

URGENT ACTION

LAWYER BEATEN FOR DEMANDING TO SEE CLIENT

On 17 August lawyer Dmytro Karpenko was detained and tortured by police in Cherkasy, Ukraine, after demanding to see a client. When he complained about his treatment, the police accused him of assaulting them. His trial is on 29 December.

On 17 August **Dmytro Karpenko** went to Cherkasy Court to see a client of his who was being unlawfully detained. When police tried to leave the court compound with his client in an unmarked white van, Dmytro Karpenko blocked the gateway and demanded to see him. CCTV footage of the incident shows three police officers aggressively seizing Dmytro Karpenko, forcing him to the floor and dragging him, handcuffed, into the van.

Dmytro Karpenko told local human rights defenders that he was taken to Cherkasy police station and beaten for around two hours. Following his release, he spent more than a week in hospital with concussion, kidney damage and heavy bruising. On 18 August he submitted a complaint about his treatment, backed up by medical evidence, to the Cherkasy prosecutor's office.

On 30 August the Cherkasy prosecutor's office opened a criminal case against Dmytro Karpenko, claiming that he had injured two of the three police officers while resisting arrest. There was no investigation into Dmytro Karpenko's allegation of ill-treatment or to ascertain how he sustained the injuries documented by the hospital. Dmytro Karpenko appealed the decision to open a criminal case against him, and the charges were quashed by Cherkasy Court on the basis of the CCTV evidence. The decision to dismiss the case was upheld by Cherkasy Court of Appeals.

However, on 28 November, the Kirovograd prosecutor's office re-opened the case against Dmytro Karpenko - despite the fact that this is prohibited by Ukrainian law. On 29 December Dmytro Karpenko will stand trial for resisting arrest and assaulting a police officer and faces up to 6 years in prison if convicted.

Please write immediately in Ukrainian, Russian or your own language:

- Calling for the charges against Dmytro Karpenko to be dropped;
- Calling for an immediate investigation into the allegation that Dmytro Karpenko was tortured while in police custody.

PLEASE SEND APPEALS BEFORE 25 JANUARY 2012 TO:

Prosecutor General
Viktor Pavlovich Pshonka
Riznitska Str. 13/15
01601 Kyiv
Ukraine
Fax: + 380 44 280 2851
Salutation: Dear General Prosecutor

Minister for Internal Affairs
Vitaliy Zakharchenko
Akademika Bogomoltsa Str. 10
01024 Kyiv
Ukraine
Fax: +380 44 256 16 33
Email: mvsinfo@mvsinfo.gov.ua
Salutation: Dear Minister

And copies to:

Ombudsman
Nina Karpachova
Vul Instytutska 21/8
01008 Kyiv, Ukraine

Also send copies to diplomatic representatives accredited to your country.

Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

There is effective impunity in Ukraine for the high level of criminal misconduct, including torture and extortion, by the police in the course of their work. Structural shortcomings, high levels of corruption, close working relationships and other links between prosecutors and police, meant that investigations into criminal acts committed by the police, even when medical or other credible evidence exists to support the allegations, are not carried out. Harassment and intimidation of complainants are common. These combined with the subsequent low level of prosecutions fuels lack of accountability for human rights violations committed by the police.

Name: Dmytro Karpenko

Gender: M

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