Volnovakha

**Korrespondent.net was the first to get an interview with the driver of the minibus that was shelled at the Volnovakha checkpoint.**

**Korrespondent.net** interviewed the driver of the minibus that was shelled at the Volnovakha checkpoint.

Driver Sergey Cherenko, who came under the tragic shelling on January 13, received light injuries on his finger and cheek. The man did not seek medical attention and continues to work on the same route.

In his interview with **Korrespondent.net**, the driver ~~stated that shelling of the checkpoint came from the direction of Volnovakha, under the control of Ukrainian forces, to the left of the bus, and that the passengers were not killed by a Grad shell but by a fragmentation mine that exploded to the right of the bus.~~

**- Sergey, how do you feel? What injuries did you receive from the shelling?**

- I did not receive any injuries. I got slight cuts on my finger and cheek, but overall I am alive and well. I have already worked two shifts on the bus.

**- Are you scared to drive near the "flashpoints"?**

- I have been a driver in general since 1972, and a bus driver for 21 years. I am used to it already. Yesterday, for example, I was in Donetsk. But I had to leave because there was some intense bombing there.

**- How do they treat bus drivers at the checkpoints?**

- They treat us well. I can't say they're rude to us or cause us any problems.

~~**- Were you summoned by the law-enforcement agencies to discuss the tragedy of January 13?**~~

~~—I was summoned by the transit police in Volnovakha and by the SBU, where I gave written testimony. They asked me how many passengers I was carrying.~~

[signature] *S.Ya. Cherepko*

<http://korrespondent.net/ukraine/3468394-vodytel-avtobusa-smerty-nas-obstrelialy-so-storony-volnovakhu>



Report: Bus of Death. What Killed the Volnovakha Victims?  
January 14, 2015, 2:02 PM

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**- Can you describe the moment of the blast?**

~~A bus bound for Mariupol pulled into the checkpoint ahead of me, and they were checking it. The guys from the National Guard beckoned me to drive up. I pulled up behind. I was not allowed to open the doors yet, because the check was underway. And suddenly there was a swish of some sort from the left side, a humming, and then an explosion.~~

**People were shouting: "Open the door!" But it was jammed. I push the buttons, but I can't open either the front or the rear (doors — editor). So I open the driver's door and jump out. I ran out. The emergency window would not open, so I kicked open the front door. Several of the passengers managed to run out through it.**

~~I run over to the back door. I can't open it. I kick it and hit it with my hands, but it's no use. Then, on the left side of the bus, the undamaged side, the passengers started kicking the windows out. The National Guard soldiers put a ladder there, and people were using it to get out.~~

**- Which side do you think the shelling was coming from?**

~~They were firing in the path of the bus. I was travelling toward Donetsk, and the fire was coming from the left side, from Volnovakha. This is what we call the "northern area". Not from Dokuchayevsk.~~

**- What do you think they were firing at you?**

~~The checkpoint itself was shelled by Grads. But if a Grad shell had landed next to us, I would not be talking to you now. It just happens that there are also mines at the checkpoint. And it was a mine that went off, specifically a fragmentation mine.~~

---

We remind our readers that the territory to the west of Volnovakha is controlled by the Ukrainian security forces. Members of the DPR hold positions to the northeast.

The Security Service of Ukraine claims that the leadership of the self-proclaimed "Donetsk People's Republic" gave direct orders to fire Grad rockets at the passenger bus outside Volnovakha, Donetsk Region, on January 13.

According to a statement by a representative of the General Staff of the Ministry of Defense of Ukraine, the rockets were fired from the direction of Dokuchayevsk.

[signature]



# Annex 209

Signed Declaration of Oleksandr Pavlenko, Witness Interrogation Protocol (23  
January 2015)

This document has been translated from its original language into English, an official  
language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only  
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compliance with this Rule, Ukraine has provided two certified copies of the  
full original-language document



Witness O.M. Pavlenko offered the following testimony:

I permanently reside at 26/2 Oktyabrskaya Street in the village of Sladkoe, Maryinka District, Donetsk blast.

Roughly in November 2014, I arrived in Donetsk seeking employment as a miner in the Zasyadko Coal Mine. But upon my arrival in Donetsk I got arrested by officers of the so-called police of the Donetsk People's Republic (hereinafter "DNR") for publicly drinking alcohol in the evening in the vicinity of the Zolotoe Koltso shopping mall in the Voroshilovsky District of Donetsk. The DNR police punished me with community service for this violation. Specifically, from November 2014 to January 15, 2015, while being supervised by DNR military personnel, I cleaned the streets in Donetsk, dug trenches at the entrance to Donetsk from the side of Elenovka, Donetsk Oblast, and subsequently cleaned those trenches to remove any garbage.

At around 10 a.m. on January 13, 2015, fighters of the Oplot battalion of the Donetsk People's Republic terrorist organization (five individuals, two of whom went by the code names "Khirurg" and "Slip") took me and four more detainees (just like me; among them I knew Vitaliy Viktorovich Vrobyev, a native of Donetsk, as well as Andrey and Viktor) to clean DNR trenches at the entrance to Elenovka, Donetsk Oblast, from the direction of Donetsk, where I stayed until 5 p.m. on January 13, 2015.

I understood that those were fighters of the Oplot battalion by the fact that they wore camouflage uniforms with insignia of this DNR unit – images of a rhinoceros inscribed with "Spetsnaz Oplot". The militants called themselves "Oplotovsty" [i.e. members of Oplot].

While cleaning the above-mentioned trenches, specifically the trench at the entrance to Elenovka, Donetsk Oblast, from the side of Donetsk, near the right-hand road shoulder (in the direction from Donetsk to Elenovka) during lunchtime (around 12 p.m.), I saw three military vehicles – Grad multiple rocket launchers on URAL truck chassis (green) accompanied by black Jeep cars with blue flashing lights in front of them and one more black passenger car (I don't recall the model) – drive on this road from the direction of Donetsk into Elenovka.

Those vehicles proceeded at a rather high rate of speed – approximately 80 km/h. The doors of the cabs of each one of the above-mentioned URAL trucks with Grad multiple rocket launchers mounted on them were emblazoned with the same emblem that was worn by Oplot battalion militants who watched over me and other detainees. Specifically, it was a circle depicting a rhinoceros inscribed with the words "Spetsnaz Oplot". From this I gathered that those three Grad systems also belonged to the Oplot battalion of the DNR.

At the entrance to Elenovka, where I was staying under the above-mentioned circumstances, there was a roadblock of the Donetsk People's Republic where militants implemented access control procedures, flagging down each car passing the roadblock and checking the papers of all passengers in them in order to prevent Ukrainian military or people fighting against the Donetsk People's Republic from infiltrating the territory controlled by the DNR. However, the DNR militants let the three above-mentioned URAL trucks with GRAD systems and the cars escorting them pass the roadblock even without stopping (without opening fire on them or doing anything else to forcibly stop them). On the contrary, upon seeing those vehicles they waved their hands at them, welcoming the people inside. This was further proof that those military vehicles belonged to the Donetsk People's Republic and were apparently involved in a planned maneuver, since the DNR militants knew they would be passing the roadblock (which is why they did not stop them and did not try to at least find out who was driving them – DNR military personnel or somebody else). I also noticed that about 15-20 minutes before those military vehicles passed the roadblock, any kind of traffic though that roadblock stopped and resumed only 30 minutes after those vehicles passed. Apparently, DNR militants intentionally stopped civilian cars at other roadblocks to allow the above-mentioned three Grad multiple rocket launchers and 2 cars escorting them to pass without obstacles.

After passing the roadblock where I was cleaning the trenches at the entrance to Elenovka, those three vehicles with Grad systems and two escort cars proceeded further without stopping along the same road in the direction of Dokuchaevsk, Donetsk Oblast. Then I lost sight of those vehicles.

I would like to remark that protective tarpaulins were removed from the barrels each one of the Grad systems (the barrels from which missiles are fired). The multiple rocket launchers normally travel with these tarpaulins. This was an indication that those military vehicles were prepared to fire. Yet I did not see if the barrels of those systems contained missiles because the vehicles drove at very high rate of speed while I was on a road shoulder by the trench.

I knew that the above-mentioned three vehicles were Grad multiple rocket launchers on URAL truck chassis because I had previously seen such vehicles in Donetsk, in person and on television.

Roughly 2 or 2.5 hours after this, between 2 p.m. and 2:30 p.m. on January 13, 2015, I heard a noise and whining sounds of Grad missiles coming from the direction of Dokuchaevsk, Donetsk Oblast. Judging by the sound, they were probably fired in the southern direction.

However, I don't know exactly where they were fired from and at what targets because at the time I was still in a trench outside Elenovka. This lasted for about 10 minutes, which led me to conclude that the missiles were fired not from a single Grad system, but 2 or 3 systems, because one system can fire up to 40 shots. Meanwhile, the number of shots was 2-3 times more than 40 (I don't recall the exact number).

I was also familiar with the sounds of Grad missiles, since I had spent a long time in Donetsk prior to that, where I often heard such salvos.

I am not aware whether the DNR militants who were near me at the time of the above-mentioned missile shots knew that those shots would be fired. I did not notice anything unusual about their behavior. As always, when any attack began (launched either by DNR militants or Ukrainian military), they ordered all the detainees (including myself) to stay on the road, while our supervisors hid in the trench. Apparently, their instructions required them to hide in trenches whenever an attack came.

After returning from my trench cleaning duty at around 5 p.m. on January 13, 2015, I learned from other detainees (who were held by Oplot militants of the DNR together with me) that the same day, on January 13, 2015, a roadblock of the Ukrainian Armed Forces outside Volnovakha came under attack. One of the missiles hit a bus with civilian passengers who were at the roadblock at the time. Several people got killed. Meanwhile, the DNR militants did not say anything about it. They did not even start a conversation to address this subject.

Judging by the fact that I personally saw three trucks with Grad systems bearing emblems of the Oplot battalion of the DNR leave Donetsk in the direction of Dokuchaevsk (through Elenovka) at around 12 p.m. on January 13, 2015, and heard salvos from 2-3 Grad systems in the southern direction at 2 p.m. - 2:30 p.m. that same day, and the fact that the Ukrainian Army roadblock came under fire during this time outside Volnovakha (which is located in the southern direction relative to Dokuchaevsk), I believe that the attack on the roadblock that killed bus passengers had been launched by the Oplot battalion of the terrorist organization Donetsk People's Republic from three Grad systems mounted on trucks (which I saw under the above-mentioned circumstances) firing out of Dokuchaevsk, Donetsk Oblast.

I know nothing else about the January 13, 2015 attack on the roadblock of the Ukrainian Armed Forces outside Volnovakha.

On January 15, 2015, I used the opportunity afforded by the fact that the DNR militants who supervised me and other detainees got drunk on alcohol to escape. I arrived at my home in the village of Sladkoe, Maryinka District, Donetsk Oblast.

**Question:** What other information can you provide regarding the criminal case?

**Answer:** I can add no further information relevant to this criminal case.

*The witness was informed about the manner in which he can review the contents of the record, specifically by reading the record personally.*

**Witness** O.M. Pavlenko [Signature]  
(Initials, last name) (Signature)

[hw:] *I have read the record personally. My testimony has been written down correctly. I have no complaints, statements, or additions to make.*

[Signature] O.M. Pavlenko

**Senior Investigator with the Operative Unit  
of the Investigative Department  
at the Donetsk Oblast Directorate  
of the Security Service of Ukraine  
Captain of Justice**

[Signature]

**V.V. Romanenko**

# Annex 210

Signed Declaration of Oleksandr Pavlenko, Witness Interrogation Protocol (23  
January 2015)

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At around 10 a.m. on January 13, 2015, fighters of the Oplot battalion of the Donetsk People's Republic terrorist organization (five individuals, two of whom went by the code names "Khirurg" and "Slip") took me and four more detainees (just like me; among them I knew Vitaliy Viktorovich Vrobyev, a native of Donetsk, as well as Andrey and Viktor) to clean DNR trenches at the entrance to Elenovka, Donetsk Oblast, from the direction of Donetsk, where I stayed until 5 p.m. on January 13, 2015.

I understood that those were fighters of the Oplot battalion by the fact that they wore camouflage uniforms with insignia of this DNR unit – images of a rhinoceros inscribed with "Spetsnaz Oplot". The militants called themselves "Oplotovsty" [i.e. members of Oplot].

While cleaning the above-mentioned trenches, specifically the trench at the entrance to Elenovka, Donetsk Oblast, from the side of Donetsk, near the right-hand road shoulder (in the direction from Donetsk to Elenovka) during lunchtime (around 12 p.m.), I saw three military vehicles – Grad multiple rocket launchers on URAL truck chassis (green) accompanied by black Jeep cars with blue flashing lights in front of them and one more black passenger car (I don't recall the model) – drive on this road from the direction of Donetsk into Elenovka.

Those vehicles proceeded at a rather high rate of speed – approximately 80 km/h. The doors of the cabs of each one of the above-mentioned URAL trucks with Grad multiple rocket launchers mounted on them were emblazoned with the same emblem that was worn by Oplot battalion militants who watched over me and other detainees. Specifically, it was a circle depicting a rhinoceros inscribed with the words "Spetsnaz Oplot". From this I gathered that those three Grad systems also belonged to the Oplot battalion of the DNR.

At the entrance to Elenovka, where I was staying under the above-mentioned circumstances, there was a roadblock of the Donetsk People's Republic where militants implemented access control procedures, flagging down each car passing the roadblock and checking the papers of all passengers in them in order to prevent Ukrainian military or people fighting against the Donetsk People's Republic from infiltrating the territory controlled by the DNR. However, the DNR militants let the three above-mentioned URAL trucks with GRAD systems and the cars escorting them pass the roadblock even without stopping (without opening fire on them or doing anything else to forcibly stop them). On the contrary, upon seeing those vehicles they waved their hands at them, welcoming the people inside. This was further proof that those military vehicles belonged to the Donetsk People's Republic and were apparently involved in a planned maneuver, since the DNR militants knew they would be passing the roadblock (which is why they did not stop them and did not try to at least find out who was driving them – DNR military personnel or somebody else). I also noticed that about 15-20 minutes before those military vehicles passed the roadblock, any kind of traffic though that roadblock stopped and resumed only 30 minutes after those vehicles passed. Apparently, DNR militants intentionally stopped civilian cars at other roadblocks to allow the above-mentioned three Grad multiple rocket launchers and 2 cars escorting them to pass without obstacles.

After passing the roadblock where I was cleaning the trenches at the entrance to Elenovka, those three vehicles with Grad systems and two escort cars proceeded further without stopping along the same road in the direction of Dokuchaevsk, Donetsk Oblast. Then I lost sight of those vehicles.

I would like to remark that protective tarpaulins were removed from the barrels each one of the Grad systems (the barrels from which missiles are fired). The multiple rocket launchers normally travel with these tarpaulins. This was an indication that those military vehicles were prepared to fire. Yet I did not see if the barrels of those systems contained missiles because the vehicles drove at very high rate of speed while I was on a road shoulder by the trench.

I knew that the above-mentioned three vehicles were Grad multiple rocket launchers on URAL truck chassis because I had previously seen such vehicles in Donetsk, in person and on television.

Roughly 2 or 2.5 hours after this, between 2 p.m. and 2:30 p.m. on January 13, 2015, I heard a noise and whining sounds of Grad missiles coming from the direction of Dokuchaevsk, Donetsk Oblast. Judging by the sound, they were probably fired in the southern direction.

However, I don't know exactly where they were fired from and at what targets because at the time I was still in a trench outside Elenovka. This lasted for about 10 minutes, which led me to conclude that the missiles were fired not from a single Grad system, but 2 or 3 systems, because one system can fire up to 40 shots. Meanwhile, the number of shots was 2-3 times more than 40 (I don't recall the exact number).

I was also familiar with the sounds of Grad missiles, since I had spent a long time in Donetsk prior to that, where I often heard such salvos.

I am not aware whether the DNR militants who were near me at the time of the above-mentioned missile shots knew that those shots would be fired. I did not notice anything unusual about their behavior. As always, when any attack began (launched either by DNR militants or Ukrainian military), they ordered all the detainees (including myself) to stay on the road, while our supervisors hid in the trench. Apparently, their instructions required them to hide in trenches whenever an attack came.

After returning from my trench cleaning duty at around 5 p.m. on January 13, 2015, I learned from other detainees (who were held by Oplot militants of the DNR together with me) that the same day, on January 13, 2015, a roadblock of the Ukrainian Armed Forces outside Volnovakha came under attack. One of the missiles hit a bus with civilian passengers who were at the roadblock at the time. Several people got killed. Meanwhile, the DNR militants did not say anything about it. They did not even start a conversation to address this subject.

Judging by the fact that I personally saw three trucks with Grad systems bearing emblems of the Oplot battalion of the DNR leave Donetsk in the direction of Dokuchaevsk (through Elenovka) at around 12 p.m. on January 13, 2015, and heard salvos from 2-3 Grad systems in the southern direction at 2 p.m. - 2:30 p.m. that same day, and the fact that the Ukrainian Army roadblock came under fire during this time outside Volnovakha (which is located in the southern direction relative to Dokuchaevsk), I believe that the attack on the roadblock that killed bus passengers had been launched by the Oplot battalion of the terrorist organization Donetsk People's Republic from three Grad systems mounted on trucks (which I saw under the above-mentioned circumstances) firing out of Dokuchaevsk, Donetsk Oblast.

I know nothing else about the January 13, 2015 attack on the roadblock of the Ukrainian Armed Forces outside Volnovakha.

On January 15, 2015, I used the opportunity afforded by the fact that the DNR militants who supervised me and other detainees got drunk on alcohol to escape. I arrived at my home in the village of Sladkoe, Maryinka District, Donetsk Oblast.

**Question:** What other information can you provide regarding the criminal case?

**Answer:** I can add no further information relevant to this criminal case.

*The witness was informed about the manner in which he can review the contents of the record, specifically by reading the record personally.*

**Witness** O.M. Pavlenko [Signature]  
(Initials, last name) (Signature)

[hw:] *I have read the record personally. My testimony has been written down correctly. I have no complaints, statements, or additions to make.*

[Signature] O.M. Pavlenko

**Senior Investigator with the Operative Unit  
of the Investigative Department  
at the Donetsk Oblast Directorate  
of the Security Service of Ukraine  
Captain of Justice**

[Signature]

**V.V. Romanenko**

# Annex 211

Signed Declaration of Nataliya Mykhaylivna Nikolaeva, Victim Interrogation  
Protocol (24 January 2015)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

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[...]

In response to the questions put to her, the victim, N.M. Nikolayeva, gave the following testimony: I have been living at the above address alone for many years. At about 8:30 a.m. on 1/24/2015, I left the center of Mariupol on my way home from work, heading for the above address. Around 9:15 a.m. I was already at Yasnyi Lane, heading home. Suddenly I heard shots and a thundering noise. I started running towards the nearest pole to take cover from the shrapnel. When I was near the pole, another woman ran up to me and said that my thigh was bleeding. Then, suddenly, a young man came out of nowhere and took me to the Denys stop, then vanished. When I was alone, I saw a young lady driving a car which I flagged to ask for help. She let me into her car and took me to city hospital No. 4, from which I was moved to city hospital No. 2, where I stayed from 1/24/2015 to 1/31/2015 as an inpatient diagnosed with a non-perforating shrapnel wound in the left buttock. At the moment I am an outpatient at day clinic No. 2 in Zhovtnevy district.

This is a true record of my oral testimony.

I have read this record.

[signature]

Investigator at the Zovtnevy district investigations department [signature] (T.U. Tyschenko)





# Annex 212

Signed Declaration of Oksana Olexandrivna Ivanova, Victim Interrogation Protocol  
(24 January 2015)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



[...]

In response to the questions asked, the victim *O.O. Ivanova* gave the following testimony:  
(please state the information received as a result of the procedural act of information gathering relevant to these criminal proceedings)

*I live at the above address with my husband, Oleksiy Anatolievych Scherbak, born in 1980, and my child.*

---

*At 09:10 today, 01/24/15, I came to the Kyivsky market where I work, at 31 Kyivska Street, Ordzhonikidze district in the city of Mariupol (Vostochnyi neighborhood). I work at the store called "Window Dressing" at the market. When I approached the store to open the door, approximately at 09:10, I heard the sound of shells dropping somewhere close, but it didn't sound like this was in the grounds of the market. And in about one minute, as I started to look around, shells began to drop nearby, on the premises of the Kyivsky market.*

---

*I would like to note that the shelling, which caused destruction and in which I was injured, sounded like it was coming from the woodland area, from the direction of the town of Novoazovka, rather than from the direction of Mariupol city.*

---

After shells hit the center of the Kyivsky market, I felt pain in my legs, and I felt that my legs were wounded. I was bleeding. I crawled to the nearby store, and I was helped into an ambulance.

The ambulance car took me to the Matsuk city hospital No. 4, where I am currently being treated as an inpatient at the trauma department. My diagnosis is: shrapnel wounds in the lower limbs (both legs are wounded).

I cannot say who else was wounded or killed at the market. I did not see anyone wounded or killed next to me. I was alone at the store I was about to open.

I will report the final amount of material damage caused to me by this crime, that is, the cost of treatment and medication, at the end of my treatment.

The testimony was recorded on -

\_\_\_\_\_

(please describe the information storage device if using recording technology)

which is submitted along with this record.

As a result of using technology to record the statement, (no) requests have been received (delete as appropriate) from participants in the proceedings to add text to the interrogation record.

Participants in the proceedings have been advised on the manner in which they can review the contents of the interrogation record, namely \_\_\_\_\_  
(view a written copy of the record, or view or listen to content recorded on storage devices if recording technology has been used)

Having reviewed the text of the interrogation record, participants in the proceedings have not requested permission to make any changes, additions or comments. (Please specify request if received).

**Victim O.A. Ivanova**

O. A. Ivanova  
(name in full)

[signature]  
(signature)

**Statement taken by:**

Investigator \_\_\_\_\_ [signature]  
(investigator, title, name of organization, signature, surname and initials)

V.A.Orlov

# Annex 213

Signed Declaration of Valerii Kirsanov, Witness Interrogation Protocol (25 January 2015)

This document has been translated from its original language into English, an official language of the Court, pursuant to Rules of the Court, Article 51.

Pursuant to Rules of the Court Article 51(3), Ukraine has translated only an extract of the original document constituting this Annex. In further compliance with this Rule, Ukraine has provided two certified copies of the full original-language document



**RECORD**  
**of suspect questioning**

**City of Kyiv**

**January 25, 2015**

Questioning commenced at 5:25 p.m.

Questioning ended at 6:05 p.m.

Captain of Justice D.M. Ovsianyk, Senior Investigator of High-Profile Cases at the Central Investigative Directorate of the Security Service of Ukraine, having examined the files of the pretrial investigation registered in the Uniform Register of Pretrial Investigations under No. 2201400000000395, questioned the following individual on the premises of the Central Investigative Directorate of the Security Service of Ukraine at 33 Volodymyrska Street, in the presence of defense attorney O.V. Shapoval pursuant to Articles 42, 95, 104, 106, 223, 224 of the Criminal Procedure Code of Ukraine [...] [Participants were notified] about their obligation to refrain from disclosing information about the procedural activity conducted and warned in advance about the use of recording equipment, the conditions and procedure for their use:

1. First name, patronymic, last name:	<b>Valeriy Serhiyovych Kirsanov</b>
2. Date and place of birth:	August 24, 1975, Mariupol, Donetsk Oblast
3. Citizenship:	Ukrainian, citizens of Ukraine
4. Education (date of graduation and university, college, secondary school, specialty):	secondary vocational education; graduated from a vocational school in 1993 as a turning lathe operator
5. Marital status (including any dependents; state the last name, first name, patronymic, date of birth and supporting documents):	Married. Son: Volodymyr Valeriyovych Kirsanov, born on August 9, 1996. Wife: Olha Volodymyrivna Kirsanova, born on March 18, 1976.
6. Place of employment, job title:	temporarily unemployed
7. Address of registration and residence:	Address of registration: 84 Prospect Marshala Zhukova, apartment 113, Mariupol, Donetsk Oblast. Address of residence: 44 Vavilova Street, Mariupol, Donetsk Oblast.
8. Phone numbers used by the individual over the past year (including mobile phone number):	067-302-62-85
9. Prior record of convictions (if convicted, by what court and under what article). Did the suspect comply with the conditions of pretrial restrictions, if any? Has the suspect received a notice of suspicion of having committed another criminal offense?	According to the suspect, he has no prior record of convictions.
10. Is the individual a parliament member, judge, jury member, lay judge, presidential candidate, human rights ombudsman of the Ukrainian Parliament, chairman of the Accounts Chamber, member of a local council, or attorney?	The individual is not parliament member, judge, jury member, lay judge, presidential candidate, human rights ombudsman of the Ukrainian Parliament, chairman of the Accounts Chamber, member of a local council, or attorney.
11. What is the individual's state of health? Is the individual on sick leave or registered with any mental disease or drug abuse prevention centers? What is the physical state of the person (mute, deaf, blind)?	The state of health is good. The individual has no complaints and is not registered with any mental disease or drug abuse prevention centers (and was not registered previously).
12. Identity documents:	Passport: Series BC, No. 733284, issued by the Ordzhonikidze District Office of the Mariupol City Department of the Central Directorate of the Ukrainian Ministry of Internal Affairs in Donetsk Oblast on January 16, 2001

[signature]

It was explained to the suspect that he was summoned to testify as part of Criminal Case No. 2201400000000395 in connection with a criminal offense committed by him under Part 1 of Article 258-3 of the Criminal Code of Ukraine.

The suspect, V.S. Kirsanov, had the meaning of Article 63 of the Constitution of Ukraine explained to them to the effect that a person shall not be held accountable for refusing to offer testimony or explanations regarding themselves, their family members or next of kin as defined by law.

[Signature]

(Signature)

It was explained to the suspect, V.S. Kirsanov, that under Article 18 of the Criminal Procedure Code of Ukraine he is free from self-incrimination and has the right not to testify against close relatives and family members. The meaning of Article 20 of the Criminal Procedure Code of Ukraine about the right to defense was also explained to the suspect.

[Signature]

(Signature)

The questioning procedure, rights and obligations under Article 42 of the Criminal Procedure Code of Ukraine were explained to the suspect, V.S. Kirsanov. He also received a pamphlet listing his procedural rights and duties – received on January 25, 2015.

[Signature]

(Signature)

My rights and duties as well as the questioning procedure have been explained to me and understood by me. I have received the pamphlet listing the procedural rights and duties of the suspect.

Suspect: *V.S. Kirsanov* [Signature]

(Initials, last name, signature)

After reviewing his rights, the suspect stated that he wishes to testify and agrees to answer questions in the Russian language (agrees, refuses).

During the questioning, V.S. Kirsanov expressed a wish to have the defense attorney, O.V. Shapoval, present [Signature].

Wishes to testify in the Russian language.

Does not require the services of an interpreter.

(Requires, does not require)

After apprising the suspect of his rights, the investigator began using recording equipment and asking questions to which the suspect gave answers.

The testimony offered during the questioning process was recorded on the Sony CMOS video camera. The Lenovo ThinkCenter computer No. 77 was then used to record this information on a CD-DVD-R optical disk that is enclosed with this record.

After the questioning process was recorded using equipment, participants of the procedural activity did not request to make any changes to the text of the record of questioning.

The participants of the procedural activity were informed about the way in which they can review the contents of the record, specifically by reading the written record and listening to the audio recording. After the participants listened to the audio recording, it was placed inside a packet.

After reading the text of the record of questioning, the participants of the procedural activity did not request any changes, additions or comments to be made. I choose not to review the record; I have no other statements or requests to make.

Suspect                      V.S. Kirsanov                      [Signature]

(Initials, last name)

Participants                      Ovsianyk, Shapoval                      [Signature]

*Questioning conducted and record prepared by:*

Senior Investigator of High-Profile Cases

with the 3<sup>rd</sup> Office of the 1<sup>st</sup> Directorate of the Central Investigative Directorate of the Security Service of Ukraine                      [Signature]                      D. Ovsianyk



**Transcript of the record of questioning of Valeriy Serhiyovych Kirsanov,  
born on August 24, 1975 in Mariupol, Donetsk Oblast**

Investigator's question: Would you testify about the circumstances of the shelling of the city of Mariupol, Donetsk Oblast on January 24, 2015?

Suspect's answer: On January 24, 2015, I woke up to the sounds of shelling from GRAD systems happening somewhere close by. I went to the kitchen and started calling my parents who live nearby. They said they were not hurt. I went to collect them.

Investigator's question: Did you call anybody else?

Suspect's answer: No, just my parents.

Investigator's question: Prior to the events that happened on January 24, 2015, did you notify representatives of the "Donetsk People's Republic" via SMS messages or by phone about the locations of Ukrainian roadblocks in order to adjust their fire.

Suspect's answer: Yes, several days prior to that, between January 20 and 22, 2015, I provided the above-mentioned information to the representatives of the "Donetsk People's Republic", specifically "Alexander" who goes by the code name "Pepel", via SMS messages. I do not know who Alexander is. I know that he is a representative of the armed artillery group of the "Donetsk People's Republic".

Investigator's question: Are you acquainted with Sergey Leonidovich Ponomarenko?

Suspect's answer: Yes, I am acquainted with S.L. Ponomarenko. We met in 2008-2009. He was an active public figure and provided services to officers of the State Traffic Inspectorate in his own car.

My communication with S.L. Ponomarenko was interrupted during the period when administrative buildings in Donetsk Oblast were being taken over, specifically since April 2014. Sometime in November-December, he called me and we began discussing various topics at length. I learned that he was a representative of the "Donetsk People's Republic".

Since January 2015, S.L. Ponomarenko had been asking me to inform him about the locations of the Ukrainian Armed Forces, which I did using a computer. I used the Google Maps application to determine the coordinates and sent them to S.L. Ponomarenko via SMS messages. However, I always intentionally gave him wrong coordinates.

S.L. Ponomarenko also gave me the contact details of a terrorist who went by the code name of "Pepel" and said that he would also be calling me with questions about the locations of the Ukrainian Armed Forces.

S.L. Ponomarenko explained that he needed the coordinates to send recon scouts to determine the number of vehicles onsite.

On January 21 and 22, 2014, I provided coordinates for the sites in Taganrogszkaya Street and Marshala Zhukova Street. However, those coordinates were wrong.

I am unaware how S.L. Ponomarenko used the coordinates that I provided via SMS messages.

At around 10 a.m. on January 24, 2015, I got a call from S.L. Ponomarenko, who asked where the missiles landed. I went and saw that the missiles hit residential buildings and the market. I called S.L. Ponomarenko to ask him what they were thinking firing at peaceful civilians. Also, at around 2 p.m. on January 24, 2015 I received a call from S.L. Ponomarenko, who once again asked about what happened in Mariupol. I told him about the victims once again, at which point he began using offensive language directed at "Pepel".

I am unaware if "Pepel" is a Russian citizen or an officer of the Russian intelligence services.

Investigator's question: Are you aware of Russia's involvement [in the military conflict] in Donetsk Oblast?

Suspect's answer: I know about it only from the Internet. I also had telephone conversations with a friend named Vladimir Korablev, who resides in the village of Shirokino. He told me that Federal Security Service officers came to him and damaged his property – a Zhiguli 2106 car, because he was spotted during an artillery attack on one of the Donetsk People's Republic roadblocks.

Attorney's question: What were your reasons for disclosing information to S.L. Ponomarenko and why did you do it?

Suspect's answer: I disclosed this information after S.L. Ponomarenko threatened me during our meeting in the village of Shirokino ahead of the New Year that my family could suffer unless I did what I was told. After this I decided to send them coordinates, but only inaccurate ones.

Attorney's question: Were you aware that your actions could be dangerous to the public and have severe consequences?

Suspect's answer: No. Artillery attacks were never discussed. Only sabotage groups were discussed.

Attorney's question: Then why did they need this information?

Suspect's answer: I don't know exactly. For reconnaissance purposes.

Attorney's question: Who can confirm that you met with S.L. Ponomarenko in the village of Shirokino?

Suspect's answer: My friend Vladimir Anatolyevich Korablev. I don't recall his phone number.

Attorney's question: What conclusions did you draw for yourself upon learning about the artillery attack on Mariupol?

Suspect's answer: I regret to have provided this information. I immediately called S.L. Ponomarenko and said: "What are you doing? You are firing at peaceful civilians, houses, residential district, the market." He hung up on me illegitimately. It is my understanding that S.L. Ponomarenko commanded the relevant units.

Attorney's question: Did you ever meet with "Pepel"?

Suspect's answer: No, I have never seen him. I don't know his location apart from the fact that it's somewhere near Mariupol. I came to this realization after what I heard from S.L. Ponomarenko because he said that he was in Donetsk while "Pepel" was somewhere near in the Novoazovsk area.

Attorney's question: Are you worried about your son and wife?

Suspect's answer: Yes, they are all I have.

Attorney's question: Why didn't you go to the police after S.L. Ponomarenko began threatening you and your family?

Suspect's answer: What could they do if the Ukrainian authorities have no control there whatsoever?

Attorney's question: How many times did S.L. Ponomarenko call you?

Suspect's answer: Almost every day in January 2015. I was not rewarded in any way for providing the coordinates.

*Senior Investigator of High-Profile Cases  
of the Central Investigative Directorate  
of the Security Service of Ukraine*

*[Signature]*

*D. Ovsianyk*



# Annex 214

Signed Declaration of Olena Demchenko, Witness Interrogation Protocol (24  
January 2015)

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language of the Court, pursuant to Rules of the Court, Article 51.

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[...]

[handwritten:] In response I would like to confirm that I reside at the above address with my husband, Dmitry Petrovich Demchenko, DOB 05.24.1981 and with my daughter, Maria Dmitriyevna Demchenko, DOB 04.03.2011. I have lived at this address for about 5 years.

On 05.24.1981 around 9:00 A.M. I left the house with my daughter to go to the Silpo grocery store. About 10-15 minutes later, we were near our house at 19 9<sup>th</sup> May Street, building 1, residential development Vostochny, city of Mariupol, when we heard shots fired. When we looked in the sky, we saw a shell heading for the “Afghans’ house,” which is next to my house. This shell exploded approximately on the sixth floor of the “Afghans’ house” at 9<sup>th</sup> May Street—I don’t know the exact house number. I took the child in my arms and ran in the direction of the Silpo store. On my way I noticed a light injury in the palm of my child’s right hand, which was bleeding. My child’s hand had been hit by a metal fragment. I would like to clarify that after the shell hit the “Afghans’ house” my child and I ran home, not to the store as I previously said. Whilst at home I treated my child’s wound. I tried to call a cab, but didn’t get through. Then my child and I went outside, where I saw a car

[signature]

[handwritten:] owned by a lady I knew whose name is Maria (I don't remember her surname or the make and model of her car). Maria's husband was at the wheel. I asked these people to take me to city hospital No. 3, which they did. At the moment my child is being treated as an inpatient at the trauma department of city hospital No. 3.

I have not suffered either material or moral damage. I do not wish to file a lawsuit.

Question: Please clarify where your husband was at the time of the shelling.

Answer: My husband went to Russia in early July 2014 to work in the town of Surgut, where he works as a welder.

Question: Were any of your friends or relatives injured in the shelling?

Answer: I did not see any of my friends or relatives injured in the shelling. I would like to add that during the shelling a man was passing by, who fell. I don't know whether he was killed or wounded.

This is a true written record of my oral statement, which I have read. [signature]

Investigator, investigations department at DTPSU, N.A. Makhonin.

