

Nikolaev appeals court rules to prolong detention of Ukrainian socialist Bogdan Syrotiuk

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On August 6, the Appeals Court of the Nikolaev (Mykolaiv) region of Ukraine ruled that the pre-trial detention of Ukrainian socialist Bogdan Syrotiuk can be prolonged until September 19, 2025. Bogdan Syrotiuk, now aged 26, was arrested on April 25, 2024 on charges of “high treason” which carry between 15 years to life in prison. He has been held in an overcrowded prison in Nikolaev ever since. Syrotiuk is the founder and leader of the Young Guard of Bolshevik-Leninists, a Trotskyist youth organization which has opposed the NATO-Russia war in Ukraine by fighting for the unity of the Russian and Ukrainian working class.

The unlawful and unfounded character of Bogdan’s detention is the principal basis for Bogdan’s recently admitted case before the European Court of Human Rights.

The Appeals Court of the Nikolaev (Mikolaiv) region has now rejected an appeal by Bogdan’s lawyers against the decision of the Pervomaiskiy City District court of the Mykolaiv region on July 22, 2025, which was likewise based on the unlawful and unfounded character of his pre-trial detention.

In particular, Bogdan’s lawyers insisted that the court did not provide a proper legal assessment of the validity of the suspicion of the crime allegedly committed by Syrotiuk. They also pointed out that the prosecutor has failed to prove in court the risks stipulated by the Ukrainian Criminal Court and that the court did not properly justify the exercise of its right not to set bail for Syrotiuk. The lawyers argued that the court could have applied milder preventive measures instead.

The Appeals Court of the Nikolaev (Mikolaiv) region rejected all of these arguments, siding on all points with

the prosecution. In its ruling, the court argued that Bogdan’s alleged crime was “particularly serious,” and that given the severe penalty of between 15 years to life in prison, there was a risk of flight. Hence, imprisonment was necessary. The court ruling states:

The panel of judges believes that, taking into account the gravity of the crime with which Syrotiuk B. I. is accused, his awareness of the severity of the punishment that may be imposed on him by the court if he is found guilty, as well as the fact that the Russian Federation continues full-scale armed aggression on the territory of Ukraine, hostilities are ongoing, martial law has been introduced on the territory of Ukraine, and Syrotiuk is accused of committing a crime against the foundations of national security, there are grounds to believe that the accused may evade trial in order to avoid criminal liability.

To justify its ruling, the court referenced the case of *Ilykov v Bulgaria* No. 33977.96 of 25.07.2001 before the European Court of Human Rights, claiming that, in its ruling at the time, the ECHR “noted that the severity of the penalty provided is an essential element in assessing the risk of re-offending.”

But this is a misrepresentation of the case and the ruling. In *Ilykov v Bulgaria*, Ilykov charged that his detention and the criminal proceedings against him, which were based on charges of forgery of documents and fraud, were unreasonably long and thus in violation

of two articles of the European Convention of Human Rights: Article 5 §§ 3 and 4 regarding the length of his detention on remand and the examination of his appeals against detention and and Article 6 § 1 regarding the length of criminal proceedings.

In stark contrast to the case of Bogdan Syrotiuk, however, in the case of Ilyikov, the prosecution had proven a reasonable suspicion that Ilyikov had committed the offence. Such proof of reasonable suspicion is, according to the ECHR, the “*sine qua non* [indispensable condition] for the lawfulness of the continued detention.”

In the case of Bogdan, this proof was *not* provided, and this is the central basis for the appeal by Bogdan’s lawyers against his prolongation of detention, as well as their case before the ECHR. Bogdan was arrested as a 25-year-old youth in ill health on the gravest of charges without proper evidence. The indictment relied overwhelmingly on articles from the *World Socialist Web Site* that he either wrote, translated or read and distributed, exercising his fundamental right to freedom of expression and thought. While the prosecution alleges that the *World Socialist Web Site* is a “Russian propaganda and information agency,” this is a transparent lie, disproven by the very articles that are used against Bogdan and the entire record of the WSWs and its publishing organ, the International Committee of the Fourth International. In court sessions since, the prosecution has failed to provide further evidence of its charges.

Moreover, the ECHR did not declare that the severity of punishment was an “essential element” but only described it as a “relevant element in assessing the risk of re-offending.” It then emphasized that the “Court has repeatedly held that the gravity of the charges cannot by itself serve to justify long periods of detention on remand.”

The ECHR further stated:

The Court reiterates that continued detention can be justified in a given case only if there are specific indications of a genuine requirement of public interest which, notwithstanding the presumption of innocence, outweighs the rule of respect for individual liberty. Any system of mandatory detention on remand is *per se*

incompatible with Article 5 § 3 of the Convention. ... Where the law provides for a presumption in respect of factors relevant to the grounds for continued detention ... the existence of the concrete facts outweighing the rule of respect for individual liberty must be nevertheless convincingly demonstrated.

It is precisely such a “system of mandatory detention on remand” that “is *per se* incompatible with Article 5 § 3 of the Convention” that formed the basis for the arrest of Bogdan and, it must be added, thousands of workers and youth in Ukraine who were disappeared by the Ukrainian Secret Service (SBU) on charges of “high treason under martial law.” It speaks for itself that Ukraine has requested exception from the European Convention of Human Rights for the duration of its martial law. The European Union has repeatedly granted this request, most recently in 2024.

The latest ruling by the Appeals Court of the Nikolaev (Mykolaiv) region against Bogdan Syrotiuk, and its distortion of an earlier ECHR ruling, once again underscore that the trial against Bogdan is part of an entire legal and political system that, at every step, violates the most basic democratic and human rights of the Ukrainian population.

Bogdan’s case before the European Court of Human Rights is, therefore, of the utmost significance not only for the fight for his release but for the defense of democratic rights and the fight against war throughout Europe and internationally. To support the campaign for his release, go to wsws.org/freebogdan, sign the petition, make a donation and help us make Bogdan’s case as widely known as possible.



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