

UA 197/02

Fear of t**UKRAINE Timur Flores Lopez (m), aged 19**

---

Amnesty International is concerned that 19-year-old Timur Flores Lopez is at serious risk of torture and ill-treatment in the prison where he is currently being held. He has reportedly been targeted by local law enforcement officials, against whom he has made allegations of torture and ill-treatment.

On 14 June, a group of masked law enforcement officials reportedly entered the cell, which Timur Flores Lopez shared with about 30 other prisoners at Prison No.1 in the city of Vinnytsa, south-west of the Ukrainian capital, Kyiv. They had reportedly been allowed into the prison by prison officials. The law enforcement officials allegedly beat Timur Flores Lopez in front of other prisoners. They then removed him from the cell and placed him in a small isolation cell or 'cooler'. The conditions of the isolation cell were said to be very poor.

Timur Flores Lopez was reportedly only removed from the isolation cell after a family member learned of the incident and lodged an official complaint with the prison authorities. The Ukrainian Human Rights Ombudsperson's Office was also said to have been informed and visited the prison on 18 June 2002, reportedly confirming the incident.

**BACKGROUND INFORMATION**

Police officers originally detained the then 17-year-old Timur Flores Lopez in Vinnytsa on suspicion of theft in September 2000. Police officers allegedly tortured the adolescent in order to elicit a "confession" from him, which was used to secure his conviction during his subsequent trial. On 28 November 2001 a court in Vinnytsa convicted Timur Flores Lopez of alleged theft and sentenced him to five years' imprisonment.

Relatives of Timur Flores Lopez contacted Amnesty International in early 2002 highlighting these concerns. Amnesty International subsequently wrote to the Ukrainian authorities in March 2002 calling for a prompt, thorough and impartial investigation into the serious allegations.

On 14 May 2002 Amnesty International received an official reply from the Human Rights Ombudsperson's Office stating that it had intervened in the case. As a result, in April this year an appeals court in Vinnytsa repealed Timur Flores Lopez's November 2001 conviction and sent the case for further investigation. Amnesty International believes that it is due to this ongoing investigation and the failure of the prison authorities to protect him, that Timur Flores Lopez is at serious risk of further torture and ill-treatment.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Ukrainian or Russian or your own language calling on the Ukrainian authorities:**

- to take immediate steps to ensure that Timur Flores Lopez is not subjected to any further reprisals and to guarantee his safety;
- to initiate a prompt, thorough and impartial investigation into allegations that he was beaten by masked law enforcement officials in Vinnytsa's Prison No.1 on 14 June 2002;
- to ensure that the investigation into allegations that Timur Flores Lopez's November 2001 conviction was based on a forced "confession" is promptly, thoroughly and impartially investigated and is completed in a timely manner;

-remind the authorities of their obligation under Article 15 of the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which states:"Each State Party shall ensure that any statement which is established to have been made as a result of torture shall not be invoked as evidence in any proceedings, except against a person accused of torture as evidence that the statement was made".

**APPEALS TO:**

**(Please note: We have experienced considerable problems sending faxes to Ukraine. Please be patient and keep trying. Send faxes manually and if a voice answers say 'fax' and wait for the signal. If problems persist, please send faxes to diplomatic representatives of Ukraine accredited to your country)**

Procurator General of Ukraine

Nikolai GARNIK

Ukraina

252601 g. Kyiv-II

ul. Reznitskaya, 13/15

Prokuratura Ukrainy

Generalnomu prokuroru

Garnik N.

UKRAINE

**Telegrams: Prokuratura, Kyiv, Ukraine**

**Fax: + 380 44 290 2603**

**Salutation: Dear Procurator General**

Minister of Internal Affairs of Ukraine

Yuriy SMIRNOV

Ukraina

252024 g. Kyiv

ul. Bogomoltsa, 10

Ministerstvo vnutrishnykh sprav Ukrainy

Ministru Smirnov Y.

UKRAINE

**Telegrams: Ministerstvo vnutrishnykh sprav, Kyiv, Ukraine**

**Email: mail@centrmia.gov.ua**

**Salutation: Dear Minister**

**COPIES TO:**

Minister of Foreign Affairs of Ukraine

Anatoliy M. Zlenko

Ukraina

01801 g. Kyiv

pl. Mykhalivska 1

Ministerstvo zakordonnykh sprav Ukrainy

Ministru Zlenko A.M.

UKRAINE

**Telegrams: Ministerstvo zakordonnykh sprav Ukrainy, Kyiv, Ukraine**

**Fax: + 380 44 212 22 12**

**Email: zsmfa@mfa.gov.ua**

**Salutation: Dear Minister**

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 8 August 2002.