

# URGENT ACTION

## ACTIVIST RELEASED FROM PSYCHIATRIC HOSPITAL

**Raisa Radchenko, a 70 year-old human rights activist in Ukraine, was released from the psychiatric hospital on 26 July. However, more pressure is needed to ensure that a criminal investigation is carried out into the fact that she was subjected to psychiatric treatment against her will, and with no legal justification.**

**Daryna Radchenko**, the daughter of **Raisa Radchenko**, thanked Amnesty International for the support and said that following the Urgent Actions issued on 15 and 18 July the situation started to improve. On 17 July a delegation from the Ombudsperson's office visited Zaporizhzhya and met with all parties including Raisa Radchenko, and a representative of the Ombudsperson's office announced that there were doubts as to whether it was necessary to treat Raisa Radchenko. On 25 July a Commission from the Ministry of Health visited Raisa Radchenko and concluded that the treatment had been successful. The head doctor of the hospital announced that for that reason the treatment could be changed to outpatient treatment. She is currently at home with her daughter and grandchild and being treated for various physical complaints which her daughter told Amnesty International had worsened following the administration of drugs in the psychiatric hospital.

Her lawyer has advised Raisa Radchenko and her daughter to remain at home, warning that an order for outpatient treatment can very easily be changed to in-patient treatment. Raisa Radchenko will not be safe until the original order for her forced psychiatric treatment is cancelled.

On 13 July, the prosecutor's office opened an investigation into Daryna Radchenko's complaint that she and her son were ill-treated by police when they were restrained during her mother's forced hospitalization. However, on 22 July Daryna Radchenko received notification that she was to appear in court on 1 and 5 August in connection with two administrative offences of minor hooliganism and failure to obey the instructions of the police during the forced hospitalization of her mother. Daryna Radchenko believes that these two charges are intended to prevent her from pursuing her complaint about the ill-treatment.

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

- Calling for a criminal investigation to be carried out into the circumstances surrounding Raisa Radchenko's forced psychiatric treatment and in particular asking for what psychiatric illness she was being treated;
- Asking for Raisa Radchenko to be given a psychiatric examination outside the Zaporizhzhya Region to ensure impartiality, with the participation of a psychiatrist from the Ukrainian Psychiatric Association;
- Reminding the authorities that they have an obligation not only to ensure that human rights defenders can carry out their activities unhindered, but also to protect them against any violence, threats, or retaliation in conformity with the UN Declaration on Human Rights Defenders (1999).

### **PLEASE SEND APPEALS BEFORE 10 SEPTEMBER 2013 TO:**

#### Prosecutor General

Viktor Pshonka

Vul Riznitska 13/15

01601 Kyiv, Ukraine

Fax: + 380 44 280 2851

#### **Salutation: Dear Prosecutor**

#### Ombudsman

Valeriya Lutkowska

Vul Instytutska 21/8

01008 Kyiv, Ukraine

E-mail: omb@ombudsman.kiev.ua

**Salutation: Dear Ombudsman**

**Also send copies to diplomatic representatives accredited to your country.**

Please check with your section office if sending appeals after the above date. This is the second update of UA 177/13. Further information:

<http://www.amnesty.org/en/library/info/EUR50/011/2013/en>

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### ADDITIONAL INFORMATION

Raisa Radchenko is a member of several local citizens' associations in Zaporizhzhya, Ukraine and has actively campaigned against local corruption and police abuse, supporting local people who have attempted to claim their rights. In early June she visited the capital Kyiv to present petitions on behalf of residents of Zaporizhzhya to the Prosecutor General's office and the Presidential Administration. She had previously also organized a petition asking for the resignation of the Mayor of Zaporizhzhya.

Daryna Radchenko, Raisa Radchenko's daughter, reported that on 10 July two police officers and a psychiatrist came to their home and informed Raisa Radchenko that there had been a court decision stating that she should be subjected to an in-patient psychiatric examination. She has no history of mental illness. Raisa Radchenko refused to open the door because they were unable to produce any documents confirming the court decision. On 11 July she went with her daughter and five year-old grandson to Lenin District Court for more information. According to Daryna Radchenko as many as 30 police officers immediately detained her mother and restrained all three; Daryna Radchenko sustained bruising on her arm. The following day Daryna Radchenko met the head doctor at the Zaporizhzhya Regional Psychiatric Hospital and was informed that a court decision had been taken based on the testimony of two cleaners working in Raisa Radchenko's block who reported anti-social behaviour. Only subsequently did Daryna Radchenko see a copy of the court decision ordering an in-patient psychiatric evaluation.

The original court order for forced psychiatric treatment did not explain how Raisa Radchenko's behaviour could be considered a danger to society and did not provide a diagnosis of psychiatric illness requiring in-patient treatment. The local prosecutor has not opened a criminal investigation into the fact that Raisa Radchenko was subjected to forced psychiatric treatment on the basis of a description of her social activities without any legal or medical basis.

Name: Raisa Radchenko, Daryna Radchenko

Gender: f

Further Information on UA: 177/13 Index: EUR 50/012/2013 Issue Date: 30 July 2013