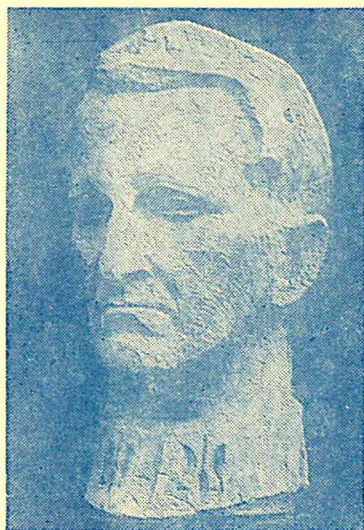
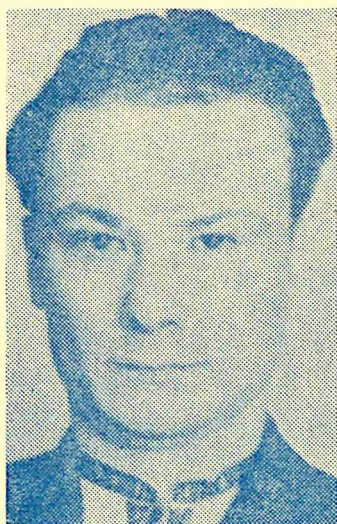


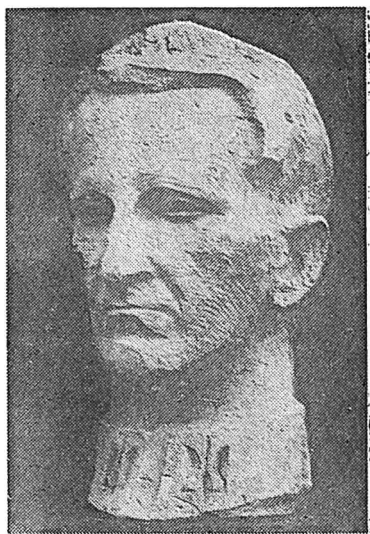
THIRTY YEARS



1950 – 1980

The martyrology of a
Ukrainian father and
son: Roman and Yuriy
Shukhevych





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EDITOR'S NOTE

This brochure is published to commemorate the 30th anniversary of General Roman Shukhevych's death, and 30 years of persecution of his son Yuriy by the Soviet Russian power brokers in Ukraine. The Editor hopes that the material collected here will testify to the continuity in the tradition of Ukraine's liberation struggle which is handed down from father to son, from one generation to the next. May this brochure also serve to further strengthen the world-wide action for the release of YURIY SHUKHEVYCH.



Woodcut by Nil Khasevych, a member of the Ukrainian Insurgent Army, depicting the age-long struggle for a free Ukraine

GENERAL ROMAN SHUKHEVYCH

“The Supreme Ukrainian Liberation Council (UHVR), the Supreme Command of the Ukrainian Insurgent Army (UPA) and the Executive of the Organization of Ukrainian Nationalists (OUN) in Ukraine wish to share with cadres of the liberation underground and with the entire Ukrainian people the painful news that on the morning of March 5, 1950, in the village of Bilohorshcha, near Lviv, the Head of the General Secretariat of Military Affairs of the UHVR, the Commander-in-Chief of the UPA and the Head of the Executive of the OUN in Ukraine, General Roman Lozovskyi — Taras Chuprynka — Tur (Roman Shukhevych) died a hero's death in battle against the Russian-Bolshevik invaders”.

Thus read the opening paragraph of a dispatch from Ukraine 30 years ago notifying Ukrainians in the West about the death of an exceptional figure in Ukrainian history, Roman Shukhevych — a born leader of men, an accomplished revolutionary and political leader and, above all, a brilliant military tactician and strategist of modern guerilla warfare.

Sportsman, pianist, engineer, patriot. . .

Roman Shukhevych was born on July 17, 1907, into a patriotic family of Ukrainian intelligentsia in the town of Krakivtsi, Western Ukraine. The formation of his national consciousness and world view in the patriotic family environment was decisively re-inforced at an early age when he witnessed the re-birth of the Ukrainian State in 1918 and the ensuing war of liberation. He savoured those moments of glory and personal pride when his father read to the citizenry of his home-town the Proclamation of Independence issued by the Ukrainian government. But the political debacle and eventual Ukrainian defeat also forged his youthful grief into an iron will and desire to dedicate his life to the struggle for the independence of his country.

He completed his secondary and higher education in Lviv with a diploma in civil engineering in 1934, and also graduated from the renowned Lviv Institute of Music as an accomplished pianist. As a young man he excelled in soccer, track and field and swimming, establishing a number of Ukrainian records in 1923 in the latter two sports. His membership in the Ukrainian scouting organization — Plast, provided him yet another chance to perfect his physical and practical skills, which were to serve him so well as a military commander and



**Roman Shukhevych at age four, with his family in 1911
(centre, first row)**

guerrilla fighter in the decades to come. In 1928-29 he served a two-year stint in the Polish army during which he obtained formal officer training.

Shukhevych had the rare trait of character which blended a jovial and good-natured disposition with extreme seriousness, thoroughness, toughness, and coldbloodedness in his work as a revolutionary. Although he loved 'company and play, he led a spartan personal existence. He neither drank nor smoked. A deeply religious man who considered faith a most intimate domain of man, he displayed extreme tolerance towards the freedom of conscience of others. His biographers and those who knew him all agree that this remarkable man was indeed loved by his friends, peers and comrades-in-arms, respected and feared by the enemy, and idealized by his people. Even to this day the Russians refer to his widow, Natalia Berezhynska (whom he married in 1932) as "generalsha" — "the general's wife".

"Revolutionary Baptism"

In 1923, at the age of 16, Roman Shukhevych joined the underground Ukrainian Military Organization (UVO), thus beginning his meteoric career as a revolutionary operative (boyovyk). Within three years he

underwent his “revolutionary baptism” when ordered to assassinate a Polish school superintendent, J. Sobinski, for his brutal policies of forced polonization of the Ukrainian school system in Western Ukraine. Sobinski was shot and killed on Oct. 19, 1926. Other successful radical actions against the Polish administration followed, in which Shukhevych played key roles either as organizer or active participant. His planning and operational skills in carrying out these reprisal actions led to his appointment as head of Revolutionary Operations Directorate (Boyova Referentura) of the Organization of Ukrainian Nationalists (OUN), which was established in 1929 to consolidate the Ukrainian nationalist movement. One of the first projects he planned and put into effect in his new capacity was a massive sabotage action in 1930 directed at Polish



**Shukhevych (first left) on leave from officer training
in the Polish army**

colonists and landowners, and Polish administrative targets such as police stations, state enterprises, telegraph and communication stations in Western Ukraine. The wide-spread action which attracted world-wide attention to the plight of Western Ukraine under Polish rule, was intended to discourage any further Polish economic and political colonization.

Another area of successful operations of the Directorate headed by Shukhevych were expropriation actions popularly known as “exy”. These operations were intended to terrorize the Polish authorities in Western Ukraine, disrupt their financial and postal services, and last

but not least, to secure funds for at least partial financing of the OUN activities. In July 1931, for example, four major successful “hits” were simultaneously carried out at Bircha, Pechenizhyn, Boryslaw and Truskavtsi. Polish material losses in those areas were of considerable proportions.

Reprisal by assassination

Between 1931 and 1934 Shukhevych's Directorate planned and carried out four major political assassinations of Polish and Russian officials in reprisal for their anti-Ukrainian activities. In 1931, the Polish parliamentarian, T. Golufko, was executed for his officially approved



**Roman Shukhevych at an athletic competition
in the 20's**

policy aimed at denationalization of all walks of Ukrainian life — education, culture, economy, etc. In 1932, the chief of the “Ukrainian desk” of the Polish police, commissar E. Chekhovski, was assassinated in reprisal for his sadistic treatment of Ukrainian political prisoners. In 1933, a high-ranking personal emissary of Stalin, Mailov, was shot on the premises of the Soviet Russian consulate in Lviv in protest against the wholesale terror and artificial famine unleashed by Stalin in Eastern Ukraine. In 1934, the Minister of the Interior of Poland, B. Pieracki, was assassinated in Warsaw. Pieracki had been in charge of the “pacification” of Western Ukraine in 1930, which was so brutal in terms of human lives and loss of property, that it was protested at the League of Nations. In the crack-down on the OUN which inevitably followed these actions, Shukhevych was arrested in 1934. It is a commentary on his conspiratorial abilities that his actual role and involvement were not uncovered and he was sentenced to three years imprisonment on a minor charge.

It should be noted that by mid-1933, Stepan Bandera, a close

friend of Shukhevych, had assumed the leadership of the entire OUN network in Ukraine.

As a result of the revolutionary activities of the OUN in the 1930's all attempts of the Polish authorities to "integrate" Western Ukrainian lands into the Polish state suffered a fatal blow. Before the decade was over, it was becoming clear that Western Ukraine was heading for an open rebellion against Poland. The Second World War, however, was to change the picture.

World War II — A New Era

Following his release from Polish prisons in 1937 until his rise to the position of the Head of the OUN in Ukraine and Commander-in-Chief of the UPA in 1943, Roman Shukhevych devoted himself more and more to questions of military mobilization and prolonged guerrilla warfare.

In 1938-39 he took part in the organization, training, and leadership of the armed forces of the newly-founded Ukrainian Transcarpathian State, and as one of its commanding officers led the armed resistance against the Nazi-sponsored invasion of the new state by Hungarian troops.

In 1939-40 he assumed the leadership of the OUN Directorate of Relations with the Ukrainian territories under Soviet-Russian rule. In 1940-41 as a member of the newly established Revolutionary Executive of the OUN under the leadership of Stepan Bandera, he became chief of the OUN network on Ukrainian territories under Nazi German occupation, and also carried out the duties of Chief of the Military Directorate of the OUN.

With the imminent outbreak of the Nazi-Soviet war, Shukhevych drew up a general plan for a massive infiltration of Soviet-held Ukrainian territories by Special OUN Task Groups (Pokhidni Grupy) with the purpose of encompassing the entire Ukraine with an effective OUN network. After the project was approved by the OUN Executive, Stepan Bandera personally took charge of the project. Bandera, Shukhevych and the Chief of the Organizational Directorate of the OUN, Vasyl Koval, further developed the project. It should be noted that the logistics and the practical implementation of the plan for over 5,000 members of the Task Groups was effectively carried out by Dr. Roman Malaschuk (current Chairman of the World Ukrainian Liberation Front), Vasyl Koval and Zenon Matla. This was perhaps one of the most successful operations of the OUN. The selfless work and sacrifice of those thousands of OUN cadres who went in, succeeded in revolu-

tionizing the Ukrainian masses of the eastern regions of Ukraine to such an extent that the effects are still evident to this day.

During this period, Shukhevych became instrumental in the formation of the Ukrainian Legion whose main and immediate task was to fight its way to Kyiv where the renovation of the Ukrainian Independent State was to be proclaimed by the OUN, a government formed, and where the organization of a regular Ukrainian armed force would begin with the Legion as its nucleus. However, the political and military situation created by the genocidal anti-Ukrainian policies of the Nazis blocked this effort, and the renewal of the Ukrainian State had to be proclaimed in Lviv on June 30, 1941, after elements of the Ukrainian Legion commanded by Shukhevych cleared the city from the fleeing Bolsheviks.

The newly established Provisional Government headed by Yaroslav Stetsko as Premier and Shukhevych as Deputy Defense Minister was short-lived. The Germans arrested Bandera, Stetsko and other leading nationalists and sent them to concentration camps, while Shukhevych and members of the Legion were at first interned, and then also arrested (1942). Mr. Y. Stetsko is currently the head of the OUN-R, and the President of the Anti-Bolshevik Block of Nations (ABN).

Partisan leader

However, Shukhevych and a number of the Legion officer corps managed to escape the Nazis and made their way to Polissia (north-western Ukrainian province) where they joined a clandestine military school which was to be the cornerstone of the UPA — the Ukrainian Insurgent Army. As chief organizer of the UPA, and following Bandera's arrest as head of the OUN, Shukhevych set out to shape the UPA, in his own words, into an "all-national, non-partisan armed force of the Ukrainian people which fought against any enemy that encroached upon the right of Ukraine to independence." The back-bone of the UPA were the militarized cadres of the OUN, which at one point constituted about half of its numbers, and which soon encompassed all spheres and sectors of the Ukrainian resistance to both Nazi and Soviet occupational forces.

In the Fall of 1943 Roman Shukhevych, under the nome-guerre "Taras Chuprynka", was appointed by the OUN as Commander-in-Chief of the UPA.

Pinned between the warring superpowers who were ravaging Ukraine in their relentless quest for imperial expansion, Shukhevych came to recognize that the eventual defeat of the Nazis would still leave the Ukrainian nation under the Soviet Russian yoke and that a broad based alliance of the nations subjugated by Russia would have to be

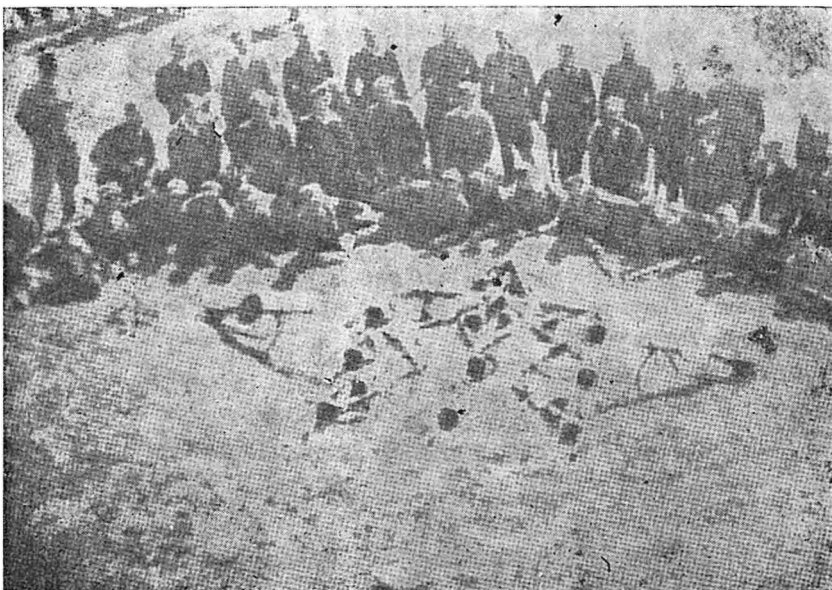
established. With this foresight, Shukhevych was instrumental in convening the First Conference of Subjugated Nations, attended secretly in the forests of Volyn by delegates of 13 East European and Central Asian nations under Russian occupation. As a direct result of the conference the UPA recruited and trained special foreign units composed of volunteers of these nations. The conference led to the establishment of the ABN — the Anti-Bolshevik Bloc of Nations.

A year later, in July 1944, Shukhevych was appointed to the post of Secretary General of the Supreme Ukrainian Liberation Council (UHVR) by an assembly of all national political and military formations in Ukraine. Under the pseudonym of Roman Lozovsky, Shukhevych thus became the leader of the underground revolutionary government of Ukraine, a post he held until his death.

Alone against the Soviets

The post was by no means titular, for under his leadership the OUN-UPA-UHVR commanded the loyalty and support of millions of Ukrainians and controlled large sections of Western and North Central Ukraine, and were able to withstand the military might of the Nazis and Soviets, with a standing guerrilla force that reached 200,000 partisans who fought for 10 years without any assistance from abroad.

Following the formal conclusion of WW II, the national liberation



UPA partisans display captured weapons in the form of a trident, the Ukrainian national symbol

movement led by Shukhevych bore witness to his exceptional military and political skills. Confronted by retreating Soviet armies from the European arena, special crack anti-guerrilla divisions of the NKVD, the armies of the satellite regimes of communist Poland and Czechoslovakia, and hard-pressed by inadequate arms and medical supplies, exposure to napalm and biological warfare the UPA held its ground for 7 years. From successful boycotts of Soviet "elections", sabotaging collectivization of Western Ukrainian lands to outright reprisals against Soviet officials the OUN-UPA-UHVR continued its quest under the slogan "Freedom for nations — freedom for individuals".



Ukrainian insurgents celebrating Christmas in the Carpathians, 1947

Only a man-made famine, mass deportations and wholesale terror against the general population could erode the base of this revolutionary movement, forcing it into deep underground. Shukhevych was at the helm and at the centre of this uneven struggle when he died, arms in hand, after his underground quarters were discovered on March 5, 1950.

Studied in military academies

Very few of Shukhevych's theoretical and tactical writings have survived. Yet it is not surprising that the strategies developed by this master of modern guerrilla warfare have become the subject of study in military academies throughout the world and by modern guerilla movements on all continents.

Gen. Roman Shukhevych personifies the uncompromising ideals



This monument and grave for Ukrainian freedom fighters in Komarno, Western Ukraine was razed by the Soviets in 1945

and spirit of the modern Ukrainian liberation struggle of the “forties”. Unfortunately, the significance of that era of the OUN-UPA struggle for Ukraine’s continued existence, and the men who shaped it, have not yet been fully understood and appreciated. The profound formative impact that the “The Forties” and its men have had on the Ukrainian people and on all subsequent forms of resistance in Ukraine are often dismissed as mere “history”. Those people tend to forget, however, that while men and generations do get old and pass away, the spirit and energy they manage to release at a given point in their nation’s history become the spirit and motivating force of those who come after them. In that respect, “The Forties” were not the death of an era, but the painful birth of a new one.

HELP YURIY SHUKHEVYCH

People! You who live in cozy apartments, who eat three meals a day. You who do not know the horrors of arrest and the distress for those who are left behind — family and children. You who express your indignation about the persecution of Manolis Glesos and Angela Davis.

I want to shout to your faces: where is your conscience?

Once again arrests are being conducted in the USSR, once again people are being thrown into jails, and yet you remain silent. Your governments want “friendly relations” with criminals who tyrannize over their own people. “We do not get involved in internal affairs.” How convenient! Let them oppress and murder the Czechs, Hungarians, Ukrainians, Jews and dozens of other nations — your conscience sleeps. Yet, all the Glesos and Davises can shout and you hear them: the press and TV are at their beck and call.

Meanwhile, in the USSR, my friends, Yuriy Shukhevych has just been arrested and he cannot shout — they have sealed his lips.

I sat with Yuriy in the same concentration camp, and he had been there for 20 years. And now he has been arrested again. Again the persecution of his family, again his children without bread.

The sole “crime” of the Ukrainian Yuriy Shukhevych consists in the fact that he is the son of General Shukhevych, who courageously fought against the enslavement of the Ukrainians. The sole “crime” of Yuriy consists in the fact that he loves his country — and in Ukraine one cannot be a Ukrainian. And so, after 20 years of prison, Yuriy is once again in jail.

He is silent. You will not hear him. But I, a Jew, who is proud of being a nationalist, appeal to you, citizens of the free world: Help Yuriy Shukhevych! Demand that the Soviet authorities let him go!

Jerusalem

May 18, 1972

*Avraam Shifrin
(Formerly political prisoner in the U.S.S.R
who emigrated to Israel in 1970)*

YURIY SHUKHEVYCH

Yuriy Romanovych Shukhevych was born on March 28, 1934 in Lviv. He is a journalist. Shukhevych is married to Valentyna Trotsenko. He has two children: a son, Roman, born in 1970, and a daughter, Iryna, born in 1971. Shukhevych had been persecuted by the Soviet authorities all his life because he is the son of General Roman Shukhevych, the Commander-in-Chief of the Ukrainian Insurgent Army (UPA) and the head of the Executive of the Organization of Ukrainian Nationalists (OUN) in Ukraine. His father was killed in action in 1950. In 1944, when Yuriy Shukhevych was a child of 10, he was exiled together with his mother to Siberia. He was arrested for the first time on August 22, 1948, at the age of 14, and was sentenced to 10 years of imprisonment solely because he was the son of Roman Shukhevych. Shukhevych's arrest and sentencing took place as a result of a



Yuriy Shukhevych with son Roman (named after his grandfather) in 1970

secret decision reached in Moscow by a "Special Council of the Ministry of Internal Affairs of the USSR". His mother was arrested as well. Shukhevych was brought to Lviv in 1950 to see the body of his slain father. He was freed on April 22, 1956, after it was determined that he had been sentenced by an "institution lacking jurisdiction".

Rudenko, the General Procurator of the Soviet Union, appealed against Shukhevych's release, basing his appeal on the fact that he was the son of a "nationalist leader" and that he had made "attempts to contact centres of Ukrainian nationalists abroad". Shukhevych was re-arrested in the fall of 1956 to serve the remainder of his term — one and a half years — in the Vladimir prison. Shortly before the end of his sentence, he was visited by a KGB major, K. Galsky-Dmytruk. The latter demanded that Shukhevych denounce his father, and publicly condemn the OUN-UPA. Shukhevych refused his demands and on the day of his release, on August 21, 1958, was re-arrested under Article 62, and sentenced by a Lviv court held in camera, on the testimony of two criminal (non-political) prisoners, Burkov and Fomenko. These two prisoners gave false testimony, which was also admitted by major Galsky-Dmytruk in a subsequent visit to Shukhevych when he again demanded that the former denounce his father and the OUN-UPA. Galsky-Dmytruk stated that the false testimony had been necessary, and that Shukhevych would not be freed without denouncing his father. Shukhevych wrote several protests in prison but refused to write an "appeal" for his release, to be addressed to the Presidium of the Supreme Soviet of the Ukrainian SSR, as he had been urged by the authorities in 1965. Shukhevych was released in August of 1968, but was barred from living in Ukraine. He settled in Nalchik (Kabardino — Balkar A.S.S.R. in the Caucasus), where he remained "free" for 3½ years. During that time he married and had two children. Shukhevych was arrested for the third time in March 1972. (In 1970, he had signed, jointly with others, a declaration in support of Valentyn Moroz.) On September 9, 1972, he was sentenced in Nalchik, under Article 70-2, Criminal Code of the Russian SFSR, in a court held in camera, to 10 years of strict-regime imprisonment and 5 years of exile. He was accused of writing memoirs of his life in concentration camps, of showing interest in the circumstances surrounding the death of his father and of carrying on "anti-Soviet agitation and propaganda". Thus, Yuriy Shukhevych had been sentenced to a total of 35 years of imprisonment and exile solely for refusing to denounce his father and to condemn the OUN-UPA and Ukrainian nationalism. Shukhevych is seriously ill. As a "recidivist" he has been serving his third sentence in the Vladimir prison isolation section and last year was transferred to another high security prison in Christopol, Tartar ASSR.

"We cannot set you free"

To the Chairman of the Presidium of the Supreme Soviet of the Ukrainian Soviet Socialist Republic

from the political prisoner Yuriy Shukhevych-Berezynskyi

28th July, 1967

STATEMENT

In September, 1963, I was transported under escort through halting places from the Mordovian concentration camps, where I had been imprisoned, to the KGB prison in Kyiv.

I was not notified by anyone about the reason of my transfer to the investigation prison. Only from the fact that from time to time I was taken by officials of the KGB to theatres, museums, factories in Kyiv, and also to Zaporizhia, Kakhivka, Kherson, and Kaniv, I could surmise about the real reason and demands which I would have to face later. And this did really happen in July, 1964, when the officials of the KGB, Colonel Kalash, and captains Lytvyn and Merkatanenko demanded that I should write a kind of declaration which could be published in the Soviet press and which would make it evident that I was breaking with nationalistic ideas. When I asked whether this should be a declaration that I would abstain from any anti-Soviet activity whatsoever, the answer was that this would not do; that I should write something where I would condemn nationalism in general, condemn the activities of the Organization of Ukrainian Nationalists, quote some facts that would compromise Ukrainian nationalists, as well as condemn my father, Roman Shukhevych, who in the years 1944-1950 was the leader of the underground resistance movement in Ukraine. Upon my refusal to write (or to broadcast) any statement with such contents, they proposed to me to describe at least my journey through Ukraine, so that it could be published in the press. When I also rejected this proposal, Col. Kalash stated that I should do it, for then the KGB would initiate proceedings towards obtaining a pardon for me. But since I do not feel guilty in any way, I could not write such a petition. I declared this and presented my motives in writing. They are as follows:

1. As far back as 1956, the Prosecutor General successfully appealed the decision of the court at Vladimir (i.e. Vladimir on the Klyazma, east of Moscow — Ed.) to release me from imprisonment on the basis of the decree of 24. 4. 1954, for having been arrested as a minor. He motivated his action by the allegation that I had tried to contact centres of Ukrainian nationalists abroad (without producing any

evidence at all) and that my father was the leader of the underground movement of the Organization of Ukrainian Nationalists (which I cannot deny).

2. On August 21, 1958, on the day when I should have been released after ten years of imprisonment, on the basis of the decision of a Special Council of the Ministry of State Security of the USSR a new warrant for my arrest was issued. This was motivated by the absolutely false accusation of anti-Soviet agitation among the inmates of the Vladimir prison.

3. The accusations were based on the false testimonies by two agents of the KGB, ordinary criminals, specially coached by Senior Lieut. Galsky (now Colonel Galsky) for that kind of witnessing for which they were promised special privileges (which they later received).

4. The above-mentioned witnesses (Burkov and Fomchenko) gave false evidence, contradicted one another and even their own previous testimonies.

5. It was put to me as a crime (and as one of the main counts) that I was interested in the details of the death of my father, who was killed on March 5, 1950, in the village of Bilohorshcha near Lviv

6. During my arrest on August 21, 1958, a few poems by Olha Ilkiv were found among my possessions and were confiscated. The poems were purely lyrical. Nevertheless, they were attached to my case and presented to me as a crime on the grounds that Olha Ilkiv had been sentenced for membership in the OUN (Organization of Ukrainian Nationalists — Ed.) and for illegal activities, and also because her poems had been previously printed in underground publications, about which I learned only during the investigation.

7. The literary expertise (the experts were Lesyn and Kozachuk) was conducted not only in an unsatisfactory, but extraordinarily unscrupulous manner. It qualified the verses found and confiscated from me as nationalistic, which bears no relation to reality.

8. Disregarding the fact that “the crime” was committed at Vladimir-on-the-Klyazma (Russian Socialist Federative Soviet Republic) and that, consequently, in accordance with the existing laws, the case should have been heard by the Vladimir Regional Court, I was transported to the KGB prison in Lviv where the investigation continued, and where I was sentenced by the Lviv Regional Court.

9. Although the KGB organs camouflage all their activities with talk about the interests of the people, my trial on December 1, 1958, was conducted behind closed doors, contrary to the existing laws, which proves that I was kept hidden from people for

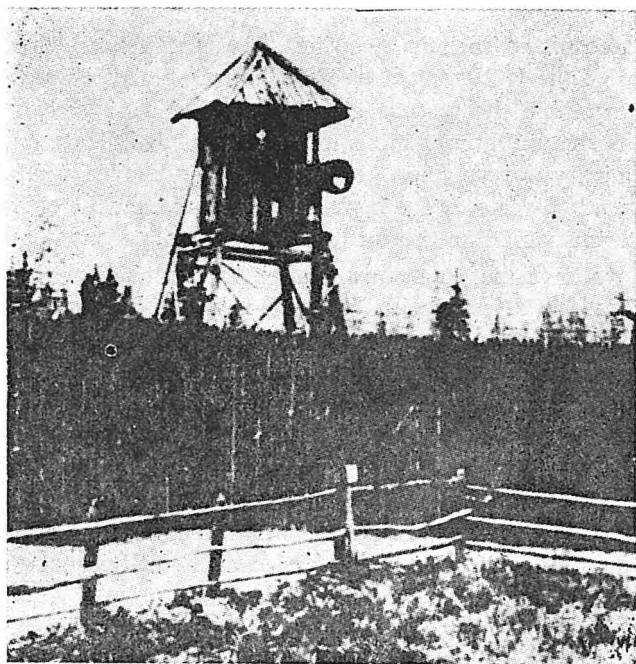
fear lest the unattractive machinations of the Lviv KGB became known.

10. During the trial the judges did not aim at an unprejudiced consideration of all the details but at carrying out the instructions of the KGB to have me sentenced at any price.

11. My appointed defence lawyer (Smirnova) acquainted herself with my case only immediately before the session of the court. Having realized that I could not rely upon any objective defence, I refused to have a lawyer. But the court ignored my request to conduct my defence personally, wishing thus to cover up all the abuses of the juridical norms on their side.

12. During the cross-examination, the court's literary experts very often permitted themselves to transgress the limits of their competence, as defined by law, and asked me provocative questions (with the permission of the court) which referred more to my personal views than to the materials of the case.

13. During the court investigation only the witnesses of the prosecution were heard (Fomchenko and Burkov), while the court did not find it necessary to hear the evidence of twelve witnesses who could have refuted the evidence by Burkov and Fomchenko.



**Concentration camp watch tower in the
GULAG of Mordovia**

14. Being afraid that by asking questions even at a trial behind closed doors I would be able to reveal the falsity of the testimonies of the prosecution's witnesses, the court did not allow me to question the witnesses. This could have unmasked them as agents of the KGB who were giving evidence according to the instructions received from Galsky.

15. Although it was clear from the start that the witnesses were spurious, that their testimonies were false, the court ruled that only they were acceptable, refusing to accept any other explanations or evidence, declaring that it was the right of the court to give preference to such and such testimonies as being trustworthy.

16. However, when the witnesses proved themselves incapable of fulfilling their tasks, namely to prove logically my guilt, the members of the court and the prosecutor came to their rescue and directly suggested to them what they should answer. Prosecutor Kolyasnikov, who supported the accusations, proved himself especially eager in doing this.

17. The members of the court and the prosecutor were more interested in my convictions, as if these were punishable, than in the details of the case, and they persisted in stressing them as well as whose son I was.

As a result of such irregularities, I was sentenced, according to the wishes of the KGB, to ten years of imprisonment. Although I had previously guessed the reasons for such a sentence, shortly afterwards I found out that my premonitions were well founded. Thus, even during the preliminary investigation, investigator Vinogradov told me that the investigation was only the beginning and that later the officers of the security organs would have a lot to talk about with me.

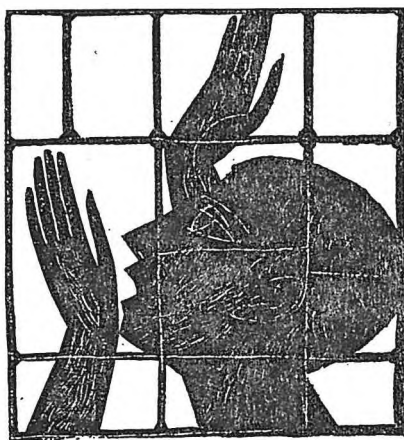
His words came true shortly after the sentence was passed by the court. Within a few weeks I was called to see Senior Lieut. Galsky and, during the interview, he admitted, without any reservations, that the sentence was passed on the basis of false evidence and that it was without foundation, but—and here I quote his words—“with your views and your convictions we cannot set you free”. He also said that I should give proofs of my loyalty in the form of a press conference, an article, a pamphlet, or a broadcast in which I would condemn the OUN, my father, etc. “If we were sure that you would talk with us on this sort of subject, we would not have to resort to such methods as arrest and court trial”, Galsky said in conclusion.

It became clear to me that my trial was inspired by the KGB with the intention of blackmail in order to force me to produce the required public statement, and that it had nothing in common with justice. For an act of this kind I was promised review of the court sentence and

release from prison. However, when I refused I was sent to the political concentration camp in Mordovia.

I explained all this in writing to Col. Kalash, and this made further talks on such topics impossible.

But even afterwards the KGB did not leave me in peace, because already a year later, in July 1965, I was called in to see the concentration camp representative of the KGB, Capt. Krut', who suggested that I should write a petition for pardon to the Presidium of the Supreme Soviet of the Ukrainian SSR. I refused to write such a thing and agreed to write only a short statement in which I would explain that I had been unjustly sentenced, that all my appeals to the judicial and prosecuting



"I have no illusions"

organs had been without any results, and I was writing to the Presidium of the Supreme Soviet. The KGB, however, was not satisfied with it and in a categorical form Capt. Krut' demanded a petition for pardon, which I refused to write. He then declared that the administration itself would submit such a petition.

As became clear later, no such petition was ever sent, and my statement was not answered. From this I understood that it has not even been sent to the Presidium. And all this comedy was staged only for the purpose that such a petition be attached to my file. In this way the KGB would disavow all its responsibility, because a petition for pardon is tantamount to an admission of guilt. But my "case" was an obvious stratagem, as was confirmed by Capt. Lytvyn, who said that the Guilt of the Lviv KGB consisted in that it had been unable to prepare the case adequately.

Consequently, they are not troubled by the obvious injustice, that has been done, by the violation of legality, but by the incapability to fabricate skilfully the necessary evidence. Therefore, this incapability had to be camouflaged by my petition for pardon which then would have wiped out all the traces of the flagrant abuse of the law, the traces of the crime.

Out of my 34 years of life I have spent 19 years in prison. For the first 10 years I was imprisoned on the basis of the decision of the Special Council of the Ministry of State Security of the USSR. And although the 20th Congress of the Communist Party of the Soviet Union declared the Special Council at the MGB an illegal organ, its decisions have not been declared null and void, and therefore many people, myself included, continued to suffer imprisonment, and some still do. I received the next 10 years sentence on the direct instructions of the KGB on the basis of the evidence fabricated by it. They continue to persecute my mother, Natalia Shukhevych-Berezyns'ka. And all this happens under the resounding declarations about justice, legality, and so on.

No, I have long ago ceased to believe in the declared justice and legality, which I have never seen embodied in practice.

Therefore I turn to you now, when only one year is left before the second term of my imprisonment runs out, not because I have any illusions about you, not because I hope that you are able to intervene and to vindicate the justice trampled under foot. No!

I turn to you because it may happen that after several months a new crime will be perpetrated against me; they will again fabricate a new case to get me sentenced for the third time.

And, if not, there is not one who can assure I shall not be killed from behind a street corner by hired assassins as it was done with many a political prisoner after their release. I should like to mention the case of Lytvyn, Vartsabiuk, Bergs, Melnikans and others. Or I shall die a mysterious death.

Or it may happen that a mass crime will be again perpetrated against political prisoners in Mordovia (and everything is ready for that) — that they will be physically destroyed, and later the executors of that crime will be themselves annihilated.

This was the reason that prompted me to address myself to you, so that you should know these things, and that later, in the future, you would not be able to say that you had not been properly informed, that all this was done without your knowledge, and that you bear no responsibility for similar actions by the KGB.

July 28, 1967, Mordovia — Ozernyi

Yuriy Shukhevych: a study in Soviet judicial abuse

(Excerpts from an article by ANDREW SOROKOWSKI,
published in the journal of the American Bar Association
THE BARRISTER, April 1980)

Under international as well as Soviet law, each of Yuriy Shukhevych's three convictions was illegal. On Dec. 10, 1948 — while the 16-year-old boy was confined in pre-trial detention — the United Nations General Assembly adopted the Universal Declaration of Human Rights (G.A. Res. 217A (III), U.N. Doc. A/811). Article 11 (2) states that "No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed."

Whatever may have been the penal offences with which Shukhevych was charged, he was in fact held guilty on account of his "omission" to denounce his father. This obviously does not constitute a penal offence under national or international law.

It follows then, that Yuriy's arrests, detentions and exile were all "arbitrary" in violation of Article 9 of the Declaration. Nor did his closed trials conform with Article 10, which requires a "fair and public hearing" by an "independent and impartial tribunal."

Moreover, his first trial, and the attempts to extort a denunciation of his father, violated Article 16 (3), which declares that the family is entitled to the protection of the State. His last trial, based principally on the offence of writing his memoirs, violated the right to "seek, receive and import information and ideas through any media and regardless of frontiers" guaranteed by Article 19.

One need not rely solely on international law, however, to demonstrate the illegality of Yuriy Shukhevych's convictions. Soviet law itself provides ample guarantees of the rights of the accused, some of which mirror international human rights standards.

True, the 1926 RSFSR Criminal Code, in effect at the time of Yuriy's first and second trials (and largely dupli-

cated by the Criminal Code of the Ukrainian SSR), permitted conviction and sentencing of a political suspect who had committed no crime whatsoever. Political considerations took place of proven guilt. Indeed, under Article 17 of the RSFSR Criminal Code, one could be found guilty as an accomplice without a showing of criminal intent. One could in effect be punished for mere association with politically undesirable elements.

Even under such questionable laws, however, Yuriy's first conviction was improper. The "special council" that conducted his trial was later declared an illegal institution. But even a legitimate court could not have proven him guilty by association with a criminal. His father was never convicted of any crime by a Soviet court — in fact, he was not even a Soviet citizen subject to the jurisdiction of ordinary criminal courts, but an enemy combatant. There was thus no proven "guilt" to be imputed to his son. And it is hardly conceivable that a 15-year-old boy could himself have been so "socially dangerous" under the Criminal Code as to merit 10 years' imprisonment.

Yuriy's second conviction, handed down 24 days before the criminal law reform embodied in the new Fundamental Principles of Criminal Law and Criminal Procedure (FPCL and FPCP) was enacted, was invalid on several grounds. First, the Procuracy, established pursuant to Article 113-117 of the 1936 Constitution and regulated by the 1955 Statute on Procuratorial Supervision as a guardian of legality, hardly fulfilled its proper role. It attacked the perfectly valid decision of the Vladimir regional court to free Yuriy under the post-Stalinist law reforms, and then indicted him on the basis of fabricated evidence.

Second, holding the trial in Lviv rather than Vladimir clearly violated the rule that the trial is to be held in court of the region where the crime was committed (CCP RSFSR (1923), art. 29). In fact, under the Code, transfer to another court was permitted only when the defendant would thereby receive a more dispassionate examination of his case (id. art. 30). Here, the opposite was true.

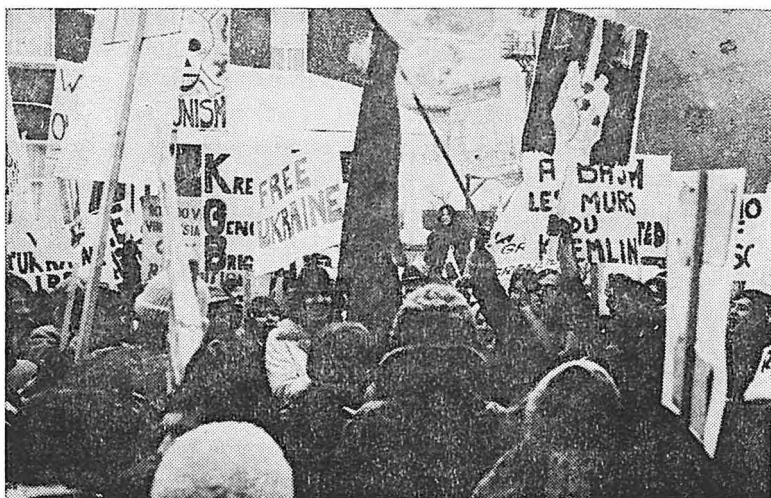
Third, the right to defence counsel, guaranteed by Article 111 of the 1936 Constitution, was effectively denied because Yuriy's attorney did not have time to properly

study the case. The Supreme Court of the USSR had ruled in the ROMANIUK case of Nov. 29, 1950, that where the defence attorney had had only half an hour to study the case, the constitutional right to counsel had not been respected. Although Supreme Court decisions do not have precedential value in the USSR, this case set a reasonable standard.

Fourth, Yuriy was denied the right to examine witnesses (CCP RSFSR (1923), art. 283).

Fifth, aside from the fact that the evidence was fabricated, it is difficult to see how any activity behind bars could constitute such "counter-revolutionary crimes" (CC RSFSR (1926), ch. I, sec. 1) or "socially dangerous activity" (id. art. 6) as to require punishment through the severe "measures of social defence" (id. art. 10) outlined in the Code.

Sixth, even under the theory of guilt by association, Yuriy's possession of some works by an imprisoned poetess could hardly constitute criminal association. While un-



One of the hundreds of demonstrations in the West calling for Yuriy Shukhevych's release

der Article 58 (10) the mere possession of literature constituting "agitation or propaganda calling for the weakening of Soviet rule" could be punished as a counter-revolutionary crime, the lyrical poems of Olha Ilkiv were not of his nature.

Finally, assuming for the sake of argument that Yuriy really did openly advocate the most revolutionary of his father's ideas — the national liberation of the Ukrainian people — he would only have been advancing a basic Soviet constitutional principle: the right of each Republic to secede from the Union (1936 Constitution, art. 17; 1977 Constitution, art. 72).

If his first two convictions were illegal under the harsh Stalinist statutes, Yuriy's 1972 conviction, under the relatively liberal 1958 Fundamental Principles and their statutory progeny, was a travesty of the law.

Guilt by Association

First, since the 1960 RSFSR Criminal Code and its companion republican codes had abolished the category of political offences, Yuriy's trial should have been conducted without regard for political factors. This seems not to have been the case. Second, Article 17 of the Fundamental Principles of Criminal Law abolished guilt by association, declaring that one cannot be considered an accomplice to the acts of one's associate without the requisite intent. Yuriy thus could no longer be punished for the acts of another without proof that he intended to participate therein. Third, under Article 3 of the RSFSR Criminal Code, one may only be sentenced if one has been tried in a court of law and found guilty of an act specifically designated as a crime at the time of its commission (see also FPCL, art. 3; FPCP, art. 4). Whether writing one's memoirs can be considered an act specifically designated by law as a crime depends on an interpretation of Article 70 of the RSFSR Criminal Code.

At the first glance Article 70, covering "anti-Soviet agitation and propaganda," seems nearly as broad as its notorious predecessor, Article 58 of the 1926 Criminal Code. For example, it permits the punishment of one who has merely prepared or kept in his possession literature containing "slandorous fabrications" defaming the Soviet state and social system "for the purpose of subverting or weakening the Soviet regime." As the "purpose" clause implies, however, and as Soviet commentators have noted, this crime requires an element of anti-Soviet intent. Thus, Shukhevych could only have been guilty if he wrote his memo-

irs with intent to subvert or weaken the Soviet regime. But his apparent willingness, in his July 1964 conversations with the officers of the Kyiv KGB, to publicly renounce all anti-Soviet activity tends to show a lack of anti-Soviet intent on his part. Nor does it seem likely that personal memoirs, which tend to be purely factual and in any case deal with past conditions, would constitute defamation of the Soviet state designed to weaken or subvert it. In any case, it would seem that the writing of memoirs was protected by Article 125 of the 1936 USSR Constitution (Article 50 of the 1977 Constitution), guaranteeing freedom of speech.

Yuriy Shukhevych's "crime" lies not in anything he has done, but in who he is. He has been designated a political symbol, and punished as an object lesson for the edification of the Soviet masses.

If a discussion of these legal issues strikes us as irrelevant, perhaps it is because we have resigned ourselves to the idea that in the USSR the rule of law cannot prevail. Yet when we simultaneously seek to broaden our commercial, diplomatic and cultural relations with the Soviet Union government, such resignation takes on a shade of hypocrisy. No lawyer may accept the rule of terror so complacently. None can preserve his rights long while condoning their denial to another. Yuriy Shukhevych deserves our rights. If we choose to remain silent, we deserve only his.



General Shukhevych's message to Ukrainians in the free world

Excerpts from

UKRAINE'S APPEAL TO THE UKRAINIAN DIASPORA

The Appeal was issued by the leadership of the Organization of Ukrainian Nationalists, the Supreme Ukrainian Liberation Council, and the High Command of the Ukrainian Insurgent Army at the height of the armed struggle against the Soviet Russian occupation of Ukraine. The document, which was signed by Gen. Roman Shukhevych and twenty other leading members of the Ukrainian national liberation forces, contains a message of vital importance not only to Ukrainians, but to all men who wish to remain free.

Filled with hatred for slavery and servitude, violence and injustice, the Ukrainian people have declared a struggle without quarter against Bolshevik-Russian-imperialism. Conscious of the fairness of its cause, the Ukrainian people have risen today to the highest possible level of dedication and heroism.

In this ruthless struggle, unequalled in the annals of history, not a single Ukrainian man or woman should stand by idly. All Ukrainians must participate regardless of where they live. Ukraine looks upon you, our brothers scattered throughout the world, as a part of one front in our great struggle which reaches far beyond the boundaries of national self-defense and has a profound relevance to all mankind. Ukraine looks upon you as freedom fighters who have opened additional fronts in Western Europe, on the American continent, in Australia — everywhere, even in such places where there may only be one Ukrainian.

Our embattled country demands first of all that the Ukrainian diaspora represent with dignity and responsibility the people of Ukraine and their struggle before the outside world.

It is only now that Ukraine is entering the international arena. The world still knows little about her, and much of that which it does know is unclear and distorted. To change this state of affairs, to bring to all nations beyond the boundaries of the USSR the truth about Ukraine's struggle is a task of top priority for the Ukrainian diaspora. In this regard, Ukraine did whatever it could. With its armed struggle for freedom it created a great asset which the Ukrainian diaspora must use on an international level in the interests of the Ukrainian liberation cause.

Fate has scattered you across all lands to the farthest corners of the earth. But this is not the time to complain about such ruthless fate. It must be turned around for the good of the whole Ukrainian nation.

The fact that you have presently found yourself living among all the peoples of the world must be utilized in order to make these nations fully understand the Ukrainian nation, its past endeavours and its current heroic struggle.

Remember that today every Ukrainian abroad is a representative of an embattled Ukraine.

All of you must act in such a manner that the name of your country is never blemished. Act in such a way as to constantly foster your nation's good name. Everyday ask yourselves the following question: What have I done that is good and beneficial for Ukraine?



A rare photograph of General Shukhevych in the 1940's

You must be committed spiritually to Ukraine to the utmost. You must live by her aspirations and her struggle. You must never lose hope as to the success of our great cause. You must never have any doubts about the righteousness of our struggle. Otherwise you will never be able to enlighten others about the fairness of our endeavour, you will never be able to convince them that our struggle is justified, you will never gain their support for your people's cause.

Enlighten your fellow men about the absolute necessity of the

partition of the USSR into free national states of all the peoples subjugated within its boundaries. Show them that all the peoples in the USSR seek independence and have been courageously struggling for it. Explain to them that the demise of the USSR is in the interest of all nations of the world. Only in this way can we once and for all eliminate the danger of Russian imperialism which today threatens the entire world in the form of Bolshevism.

Propagate everywhere the concept of an international order based on a system of free and independent states of *all* the nations in the



A group of Ukrainian guerrilla fighters of the UPA in the Hutsul (Carpathian) region of Ukraine

world. Only this system can create the best conditions for successful political, economic and cultural cooperation and unity among nations, since it is based on premises of equality, free will, mutual respect and trust. Only such a world order is capable of eliminating bloody wars and of guaranteeing lasting peace in the world.

Explain to your fellow men that the Ukrainian nation struggles for the realization of the most progressive ideals of humanity, for the freedom of nations and of the individual, for true democracy, and for a just social order with neither exploiters nor exploited.

Ukraine requires that its diaspora divulge the truth about the

USSR, and that it actively mobilize for the struggle against Bolshevik Russian imperialism — the greatest enemy of mankind.

Ukraine requires its diaspora to actively assist in the organization of a united front of subjugated nations and those threatened by Bolshevik Russian imperialism.

The Bolshevik Russian imperialists have already subjugated many nations and are planning to impose their yoke on many others in the near future. All their declarations about the possibility of peaceful coexistence of two systems is merely a propaganda ploy. As a matter of fact, all the efforts of the Kremlin power-brokers are directed towards a preparation for a new war in order to subjugate the rest of the world. Everything in the USSR is subjected to this single goal.

You must maximize your efforts to rally into one anti-Bolshevik front, the diasporas of all the nations of Europe and Asia already under Bolshevik domination, as well as the most recently enslaved nations of Central and South-Eastern Europe.

You, the Ukrainian diaspora, must also channel your endeavours to unite the Western nations into one anti-Bolshevik front of all freedom-loving men in the world. You must become involved in national and international organizations which struggle for human rights and freedoms. Strive to establish an international organization whose objective would be to struggle against imperialism and totalitarianism, and for the protection of the rights of nations and of the individual.

Remember that the matter of establishing a united anti-Bolshevik front is not only a task for the leaders of political organizations. This



Woodcut by Nil Khasevich depicting UPA partisans on patrol



“Freedom for nations — Freedom for the individual” is the inscription on the banner carried by the freedom fighters depicted on this woodcut by Nil Khasevych. The burning building represents the Soviet “prison of nations”. Prints of the cut were distributed clandestinely throughout the USSR.

is everyone's obligation. Remember that the issue of a united front, just as that of representing the interests of the Ukrainian people, must be presented not only to the official political and diplomatic circles of the various nations, but it must also be presented to the broad masses of all Western nations — in factories, mines, schools, and in all walks of organized life. For only when the masses take part in the anti-Bolshevik movement, when this movement secures a broad base, will it be able to destroy its enemy.

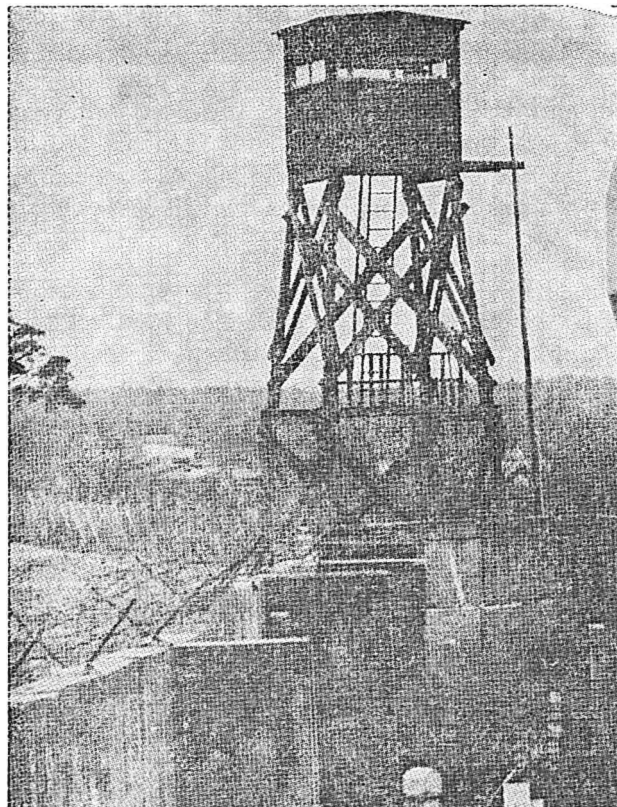
In order to fulfil all these responsibilities you, our brothers in the diaspora, must be united — not divided. You must act together harmoniously. Our embattled Ukraine decidedly needs the complete unity of the Ukrainian diaspora — not only in words but also in deeds: an effective unity based on the liberation struggle that is being waged by the people in Ukraine today.

To the Ukrainian youth

You, in the diaspora, must also be in the forefront of the liberation struggle just as our youth is in Ukraine. You must dedicate yourself totally to Ukraine's interests and be ready to respond effectively to her every call; to join your brothers who, arms in hand, fight for the liberation of your people, for their right to happiness, and a creative life in a free Ukrainian state. You must be well organized and active, and you must constantly upgrade your idealism and raise your level of general and specialized knowledge and political preparation. Take advantage of the fact that you live among other peoples in order to learn everything from them that is good and useful, and to acquire their experience in all facets of life and nation-building. Beware of all the corruptive influences that could undermine your high principles and moral steadfastness.

Before you, the Ukrainian youth, just as before the entire Ukrainian diaspora, there is a duty to fulfil — to inform your fellow men about the liberation struggle of the Ukrainian nation. Do this at every opportunity and with all the means at your disposal. Utilize your personal acquaintances, your association with the youth organizations of other nations as well as with international youth organizations. Try to rouse the youth of other nations to struggle against Bolshevism. They will understand you, because all young people are quick to resent falsehood and oppression, and are always ready to struggle against them.

(Translated by Orest Steciw)



The history of our national misfortune is a long one, but the seizure of power by the communists — this vanguard of Russian chauvinists — marked the beginning of a genuine tragedy.

... We are forty millions, but we are the most unfortunate of nations. We have tried to escape the grasping hands of our captors while other members of the world community looked on with indifference. So many of us have died in the struggle for national freedom, but there is no freedom...

And now we, children of a numerous but weak nation, appeal to the United Nations — that world-wide forum of sovereign nations whose mission it is to bring colonial countries and peoples out of political oblivion. Do not allow us to perish with this hope! Declare Ukraine to be a Russian colony and help us free ourselves of the occupation imposed on us.

(From a 1979 statement by the "Ukrainian National Liberation Movement" to the UN signed by Yuriy Shukhevych.)

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