



European Bureau for Conscientious Objection

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EBCO appeal: Free Ruslan Kotsaba!

Ruslan Kotsaba, a journalist and conscientious objector from Ukraine, was sentenced to three and a half years imprisonment by the city court of Ivano-Frankivsk (Western Ukraine) on 12 May 2016. The court found him guilty of „obstructing the legitimate activities of the Ukrainian Armed Forces“. The prosecutor had additionally accused him of treason against the Ukrainian state and had asked for a sentence of 13 years imprisonment. The time Kotsaba spent in pretrial detention – almost 15 months – will be counted twice so that the remaining prison term is about one year.

Ruslan Kotsaba is 49 years old and father of two daughters. In 2004 and 2014 he had actively supported the “orange revolution” and the Maidan protests. In 2015 he voted for Poroshenko as president. As a journalist he had travelled to the Donbas area several times and reported from both sides of the front. He denounced the military action of the Ukrainian government in the Eastern part of the country and called for a negotiated settlement of the conflict. In a video appeal to President Poroshenko he said in January 2015: „I’d rather go to prison for two to five years than take a deliberate decision to kill my compatriots in the Eastern part. I say to all who listen to me: I refuse the mobilization and I call all reasonable people to refuse the mobilization. It is hell, a horror. It’s not acceptable that people are killed in the 21st century because they want to secede.“

Kotsaba was arrested on 5 February 2015 and thereafter was held in pretrial detention. He is suffering from the effects of a heart attack and has to take medication daily. In winter the temperature in his prison cell – he was in solitary confinement most of the time – often was near freezing.

During a court hearing at the beginning of February 2016, Ruslan Kotsaba said: „I have become a pacifist at the front...What’s going on in the Eastern part is a civil war with international interference on both sides, it’s fratricide.“ As a journalist he was obliged to hear also the separatist viewpoint. „Freedom of opinion, freedom of thought, freedom of belief – that is civilization. They are currently trying to take it away from us.“

In 2014 conscription was reintroduced in Ukraine. A large number of young men have avoided call up either by hiding within the country or by fleeing abroad. To object openly as Ruslan Kotsaba did is rare. There is a legal right to conscientious objection in Ukraine but it is restricted to certain religious minorities. Serving soldiers and reservists have no legal right to conscientious objection. The penalty conscientious objectors face for their refusal of military service is three to five years imprisonment.

- **The European Bureau for Conscientious Objection (EBCO) appeals to the Ukrainian government to meet its obligations as a member state of the Council of Europe by respecting the right to conscientious objection in a non-discriminatory manner in accordance with the human rights standards established by the Council of Europe, the Organisation for Security and Co-operation in Europe and the United Nations.**
- **EBCO calls for the immediate release of Ruslan Kotsaba whose imprisonment for his conscientious objection is a violation of his human rights.**
- **Our appeal is directed both to the Ukrainian authorities and to their international partners in dialogue and negotiation. The respect for all human rights in Ukraine, including the right of conscientious objection to military service must be central to any resolution of the current problems.**

EBCO was founded in Brussels in 1979 as an umbrella structure for national associations of conscientious objectors in the European countries to promote the right to conscientious objection to preparations for, and participation in, war and any other type of military activity as a fundamental human right. It enjoys participatory status with the Council of Europe since 1998 and is a member of its Conference of International Non-Governmental Organisations since 2005. It provides expertise and legal opinions on behalf of the Directorate General of Human Rights and Legal Affairs of the Council of Europe. It is involved in drawing up the annual report of the Committee on Civil Liberties, Justice and Home Affairs of the European Parliament on the application by the Member States of its resolutions on conscientious objection and civilian service, as determined in the “Bandrés Molet & Bindi Resolution” of 1994. It is a full member of the European Youth Forum since 1995.