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Bloody Christmas tree. Ten years later

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Кривава «йолка». 10 років потому

Emotions are erased, facts remain

Perhaps every person has moments of truth in their life that influence their life choices. Such a catalyst in my life was the bloody night from November 29 to 30, 2013 on Independence Square in Kyiv, which outraged the whole world. The events of that night determined my civic position on all further socio-political changes in Ukraine and my position as the Permanent Representative of Ukraine to the UN.

2013 was a very difficult year for Ukraine. The bloody November night was preceded by a series of chain events known in political theory as the butterfly effect. This includes the growing tension in the country due to the government's hesitation to sign an agreement with the EU, and Moscow's fierce information pressure on the government to prevent Ukraine from retreating from the Kremlin's Eurasian integration plans, which initially sparked peaceful protests across Ukraine, which the authoritarian Kyiv regime used force to suppress. This and more are described in some notes from my diary for 2013.

Association with the EU: to sign cannot be postponed

The whole of 2013 was spent in Ukraine in a political grammar competition between the government and the opposition over the comma in the text, which was presented

as a subtitle. During his presidency from February 2010 to February 2014, Viktor Yanukovich repeatedly changed his decision on association with the European Union. Until the end of September 2013, Ukrainians heard assurances from the Pechersk hills that the course of integration with the EU was irreversible. However...

At the Permanent Mission of Ukraine to the UN, we rejoiced at every step towards rapprochement with the EU, which we informed the UN leadership and the world community about. I was invited to comment by leading international media outlets, American think tanks, and universities.

In my diary, I keep records that on December 19, 2011, at the EU – Ukraine summit, the completion of negotiations on the Association Agreement between Ukraine and the EU was announced. Several of my fellow EU ambassadors to the UN told me at the time: "You know, Yuriy, in our estimation, this Agreement is more ambitious than similar agreements concluded by the EU with the countries of Central and Eastern Europe".

On 2 April 2012, I informed the UN Secretary-General that on 30 March, the heads of the negotiating delegations initiated the Association Agreement. In late July, at a meeting with EU ambassadors to the UN, we discussed the good news that a week ago (19 July) the section of

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the Agreement on the establishment of a free trade area was initialed, a significant step towards further distancing ourselves from the Kremlin's integration plans. From late 2012 to mid-2013, the draft agreement was officially translated into Ukrainian and the languages of the EU member states. Our friends, the EU ambassadors, informed us about the progress of the work in their capitals. And finally, the famous event that I hasten to inform Ban Ki-moon and fellow ambassadors about: On 15 May 2013, the Board of the European Commission decided to recommend that the Council of the EU sign the Agreement and allow its provisional application until the ratification procedures are completed by the EU Member States. On 9 August 2013, the draft Agreement was published on the website of the Government of Ukraine. We were pleased to extend to the ambassadors of the EU member states to the UN the decision of the Cabinet of Ministers of Ukraine on September 18, 2013 "On Preparations for the Signing of the Draft Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part".

There was nothing to suggest that Ukraine would deviate from this path. Moreover, on September 24, President Viktor Yanukovich said from the rostrum of the 68th session of the UN General Assembly: "I firmly believe that the signing of the Association Agreement between Ukraine and the European Union in November this year, including the creation of a comprehensive and deep free trade area, will become an important tool for improving the well-being of Ukrainian citizens and, accordingly, will contribute to our country's achievement of the Millennium Development Goals" (Solonyna, 2013). On the same day, Yanukovich met with the NATO Secretary General. Anders Fogh Rasmussen was pleased (as can be seen in Fig. 1) to receive Viktor Yanukovich's information that Ukraine is steadily moving towards Euro-Atlantic integration.



Figure 1. Viktor Yanukovich during a meeting with NATO Secretary General Anders Fogh Rasmussen
Source: Ukrinform (2013)

Everything changed after Viktor Yanukovich met with President of the European Council Herman Van Rompuy and President of the European Commission Jose Manuel Barroso. I did not attend the meeting (I stayed in the General

Assembly hall, where the high-level debate continued), but I heard about the change in the President's views when I accompanied him in the car from the UN headquarters to the hotel. "What kind of democrats are they? What kind of rule of law is there in the European Union? How can they demand that I release a criminal and put this as a prerequisite for signing the Association Agreement? Why do we need such partners?" the president said angrily.

I have heard that at his previous meetings with EU leaders, the demand to release Yulia Tymoshenko was quite strong, but I did not expect such a reaction from Viktor Yanukovich. The day before, in my car, he had been gently singing a lullaby about bears to his grandson, and it seemed that he was happy with everything in his life, but now I was with a completely different person – furious and unrestrained in his anger.

After this last conversation with the president, I was no longer surprised by the next development of events. The experts subsequently explained that Viktor Yanukovich changed his mind to sign an Association Agreement with the EU after a face-to-face meeting with Russian President Vladimir Putin on November 9, 2013, at a military airport near Moscow, but for me personally, it became clear that Yanukovich had not made this decision in November 2013, but had been planning it for some time. And he actually voiced it in my car on September 24. At the time, I was uncomfortable with what I heard and ashamed of how much effort Ukrainian diplomats had put into preparing the Agreement, how many meetings we had held at the UN to convince our colleagues and the UN leadership that Ukraine was steadily moving towards reintegration (in such terms) into the European family of nations, where it had been before it fell into the "arms" of the Muscovites.

In the second half of autumn, the Kremlin began to intensify disinformation about the dangers of Ukraine's agreement with the EU. Sergey Glazyev, adviser to the president of Russia on regional economic integration, was the most active in lying. He predicted the split of Ukrainian society after the Association, the economic collapse of our state, and stated that Kyiv's European integration contradicts the requirements of the basic treaty with the Russian Federation. His statements were spread not only by Russian, but also by pro-Russian Ukrainian media. There was no reaction to Glazyev's rantings from the Ukrainian government at the time. The only person who publicly stated that "we are surprised by his (Glazyev's) persistent attempts to impose on the citizens of our countries some catastrophic and, probably, his own scenarios for the development of Ukrainian-Russian relations" was the speaker of the Ministry of foreign affairs of Ukraine – Yevhen Perebiynis (Ukraine does not violate..., 2013).

Unfortunately, pro-Russian forces in the Ukrainian government succeeded in getting the Cabinet of Ministers to adopt a decision on 21 November, No. 905-r, to suspend the process of "preparing for the conclusion of the Association Agreement between Ukraine, of the one part, and the European Union, the European Atomic Energy Community and their Member States, of the other part" (2013), and to revoke the decision of the Cabinet of Ministers of Ukraine of 18 September 2013 On preparations for the signing of

the “Draft Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part” (The Government has adopted..., 2013). The preamble of this decision directly quotes word for word Glazyev’s postulates on the need to suspend the conclusion of the agreement with the EU in order to “take measures to ensure the national security of Ukraine, to study and elaborate in more detail the set of measures to be taken to restore the lost production volumes and directions of trade and economic relations with the Russian Federation and other member states of the Union of Independent States, to form an appropriate level of the internal market that would ensure parity relations between Ukraine and the member states of the European Union, which is the basic principle of international law and the basis of economic security of the state” (Regulation of the Cabinet of ministers era, 2013). I was ashamed to look into the eyes of my fellow ambassadors of EU member states, whom I and my colleagues had been convincing for many months of Ukraine’s determination to integrate into the European democratic space.

This decision of the Cabinet of Ministers increased protest moods in Ukraine. On November 23, 2013, well-known figures in Ukraine – politicians, dissidents, scientists, writers, many of whom I knew personally – made a powerful appeal to the Ukrainian people. Here is the text of the statement signed by Dmytro Pavlychko, Yuriy Shcherbak, Yuriy Mushketik and others: “On November 21, 2013, the government of Prime Minister Mykola Azarov, following the order of President Viktor Yanukovich, suspended the process of preparations for the signing of the Association Agreement between Ukraine and the European Union. V. Yanukovich despised the European choice supported by the majority of the Ukrainian people and grossly violated the legislation of Ukraine. President V. Yanukovich has once again shown the world his anti-Ukrainian, pro-Moscow essence. Ukrainian people, compatriots, our brothers and sisters! The moment of truth has come! Let us unite against the coup d’etat! Our categorical demand to the President of Ukraine is to sign the Association Agreement at the Eastern Partnership meeting in Vilnius on November 28-29. We call on all citizens of Ukraine, people of different nationalities and different faiths to unite around this demand. Only our unity can force the traitors to leave, and we must return Ukraine to the European path. Away from the Kremlin’s yoke! Glory to European Ukraine!” (A call to the Ukrainian people..., 2013).

During the week of November 21-29, peaceful, mostly student-run, EuroMaidans were held in Kyiv and the regions, without political demands, politicians, or political symbols. Several hundred thousand Ukrainians came out with the only demand for President Viktor Yanukovich – to sign an Association Agreement with the European Union. Such demonstrations were also held in front of the Permanent Mission of Ukraine to the UN. Closer to the EU summit in Vilnius, they became more widespread (Fig. 2). On November 29, at the Vilnius Eastern Partnership Summit, President Viktor Yanukovich finally dashed activists’ hopes that this document would be signed. The protest as such, according to observers, lost its meaning.



Figure 2. Demonstrators in front of the House of the Permanent Mission of Ukraine to the UN (November 2013)
Source: author’s archive

But President Yanukovich, without signing the Agreement, returned from Vilnius to Kyiv and disappeared for several days, without explaining anything to the nation, which had been fed the prospect of association with the EU for several years. In an interview later given by the first President of Ukraine Leonid Kravchuk to the NewsOne programme *Batsman LIVE*, we learn about the details of Yanukovich’s disappearance. It turned out that the ex-president on his return immediately went hunting with the guests to the Mezhyhirya residence. Leonid Kravchuk was one of the guests of Yanukovich (Kravchuk: On the night..., 2017). In one of his interviews at that time, MP Serhiy Leshchenko said that Yanukovich was simply afraid to meet with protesters. I found out about this cowardice of Yanukovich and his running off to hunt instead of explaining to the people what he had done in Vilnius before Leonid Kravchuk’s interview, namely, on the evening of November 1 from my university friend, General Mykola Malomuzh. My wife Natalka and I became disgusted.

I am with you

We at the Permanent Mission are so accustomed to demonstrations in front of our diplomatic mission in November that it was no surprise to me that on Friday, November 29, the district police informed the Permanent Mission that on Sunday, December 1, at the initiative of the Ukrainian Student Association of America (USAA), another demonstration would take place at the Permanent Mission in New York, but this time to protest the government’s refusal to sign the agreement with the EU. On this occasion, in the evening of the same day, the chairman of the Ukrainian Congressional Committee of America Tamara Gallo Olexiy called me and asked me to receive representatives of the protesters with their petition on Sunday. I agreed. I asked the entire staff of our Permanent Mission to be at their workplaces on this day. Saturday morning on November 30 in Kyiv changed everything – both the scenario of the Sunday demonstration and my intentions.

On the night of November 29-30, several hundred students remained on the Maidan Nezalezhnosti Square. As in all the previous days, my wife Natalka and I did not leave the TV and also followed what was happening on the Internet. From the reports of correspondents of Espresso TV,

the BBC, Reuters, and others, we learn that in the morning of November 30 (in New York it was still 10 pm on November 29), the authorities committed an unheard-of crime: a bloody dispersal of Maidan activists by special forces. The authorities' motive for clearing Independence Square was a Christmas tree, which, suddenly, began to be installed on the Maidan under the screams of young people, beaten by Berkut soldiers with batons. Natalka's and my hearts, both former lecturers at Kyiv universities, were in pain as we watched live as hefty riot police beat up the youth sitting under the Independence Statue. It was this bloodbath that actually triggered the real Revolution, and this horrific massacre has forever left a mark on our memory. Meanwhile, Viktor Yanukovich, after the hunt, according to Leonid Kravchuk, sang karaoke (Kravchuk: On the night..., 2017).

The internet exploded with comments: on the morning of November 30, the whole of Ukraine woke up from lethargic sleep, disappointment, and indifference. The patience has run out! At one point, the whole of Ukraine rose up... On December 1, the entire block in front of the Permanent Mission was flooded with protesters. The slogans of the demonstrators changed, and it was no longer about "Ukraine chooses EU" and "Ukraine is Europe", but about the crime committed by the authorities, the violation of human rights: "We are not cattle, we are the people", "No to dictatorship" (Fig. 3).



Figure 3. Slogans of protesters after November 30, 2013
Source: author's archive

I decided to go out to the protesting community. In front of my eyes were the youth from the Maidan. I did not have a prepared text for my speech. Everything happened quickly – someone immediately gave me a loudspeaker and then followed my emotional impromptu. The Ukrainian-American journal "Time and Events" in the article by L. Korsun (2013) "Ukraine has risen. New York Supports..." my speech is reproduced verbatim:

"I am speaking as a citizen of Ukraine. You can fool people for a while, but you cannot fool them all the time. What is happening today in Ukraine, not only in Kyiv but all over the world, is the response of people who want freedom and dignity. I am outraged by the attempt against the constitutional rights of our citizens, on the right to express their will, the right to free assembly. I am outraged that an attempt has been made against international law, against the Universal Declaration of Human Rights, of which we are a part.

Together with you, I demand an investigation of what happened. And not just what happened. But why did it happen? Why are students intimidated by scholarships and dismissals? Why does the Christmas tree win on the balance of national interests and the Christmas tree? ...I am with you".

Someone of the protesters distributed this speech on social media. Reportedly, it was shown on EuroMaidan screens in many Ukrainian cities. I should have expected that my diplomatic career would end there. I do not know why, but at that moment I frankly did not care. Moreover, when I returned to the Permanent Mission building, I felt the full support of my colleagues. And most importantly, my family supported me.



Figure 4. Me with a loudspeaker among the protesters
Source: author's archive

I learned from press reports that the First Secretary of the Consulate General of Ukraine in Ottawa (Canada) Natalia Golub announced her resignation in protest. The Consul General in Istanbul, Bohdan Yaremenko, was dismissed after a harsh assessment of the government's actions on "Bloody Saturday". It was strange to hear that Minister Kozhara accused Bohdan of violating the oath of a civil servant and recalled him from office. Where did a lawyer by profession Kozhara find anything in the text of the oath that gave him the right to such an accusation?

Ban Ki-moon: "Listen to your people"

I also thought about resigning, realising that logically the Kozhara could recall me, but the hesitation was short-lived – I did not violate anything that is written in the oath of a civil servant, so I decided to continue working. And then it will be as it goes. My conscience told me to use my established connections at the UN and my trusting relations with UN Secretary-General Ban Ki-moon in order to try to involve the UN to stop the dangerous development of the situation in Ukraine after the "Bloody Saturday". This has become my principled civic position.

I found an entry in my diary that already on December 2, after my conversation with Ban-Ki-Moon, his press secretary made a statement that "the Secretary-General is closely following the events in Ukraine. He called on all parties to act with restraint, to avoid any further violence and to uphold the democratic principles of freedom of expression and peaceful assembly. The Secretary-General encourages meaningful dialogue among all parties in the pursuit of a prosperous future for Ukraine and mutual

agreement between Ukrainians on the country's future path" (Euronews, 2013).

During December 1-3, my mobile phone and email received messages of support for my Sunday speech from my colleagues-ambassadors to the UN, ordinary citizens of Ukraine. A significant conviction in the correctness of my position was the statement of the former presidents of Ukraine on December 4 (Kravchuk *et al.*, 2013). The former leaders of the state called on the authorities not to resort to any actions involving the use of force against civilians and to adequately assess the significance of events unfolding in the country, objectively investigate every case of violence, and not to resort to criminal prosecution of those who protested peacefully. The statement stressed that any options for radicalisation, violence, and totalitarian forms of government, as a response to the position of hundreds of thousands of Ukrainians, should be categorically denied. On the same day, I informally submitted the translation of the text of the statement of the former presidents to the Office of the UN Secretary-General, sent it to fellow EU ambassadors to the UN, the leadership of the Ukrainian community of the United States.

The situation in Ukraine was becoming increasingly tense. I found in my diary notes of the first days of December: on December 2, 2013, a column consisting of 5-6 thousand participants of the rally in the centre of Kyiv left Independence Square for the Cabinet of Ministers, the action was peaceful, the protesters planned to remind about their demand – the resignation of the government and the president. The protesters blocked the entrances to the Cabinet of Ministers.

Three western regions have gone on strike, the EU no longer believed in the "association" under Yanukovich, sessions of regional councils were being held, two Crimean deputies asked Putin to send troops, Ukrainians around the world were joining the March of a Million announced in Ukraine on December 8, the diaspora in 20 cities of the world

supported Kyiv, rallies were taking place near our Permanent Mission in New York – all this against the background of the OSCE Ministerial Forum (Organisation for Security and Co-operation in Europe), which took place in Kyiv on December 5-6. Among other things, human rights issues were discussed, and the Ukrainian authorities tried to convince that there were no problems with the protection of human rights. Subsequently, the chairman of this forum, Minister Kozhara, during questioning as a witness in the Sviatoshynskyi District Court of Kyiv, tried to refute the beating of students by Berkut soldiers on Independence Square on the night of November 30 to December 1, 2013. Disgrace!

I informed the UN Secretary-General and his deputy for Political Affairs, Geoffrey Feltman, about the course of events in Ukraine almost daily. On December 8, Ban Ki-moon had a telephone conversation with Viktor Yanukovich, during which he "expressed serious concern about the situation in Ukraine and stressed that violence should not be resorted to, and called for a peaceful dialogue between all interested parties". Ban Ki-moon then told me that the purpose of this call was to tell the Ukrainian authorities what he basically advises all heads of state and government – "listen to your people and try to hear them". At his press conference on December 16, the UN Secretary-General said: "I call on all parties in Ukraine to act with restraint and support the principles of freedom of speech and peaceful assembly. I spoke again with Ukrainian President Yanukovich last weekend to encourage dialogue on the country's future path".

Thus, 2013 came to an end. Very dramatic finale of the year. At the beginning of the year, many experts predicted that it would bring unexpected turns and changes in people's lives, causing instability and volatility. That is what happened to Ukraine.

Perhaps I did something rash in 2013, but I am not ashamed of what I did.

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