

## **The case of Ruslan Kotsaba, a prisoner of conscience adopted by Amnesty International, under scrutiny at the European Parliament**

By Lea Perekrests for *Human Rights Without Frontiers* (04.02.2016) - On 26<sup>th</sup> January, the case of the imprisonment of the blogger Ruslan Kotsaba, was raised at an event hosted at the European Parliament by MEP Tatjana Zdanoka (Greens/ EFA). The speakers were:

- Tetiana Montian, the legal representative of Ruslan Kotsaba
- Denis Krivosheev, regional deputy programme director of Amnesty International
- Adrien Collin, from the International Federation of Journalists
- Katherine Morris, head of Europe and Central Asia of Article 19.

On 7 February 2015, **Ruslan Kotsaba**, a blogger challenging Kiev's official version concerning the conflict in the Donbass, was arrested after posting a video (\*) that describes conflict in Ukraine as 'The Donbas fratricidal civil war' – an expression used by Vladimir Putin but rejected by Ukraine's President Petro Poroshenko - and for expressing opposition to military drafting. [He is Amnesty International's](#) first prisoner of conscience in Ukraine in five years.

Soon after his arrest, on 31 March 2015, Kotsaba was charged with 'high treason'( under Article 111§1 of Ukraine's Criminal Code) and 'hindering the legitimate activities of the armed forces' (classified as an act of espionage under Article 114§1 of Ukraine's Criminal Code), charges that could result in a maximum of a twenty-three year prison sentence.

The prosecution alleges that Kotsaba provided false information to back his statements regarding conflict in Ukraine. The indictment claims that the video in which the statements were made, "received a significant number of hits in the Internet and was circulated among compatriots." In reality, the video had been watched by very few people until the SBU brought attention to Kotsaba. In addition, there was no evidence that the video made any impact on the levels of mobilization in support or against Ukraine, even though the prosecution deems it as 'subversive activities obstructing the armed forces'.

The indictment continues to list occasions where Kotsaba gave interviews to Ukrainian and Russian television channels during which he spoke about his video and shared his view that the events in eastern Ukraine constitute civil war. On one occasion, a Russian channel offered financial remuneration to Kotsaba for his reports, which he posted on Youtube, giving unrestricted rights to use them.

On 13 November 2015, after the latest court hearing, his lawyer, Tatyana Montyan, said that the trial is illegitimate- stating that a person is being held in prison on the pretext that a large number of witnesses need to be questioned is unlawful. She claims that the witnesses that have been questioned so far have all provided the same information on Kotsaba, the context of which is irrelevant to the charges that he is facing.

Today Kotsaba remains imprisoned awaiting trial in the Ivano-Frankivsk Detention Center in western Ukraine. Since his arrest, Kotsaba has been in contact with outside sources, producing statements and videos for the media. On 7 January 2016, he was quoted by Russia Today saying "I find it easier to serve in prison two to five years, than going to the civil war, to kill or assist in killing my compatriots who live in the east". Russia Today has published additional statements in [this article](#).

The speakers agreed to say that Ruslan Kotsaba's case was related to freedom of expression and as such he should not be prosecuted for his opinions, even if they are not shared by the authorities and by the majority of the population. Denis Krivosheev, the deputy programme director (ECA) of *Amnesty International*, summarized the sentiments expressed in the meeting regarding Ukraine's role when he said, "The view that this conflict is a civil war and not Russian aggression is again a matter of opinion and for opinions people should not go to prison...and it would be important that it is resolved as soon as possible if Ukraine is to prove freedom of expression is a fundamental human right"

Montyan is currently preparing an application to the European Court of Human Rights and accuses the Ukrainian authorities of deliberately delaying court proceedings.

The Kharkiv Human Rights Protection Group in Ukraine provides further details of the case [here](#).

(\*) Those who are interested in [this video](#) can watch it on Internet:

English: <http://bit.ly/23LhAIX>

German: <http://bit.ly/1NSpwfD>

French: <http://bit.ly/1PUGVpi>