

**MAIN VIOLATIONS OF HUMAN RIGHTS
during the hearings of Tymoshenko's case**

1. Violation of the right for defense

a) the defense lawyers and Tymoshenko have no possibility to revise the files of the case. When the new defense lawyers were appointed by Tymoshenko, the judge, violating art 289 of the Criminal Code of Ukraine didn't give them ANY time to revise the files of the case. So they were "defending" her without any knowledge about the case files.

b) the witnesses were questioned when there were no defense lawyers in the court.

c) the official accusation was announced in the court when there were no defense lawyers and Tymoshenko. So it was announced to the "empty bar".

d) hearings were held on "the day to day basis" from 9 am till 8 pm with no brakes.

e) after detention (August, 5) till September, 12 Tymoshenko has no possibility to have confidential meetings with her defense lawyers.

f) court didn't allow Tymoshenko and her lawyers to put questions to witnesses.

g) the judge questioned all 40 witnesses asked by the prosecutor and only 2 from 30 asked by the defense

2. Violation of her right for freedom

a) the "first" travel ban was announced to Tymoshenko with no legal grounds on November 2010. Till that time she was allowed to leave Kiyv only three times (2 times to the regions of Ukraine and once to Brussels).

b) Tymoshenko was arrested on August, 5 with no legal grounds for "bad behavior" in the court.

c) she is still in custody for 53 days.

d) defense lawyers asked the judge 20 times to change the detention for travel ban. All that motions were declined with no legal grounds.

3. Violation of her right for medical assistance

a) during more than 45 days Tymoshenko has no possibility to receive medical help from the independent doctor.

b) till that time one person have died in custody from tuberculoses.

4. Violation of her right for fair justice.

a) the criminal case against Tymoshenko was launched with no legal grounds.

b) in the files there are official letters of the Minister of Justice Lavrinovich (April 2011), Prosecutor General (July 2010), Vice-Prosecutor General (July 2010). According to this letters Tymoshenko behaved properly and legally, when she signed the Directives to Naftogas for "gas negotiations" on January, 19 2009 (thus that is her ONLY official accusation).

c) in the files of the case there is the official audit made by the State Audit Committee (July 2010) that there are no damages, "caused by Tymoshenko"

d) the judge for the case was appointed with the violation of Law

e) the judge declined all the motions of the defense (for example he did not attach to the case files the copies of the gas contracts but attached Tymoshenko's Twitter when the prosecutor asked for that)

f) the judge questioned all 40 witnesses asked by the prosecutor and only 2 from 30 asked by the defense

g) the judge Kireev was hearing the only case (Tymoshenko's one) on the day to day basis from 9 am till 8 pm with no breaks, when other judges are hearing 5-7 criminal cases per day.

h) all the motions of defense were declined

i) there is no ORIGINAL document (Directives), signed by Tymoshenko in the files. There is a copy of that but in the accusation it is said that there is an original doc. According to the Law and according to this accusation there MUST be an original doc in the files.

5. Violation of the right of Tymoshenko for political activity

a) because of the travel ban (from November 2010) and detention (arrest) (from August, 5) Tymoshenko has no possibility to act as a

politician, because she have no right to leave Kiyv and she needs to be at the prosecutors office and the court on the day to day basis.
