

PUBLIC

AI Index: EUR 50/003/2004

15 October 2004

UA 291/04      Torture/ill-treatment

UKRAINE      **Beslan Kutarba (m), aged 33**  
**Revaz Kishikashvili (m), aged 54**

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Beslan Kutarba and Revaz Kishikashvili have spent more than six weeks in police custody in the city of Sevastopol, on the Crimean peninsula in southern Ukraine. Both men are known to have been repeatedly beaten, and are believed to be at risk of further torture and ill-treatment.

Beslan Kutarba and Revaz Kishikashvili were detained on 30 and 31 August respectively by police officers from the Nakhimovsky police station in Sevastopol. They were accused of petty theft and breaking and entering, a crime to which they have reportedly confessed. Reports indicate that police may be torturing and ill-treating the men to force them to confess to unsolved crimes that they apparently have not committed. They are being held in the temporary detention facility in Sevastopol.

The two men are thought to be in very poor health. Beslan Kutarba has Hepatitis C. The last time his lawyer saw him, he had bruising and swellings and fresh injection marks in his arm. He is a drug user and it has been claimed that the investigators may be using access to drugs as a way to exert pressure during interrogations. According to his lawyer, Revaz Kishikashvili showed signs of having been beaten, and has contracted a skin disease while in detention. He suffers the effects of a previous head injuries as well as a chronic kidney complaint.

No medical examinations have been carried out on either of the men, and neither has received any medical treatment. Their lawyers and families have had very limited access to them.

## **BACKGROUND INFORMATION**

In Ukraine, torture and ill-treatment in pre-trial detention are widespread and are routinely used to elicit forced confessions from prisoners. The Council of Europe Committee for the Prevention of Torture has stated that people arrested by the Ukrainian police ran a "significant risk" of being physically ill-treated, while the Ukrainian Human Rights Ombudsperson stated that 12,000 people had alleged that they had been subjected to torture and ill-treatment in Ukraine in 2002.

Conditions in temporary detention facilities are also extremely poor, and the facilities in Sevastopol have led to a very high rate of infection with tuberculosis among the detainees. Cells are overcrowded and detainees are forced to share bunks or sleep in shifts, food is inadequate, ventilation is poor, there is little natural light and poor hygiene facilities, usually an open toilet in the shared cell.

The official response towards these human rights violations has all too often been shockingly complacent.

## **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Russian or English or your own language:**

- expressing grave concern at reports that BESLAN KUTARBA and REVAZ KISHIKASHVILI, who are held in the Ministry of Interior temporary detention facility in Sevastopol, have been tortured and ill-treated;
- asking for guarantees that both men will be treated humanely;
- asking for independent medical examinations to be carried out on both detainees, and for Revaz Kishikashvili to receive medical treatment for existing medical problems;

- urging an investigation into the allegations of torture and ill-treatment, with the findings made public and anyone found to have tortured or ill-treated either man brought to justice.

Please ensure that the names of the detainees are written clearly in capital letters.

**APPEALS TO:**

**When sending appeals to the following two targets, please note on them that they are being copied to the Procurator General.**

**Ministry of the Interior, Sevastopol**

Nachalnik UMVD Ukrainy v g. Sevastopole  
ul. Pushkina 10  
Sevastopol  
Malikovu V.V  
UKRAINE

**Fax:** (+380 652) 547855 (fax lines to Ukraine are poor, and you may have to try several times before you get through)

**Salutation:** Dear Major General V. Malikov

**Procuracy of the Autonomous Republic of the Crimea**

95015 Simferopol, vul. Sevastopolskaya, 21,  
Kod AMT3 - 0652,  
Galtsovu, V.  
UKRAINE

**Fax:** (+ 380 652) 518436

**Salutation:** Dear Director Volodymyr Galtsov

**COPIES TO:**

**Procurator General of Ukraine**

Ukraina 252601  
g. Kiev-II  
ul. Reznitskaya, 13/15  
Prokuratura Ukrainy  
Generalnomu prokuroru  
Vasiliyevu, G  
UKRAINE

**Fax:** (+380 44) 290 2603

**Salutation:** Dear Procurator General

**Human Rights Ombudsperson**

Nina Karpachova  
21/8, Instytutska Str.,  
Kyiv, 01008  
UKRAINE

**E-mail:** omb@ombudsman.kiev.ua

**Salutation:** Dear Mrs Karpachova

and to diplomatic representatives of Ukraine accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 26 November 2004.