

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Ukraine: Allegations of ill-treatment of Amnesty International members must be investigated

Amnesty International is concerned that six people including Amnesty International activists and former prisoners of conscience were held for three days in incommunicado detention in Ukraine. Two of them report that they were subjected to beatings and all were detained in very poor conditions without access to a lawyer or any possibility to contact the outside world between Wednesday night and Saturday evening, when they were released.

Ihor Koktysh, Iryna Tyutyunnyk, Tatyana and Vitaliy Tishchenko, Artsyom Dubski and Aleksei Zakshevskiy were detained in connection with an investigation into possession of cannabis in Zhytomir in North West Ukraine on 3 November. They were only released on Saturday evening after their lawyer went to see the Regional Prosecutor and demanded to see them.

Ihor Koktysh, and Iryna Tyutyunnykh are the coordinators of the Amnesty International group in Zhytomir and they were preparing for a group meeting with four of their friends on 3 November. At 2pm police officers entered the flat without a search warrant by sending ahead a woman who claimed to be checking the electricity metre. Shortly after that five plain clothed police officers entered and restrained all those in the flat. When he complained that they were being subjected to a provocation, Ihor Koktysh maintains that he was forced to lie on the floor on his stomach and handcuffed. Artsyom Dubski alleges that he was beaten by police officers in the flat. They were made to wait for two hours until the owner of the flat arrived and gave written permission to the police to inspect the flat. Shortly afterwards police officers claimed to find 10g of cannabis in the kitchen.

Amnesty International spoke to Iryna Tyutyunnyk while the flat was being searched, but then lost touch with the group. The organization later learned that they had been detained and taken to three different police stations in Zhytomir region. Their mobile phones were confiscated and they were unable to contact anybody until their release.

This case highlights a long-standing problem in Ukraine that people who are detained under the Administrative Code can be held by the police for up to three days without access to a lawyer. They are deprived of the basic guarantees that can protect them from torture and other ill-treatment.

Although, under the Administrative Code detainees are entitled to a phone call to inform a person of their choice of their detention, they were denied this right increasing the risk of ill-treatment in detention.

Amnesty International urges the authorities to conduct a prompt and impartial investigation into the actions of police officers in this case and in particular to investigate the allegations that Artsyom Dubski and Ihor Koktysh were beaten by police officers, and that police officers gained entry to the flat under false pretences and without a warrant. Furthermore, Amnesty International calls on the authorities to make the necessary changes to the Administrative code to ensure that all detainees have access to a lawyer from the outset.

Background

Ihor Koktysh was detained in Ukraine for over three and a half years from 25 June 2007 following an application by Belarus for his extradition to face a charge of murder, a crime that

carries the death penalty in Belarus. Ihor Koktysh had first been charged with the crime in January 2001, but was acquitted in December 2001. He then left Belarus for Ukraine and in his absence the case was reopened and he was charged again with the same offence in 2002. He was released from detention in Ukraine on 2 February 2010 after the European Court of Human Rights ruled on 10 December 2009 that Igor Koktysh should not be extradited to Belarus due to the serious risk of torture or ill-treatment and the death penalty. The case against Ihor Koktysh for murder in Belarus is ongoing.

Artyom Dubsky, an opposition activist from Belarus was sentenced to two years of restricted freedom in Belarus in April 2008 for his participation in a peaceful protest which was converted to one year imprisonment in July 2009. Amnesty International declared him a prisoner of conscience and he was released in May 2010 and moved to Ukraine in June.

Public Document

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