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'Justice not done' in Ukrainian student death investigation

An investigation into the death in custody of a Ukrainian student is seriously flawed, Amnesty International said after a court effectively cleared two officers of responsibility for his death.

Ihor Indilo, 19, died from a fractured skull and internal bleeding on 17 May 2010 after being arrested and interrogated by two police officers in Kyiv. An autopsy revealed his injuries were caused by "contact with a blunt object"; police say these occurred when he fell off a small bench.

Judges in Kyiv's court of appeal yesterday took 15 minutes to conclude that no further investigation was required into Ihor Indilo death, effectively accepting the police explanation.

"The explanation for Ihor Indilo's death that has been given by the police and supported by the Prosecutor just doesn't add up." said John Dalhuisen, Deputy Director of Amnesty International's Europe and Central Asia Programme.

"The totally inadequate investigation into this case has left too many questions unanswered and inconsistencies unresolved. Justice is clearly not being done in this case."

Ihor Indilo was arrested on 16 May 2010 after a disagreement with a security guard at the dormitory where he lived about a missing ID card. He had just celebrated the eve of his 20th birthday,

Police said he was drunk and aggressive when detained, although the security guard has since testified that he was neither.

Off-duty officer Sergei Prihodko detained Ihor Indilo at about 8.15pm and drove him and a friend to Shevchenkivsky police station, where he was interrogated by Prihodko and another officer, Sergei Kovalenko, in the presence of the friend.

Minutes later, an ambulance was called to the interview room because Ihor Indilo was unconscious, although he was not thoroughly examined.

CCTV footage at 9.49pm shows police officers dragging Ihor Indilo into a cell and leaving him on the floor, the ambulance crew having left.

The footage shows the student's condition deteriorating through the night; he staggers and falls in the prison cell, until he ceases moving at around 3am.

Police left him unattended in the cell until they discovered his body at 4.51am. Officers claim they checked his pulse and breathing and that he was still alive, but the CCTV footage shows an officer simply discovering his body, dragging him and then rolling him over.

The following morning Ihor Indilo's parents were told that he had choked to death but when they saw his body they noticed numerous bruises. The autopsy also found blood in his stomach, which may have been

caused by a blow to the abdomen.

Police then claimed Ihor Indilo died as a result of falling from a 50 cm bench in the cell because he was drunk. Indilo does not appear drunk in CCTV footage of him entering the police station.

Sergei Prihodko and Sergei Kovalenko are both being tried on minor negligence charges, as they were not found to be in any way responsible for Ihor Indilo's death.

The court taking on Indilo's case had requested more evidence but yesterday's appeal court verdict rules out any further investigation.

"This investigation has failed to adequately consider the extent to which the action or inaction of the police and medical staff contributed to the death of Ihor Indilo," said John Dalhuisen.

"No attempt has been made to resolve contradictions and inconsistencies in the testimonies, nor to seek further medical expertise to analyse the CCTV footage and autopsy results."

"We urge the Ukrainian authorities to undertake a thorough investigation into Ihor Indilo's death, which must resolve these unanswered questions."