

URGENT ACTION

BELARUSIAN MUSICIAN DETAINED IN UKRAINE

Igor Koktysh, a 29-year-old male social activist, supporter of the opposition and musician in Belarus, could be forcibly returned at any time from Ukraine, where he is at risk of the death penalty for fabricated charges. He is a prisoner of conscience, held for the peaceful expression of his beliefs.

Igor Koktysh has been detained in Ukraine since 25 June 2007, after Belarus requested his extradition over a baseless accusation that he carried out a murder in Belarus in 2001. He is charged with “premeditated, aggravated murder” under Article 139 of the Criminal Code of Belarus, which carries the death penalty.

Igor Koktysh had been charged with a murder in January 2001 and had been held in pre-trial detention until his trial in December 2001. In custody he was allegedly tortured and ill-treated, including by being beaten and locked naked in a very cold cell, in order to force him to confess. Being 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 Igor Koktysh had moved to Ukraine with his Ukrainian girlfriend, whom he later married, in April 2002 in an unusual move the Belarusian Prosecutor General appealed against the verdict and the case was returned to the lower court for a retrial – hence the request for extradition.

In Ukraine, Igor Koktysh continued to be actively involved in supporting the Belarusian opposition candidate during the presidential election campaign in Belarus in 2006. Igor Koktysh 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.

PLEASE WRITE IMMEDIATELY in English, Russian, Ukrainian or your own language:

- Calling for the immediate and unconditional release Igor Koktysh, as he is a prisoner of conscience, targeted for the peaceful exercise of his right to freedom of expression;
- Urging the Ukrainian authorities to provide Igor Koktysh with effective and durable protection against his forcible return to Belarus.

PLEASE SEND APPEALS BEFORE 22 DECEMBER 2009 TO:

Yuliya Tymoshenko
Prime Minister
M.Grushevskogo 12/2
01008 Kyiv
Ukraine
Fax: +380 44 254 0584
E-mail: yulia@tymoshenko.com.ua
Salutation: Dear Prime Minister

Oleksandr Medvedko
Prosecutor General
Vul. Riznitska 13/ 15
01601 Kyiv
Ukraine
Fax: +380 44 280-26-03
Salutation: Dear Prosecutor General

COPIES TO: diplomatic representatives of Ukraine accredited to your country. Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

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. Igor Koktysh 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.

While Igor Koktysh was detained in connection with the murder of a close friend's relative, a senior police officer allegedly told him that he knew he was not guilty of the crime, but that he was under pressure from his superiors.

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. In October 2007 the Court called on the government of Ukraine to not extradite him before the Court has considered the case.

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