

AMNESTY INTERNATIONAL

External Document

AI Index: EUR 50/008/2005 (Public)
News Service No: 248
27 September 2005

Embargo Date: 27 September 2005 08:00 GMT

Ukraine: Victims of police brutality

"I was physically and morally exhausted. I understood that I could not go through all that again. Therefore I decided to commit suicide. I asked to go to the toilet and cutting up the skin on my left wrist I bit through the vein with my teeth."

Aleksei Zakharkin who attempted to commit suicide on the seventh day of his detention

Torture and ill-treatment at the hands of the police is widespread in Ukraine, but as a rule the perpetrators go unpunished, the victims don't receive reparation and the wider public is not informed. In its latest report *Time for Action: Torture and ill-treatment in police detention*, Amnesty International addresses the causes of torture and ill-treatment and recommends to the Ukrainian authorities a series of measures aimed at upholding the absolute prohibition of such treatment.

Amnesty International members from around the world are writing to the Ukrainian authorities to demand prompt, impartial and thorough investigation into complaints of torture and ill-treatment of detainees at the hands of the police. In particular, they express their concern at the ill-treatment of **Tatiana Doroshenko**. In 2004, she was detained by police in Simferopol and separated from her 18-month-old boy, who was ill at the time, in order to force her to testify against three suspects in the case. The three men and a woman who were arrested with her say they were beaten by the police. All of the detained complained to the public prosecutor of the Simferopol region, but only after Amnesty International raised the case with the Ministry of Justice, was a commission of enquiry sent from Kyiv and two of the men were awarded compensation. To Amnesty International's knowledge, the police officers concerned have not been brought to justice.

Amnesty International members are also raising the case of **Mikhailo Koval, his wife Anna** and their son **Dmitri Brik**. In 2001, officers from Chernihiv city police station allegedly beat and tortured them over the disputed ownership of a Bosch drill and the possession of a gas pistol. The father and son were later treated in hospital for concussion, a broken rib, cuts, bruises and a burst eardrum. To Amnesty International's knowledge, to this date the Chernihiv police officers have not been brought to justice.

Other cases of torture and ill-treatment listed in Amnesty International's report:

Ihor Timchuk

Forty-seven-year-old businessman Ihor Timchuk from Ivano-Frankivsk was allegedly tortured by high-ranking police officers in April 2002, to force him to confess to a murder for which he is currently serving a life sentence.

Ihor Timchuk was originally detained on suspicion of bribing, together with Mykola Shkribliak, the election committee for the 2002 local elections, a crime to which he freely confessed. On the day of the elections, 29 March 2002, Mykola Shkribliak was shot in the entrance to his house and later died in hospital. On 25 April, Ihor Timchuk was detained again and accused of murdering Mykola Shkribliak. During his detention, he was repeatedly beaten to force him to sign a confession and at night he was handcuffed to a radiator and forced to sleep sitting in a chair. He was not allowed to see a lawyer despite his requests and his detention was not recorded. On 4 May, he was reportedly led out of the cell, blindfolded and handcuffed. Ihor Timchuk's handcuffed hands were placed over his bent knees and a metal bar was inserted under his knees. He was suspended on the bar still blindfolded so that his upper body swung down. He was then beaten on the soles of his feet with rubber batons. The metal bar was then placed under his armpits and he was suspended in this position while police officers beat him with sticks on his arms, head, chest and face. Ihor Timchuk endured this treatment for 10 hours. He later learnt that he had been beaten by operational police officers, the head of criminal investigation and a general in the Ministry of Internal Affairs from Kyiv. Ihor Timchuk was then told to write a confession, but he had lost all feeling in both arms, and was unable to write. The general from Kyiv started to shout at his colleagues that it was the hands he needed not the head of the suspect.

In April 2004, Ihor Timchuk was given a life sentence for the murder of Mykola Shkribliak. He is currently held in Ivano-Frankivsk and is receiving medical treatment for his continuing health problems.

Maksim Kalinin

Sixteen-year-old Maksim Kalinin was with a group of teenagers in the centre of Kerch at about 10pm on 6 June 2005 when he got into an argument with a girl. The girl claimed to have friends in the police and threatened to tell them that he had insulted her. She was seen to be speaking on her mobile phone and within five minutes a police car arrived. Three police officers beat up Maksim Kalinin in front of 15 witnesses, some of whom tried to intervene. Maksim Kalinin was handcuffed and taken to the local police station where police continued to beat him and threatened to accuse him of a serious crime. He was held in police custody for 24 hours and then taken home.

Maksim Kalinin required hospital treatment for his head injuries. He was diagnosed with a head injury and cranial bleeding and remained in hospital. Maksim Kalinin's parents met obstacles in their efforts to make an official complaint about the ill-treatment of their son. On 17 June criminal proceedings were started against two police officers and the case is expected to come to court in October.

Aleksei Zakharkin

Thirty-five-year-old Aleksei Zakharkin was detained by police officers in Ivano-Frankivsk district in May 2003. For the next week he was subjected to beatings and severe torture in two different police stations and forced to sign a confession for robbery. By the seventh day, when threatened with further torture, he attempted to kill himself.

In his complaint to the European Court of Human Rights, Aleksei Zakharkin stated that he was suspended from a metal bar, forced to wear a gas mask in which there was some kind of liquid and when he breathed he felt a sharp pain in his chest. At times the vent in the gas mask was closed so that it was impossible to breathe at all. He was also sprayed in the eyes from a gas canister. While he was suspended from the metal bar he was beaten and he lost consciousness. He heard the deputy head of Kalushskiy police station say to the officers beating him: "You can kill him, but just be sure to get the confession." Aleksei Zakharkin then signed the confession fearing that he would not get out of the police station alive.

Six days after his detention, Aleksei Zakharkin met his lawyer for the first time and told him that he had signed a confession under torture. Seeing the evident bruises and marks on his client's body his lawyer made a request for a medical examination. The following day Aleksei Zakharkin was not given a medical examination. Instead, he heard the order given for police operatives to come and "work with him" all night. Aleksei Zakharkin wrote that he could not take any more torture, and finally early in the morning on 24 May 2003 he attempted suicide by biting through a vein in his wrist. He was taken to hospital and only then were

his family were informed of his whereabouts.

Edit Shmelina

Sixty-four-year-old Edit Shmelina, who lives with her daughter, a drug addict, in Mirnoye village in Crimea, was allegedly subjected to ill-treatment when officers from the narcotics division came to search her house on 30 September 2004. She gave the following account of her treatment. Police first held a gun to her head and fired a shot in the air from another gun. She was punched in the stomach and shoved so that she fell against a fence and hit her head. She was handcuffed to the police car in her front garden for approximately two hours while police officers searched her house. Edit Shmelina said that she begged to be released because of the physical pain and nervous agitation she was suffering, but police insulted and swore at her and threatened to use further violence against her. The police beat and threatened her to make her sign a declaration that she had voluntarily allowed police officers to search her house. Finally, Edit Shmelina agreed to sign such a declaration.

On 14 February 2005, Edit Shmelina was detained on suspicion of illegally obtaining and possession of drugs and she is currently charged under Article 307 of the Criminal Code. Edit Shmelina's daughter, D. Golobkova, was detained on 16 February 2005 by the narcotics police and held for three days without being given a reason. She was then detained again on 25 February. According to her relatives, she was very dependent on drugs and required medical help. There is no information that she was given any assistance while in the police station and while being held in a cell alone, she committed suicide by hanging herself on 26 February 2005.

See: *Ukraine: Decisive action against torture yet to be taken* (AI Index: EUR 50/007/2005)

<http://web.amnesty.org/library/index/engneur500072005>

Ukraine: Torture and ill-treatment in police detention (AI Index: EUR 50/005/2005)

<http://web.amnesty.org/library/index/engneur500052005>

Ukraine: Time for action: Torture and ill-treatment in police detention (AI Index: EUR 50/004/2005)

<http://web.amnesty.org/library/index/engneur500042005>

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