

To the Procurator General of Ukraine
and the Procurator of the City of Kyiv

Copies to:

The President of Ukraine
The Prime-Minister of Ukraine
The Human Rights Commissioner
The Head of the Ukrainian Helsinki Union
The European Court of Human Rights
The Ukrainian World Congress
Aid to The Church in Need
Amnesty International
The Editors of "Den", "Ukraina Moloda" and "Stolytsia" newspapers

From Volodymyr Ivanovych Makarchykov, 19-25 Chervonotkatska St.,
02100 Kyiv [*Ukraine*]

2 August 2007

DEPOSITION

Please protect me from illegal persecution by the agents of the Tax Police of the City of Kyiv.

My most recent place of work was the Sviato-Mykhaylivska [*St. Michael*] community in Darnytsia [*a region of Kyiv*], where I head the parish council to this day. The Church buildings at 16, Prospekt Myru [*16, Prospect of Peace*], which belong to our community, were seized brutally by representatives of the Moscow Patriarchate with the help of criminal groups. The Tax Police of the City of Kyiv was a direct participant in these actions, namely intimidation, persecution, numerous inspections and interrogations of members of our community (these are documented facts), although, according to regulations, religious organizations are not subject to taxation.

I am a pensioner and an invalid of Category II, and am not involved in any business activity. But in June of this year I became a person of interest for representatives of the Tax Police. A series of telephone calls commenced with verbal invitations for "talks" at the Administration on Sholudenka [*Street*] 31.

Although I asked the officials of the Tax Police to postpone the meeting due to a hypertonic crisis due to a serious stroke in 2003 (the outside temperature was near 30 C), they "kindly" called on me in my residence after 19:00, without prior notice, and insisted on a 10-minute conversation to "close the matter". [*Tax Police official*] V. F. Shchur interrogated me and filled out a form in his own hand. The majority of entries of the form remained unfilled. He then handed me this 3-page form to sign. From this conversation with V. F. Shchur I realised that my private correspondence was being examined by the Tax Police, and this was acknowledged by V. F. Shchur. I do not understand the basis for such illegal actions!!

I have serious reasons to fear and not to trust this official agency because I well remember similar encounters from the past. Twice after person-to-person conversations with an official of the Police in 2000 I was placed in a cell for the night, and in the morning there appeared a record of proceedings, signed by two "witnesses" stating that I used foul language. On one occasion I was hauled to court for foul language.

I am convinced that the revived interest in my person is tied to the fact that, on 22 May 2007, the tribunal of the Fifth Section of the European Court of Human Rights examined the submission of our community and reached a positive ruling [*i.e. in favour of the Sviato-Mykhaylivska community*].

On the 28th of June [2007] an unknown person forewarned me of danger and advised me to leave Kyiv immediately. I perceived this to be groundless fear mongering, but I informed friends about this. The events of the following days disabused me of this perception. Officials of the Tax Police began attempts to get at my residence and persons of criminal appearance began a siege of my building.

A reception at the residence of the Embassy of Finland was planned for the 2nd of July at 17:00 dedicated to the history of our community on the occasion of the favourable verdict of the Strasbourg Court. I had to leave my home and to return in the company of acquaintances and members of our community. Immediately after my return at 21:00 my doorbell started to ring every 10 to 20 minutes. I did not react. At 23:30 a mobile telephone rang outside my door and a male voice replied: "Yes, here at the place by the school". A man in shorts, of evident criminal appearance, came out from the building entrance, got on a bicycle and appeared near the school opposite my building in a few minutes. An automobile with Tax Police, which had been on duty under my windows during the day, was waiting for him.

I did not sleep all night. The doorbell ringing resumed at seven in the morning. At 10:30, as soon as members of our community appeared to help me leave my residence, the Tax Policemen quickly disappeared.

The scenario of 2000-2001 is repeating itself. At that time the Police officials, exceeding their authority, were forcing our community to stop court challenges, were demanding the return of the Charter and seal, intimidated me as head of the

community at many interrogations, attempted to take away my passport [*for travel abroad*], fabricated criminal charges, invaded my residence during at night, thereby terrorising my underage children, etc. (these facts are documented). Now, after the verdict of the Strasbourg Court they resumed their illegal activity.

It is very upsetting for me, as a patriot of my country, that official state institutions are being used by elements of the Moscow Patriarchate in inter confessional conflicts.

I am presently outside the borders of Ukraine, because I am fearful of returning to my Fatherland and for my life. Please take appropriate action in light of the facts presented above and kindly reply to me at:

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D-61452 Königstein

Respectfully yours,

Volodymyr Makarchykov

Note: Items in square brackets ([.....]) are explanatory insertions of the translator.

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