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Ukraine must launch fresh investigation into student death in custody

The Ukrainian authorities must launch a fresh investigation into the death in custody of a student, Amnesty International said after two police officers suspected of responsibility for his death yesterday walked free following a court hearing in Kyiv.

Both officers were only tried on minor negligence charges over the death of 19-year-old Ihor Indilo. One of them, Sergei Prihodko, was given a five-year suspended sentence, while the other, Sergei Kovalenko, was granted amnesty by the court.

Ihor Indilo died from a fractured skull and internal bleeding in May 2010 after being arrested and interrogated by the two officers in Kyiv. His family suspect Sergei Prihodko inflicted the fatal injury.

“Charging the two police officers with minor negligence when there is strong evidence to suggest that their behaviour resulted in Ihor Indilo’s death shows a shocking disregard for human life,” said John Dalhuisen, Amnesty International’s Deputy Director for Europe and Central Asia.

“The Ukrainian authorities must conduct a thorough investigation and bring charges against the two men that would allow the court to consider whether the officers were, through their actions or failure to act, responsible for Indilo’s death.

“If so, they must be sentenced appropriately.”

Students took to the streets after yesterday’s verdict to protest against police abuse and the Ukrainian authorities’ continued reluctance to deal with it.

In October, President Viktor Yanukovich called on the Prosecutor General to personally review the case after extensive media coverage of the case.

The Prosecutor General publicly criticized the Kyiv prosecutor’s office’s handling of the case but did not intervene to ensure the officers were tried under the appropriate charges.

“This case has become a litmus test for the Ukrainian justice system’s ability to seriously deal with allegations of police abuse. Its failure to do so highlights the need for systemic reform,” said John Dalhuisen.

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 been out celebrating on 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 Sergei Prihodko 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 was charged with "abuse of power that results in pain or denigrates a person's dignity," in relation to having dragged Indilo across the floor.

Sergei Kovalenko was charged with "neglect of official duty without grave consequences", in relation to allowing Sergei Prihodko to carry out these actions.