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Ukraine must release Belarusian prisoner of conscience

The Ukraine authorities must immediately and unconditionally release Belarusian musician and activist Igor Koktysh, detained for over two years for the peaceful expression of his beliefs, said Amnesty International.

The organization also urged that Igor Koktysh should not be forcibly returned to Belarus, where he is believed to be at risk of the death penalty on fabricated charges.

Amnesty International said it considers Igor Koktysh to be a prisoner of conscience.

Igor Koktysh has been detained in Ukraine since 25 June 2007, after Belarus requested his extradition over a baseless accusation that he committed murder in Belarus in January 2001.

He is charged with the "premeditated, aggravated murder" of a close friend's relative, under Article 139 of the Criminal Code of Belarus, which carries the death penalty.

Igor Koktysh was held in detention from January 2001 until his trial that December. While in custody he was allegedly tortured and ill-treated. This included being beaten and locked naked in a freezing cell, as well as being deprived of necessary medication for his asthma, in order to force him to confess.

Igor Koktysh told Amnesty International that during his detention the head investigator of Brest district told him that he knew he was not guilty of the crime, but that he was under pressure from his superiors. The investigator refused to repeat these words in court.

Able to prove that he was in another city when the murder took place, he was acquitted and released. This verdict was confirmed by the Supreme Court of Belarus on 1 February 2002.

After his release, Igor Koktysh moved to Ukraine where he registered to live and work and met his future wife. In April 2002, the Belarusian Prosecutor General appealed against the verdict and the case was returned to the lower court for a retrial.

Belarus's request for his extradition followed and Igor Koktysh was detained by the Ukraine authorities on 25 June 2007.

Igor Koktysh filed a complaint to the European Court of Human Rights in October 2007 to challenge his extradition to Belarus and his detention pending extradition. The Court called on the government of Ukraine to not extradite him before the Court has considered the case.

In Ukraine, Igor Koktysh continued to actively support the Belarusian opposition candidate, Alyaksandr

Milinkevich, during the presidential election campaign in Belarus in 2006. He created videos, website banners and composed songs supporting the candidate.

He also created a website for the unregistered Informal Youth Movement which contained opposition leaflets and posters.

Igor Koktysh applied for refugee status in Ukraine, but his application was rejected on 23 October 2008. His lawyer is currently appealing against this decision on his behalf.

A number of international human rights conventions to which Ukraine is a state party prohibit the deportation or extradition of anyone to a country where he or she may face the death penalty, torture or other ill-treatment or other grave human rights violations.

Igor Koktysh, a musician in the banned rock group Mlechny Put (Milky Way), was socially and politically active in Belarus.

He was a founding member of a youth group financed by the Catholic Church, which aimed to rehabilitate young drug users.

Igor Koktysh organized rock festivals to publicize the message "No to drugs and violence". At these festivals opposition flags and slogans were displayed.

He was also an active member of the youth opposition movement Zubr (since disbanded) and took part in a number of political campaigns.

In 2000, Igor Koktysh tried to start an independent youth organization, the Informal Youth Movement, but the authorities refused to register the group.

Shortly afterwards, the head of investigations of the local police department came to Igor Koktysh's house and, in front of witnesses, stated that he would find a reason to arrest him. The police immediately put Igor Koktysh under surveillance and he was subjected to interrogations, searches and criminal charges.