

UA 64/22

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RUSSIAN FEDERATION

JAILED UKRAINIAN DENIED URGENT MEDICAL CARE

Ukrainian citizen Oleksandr Marchenko is serving a ten-year sentence in Russia for espionage since November 2020. He maintains that he is innocent and that he was abducted in November 2018 and tortured to extract a “confession”. Oleksandr Marchenko has survived thyroid cancer and has multiple health issues. Russian authorities are denying him the medical care that he urgently requires which poses a risk to his life and may amount to torture.

In 2016, Oleksandr Marchenko had his thyroid removed due to cancer. Following the surgery, he requires daily medication, monthly blood tests and other medical examinations once every three months. However, since he was deprived of his liberty in 2018, he had only had one blood test privately arranged by his family in July 2021. According to Oleksandr Marchenko’s lawyers, on at least two occasions he was denied the medication he requires by the penitentiary authorities for extended periods. First, in April-May 2021, while he was being held in remand centre SIZO-1 and penal colony IK-14 in Krasnodar, and from 12 to 28 December 2021 while being held in SIZO-1 in Ulan-Ude, Buryatia. Being deprived from his vital medication caused a significant deterioration of his health. Currently, in penal colony IK-8, he is denied the regular tests he requires, while the vital medication has to be supplied by his family at their own cost. The denial of medical care may amount to torture or other ill-treatment.

According to Oleksandr Marchenko’s lawyers, the administration of SIZO-1 in Ulan-Ude issued death threats against him and threatened him with sexual violence. He was also reportedly placed in a punishment cell for 15 days with a man who had tuberculosis, for trying to contact the Ukrainian Consul. In March 2022, the administration of the penal colony IK-8 placed him in a disciplinary cell for 28 days, for his pro-Ukrainian views.

Write to the Director of the Federal Penal Service urging him to:

- ensure that Oleksandr Marchenko is provided with the medical care he requires, and that his allegations of torture and other ill-treatment are promptly, effectively and impartially investigated.

Write to: (Please note – Canada Post has currently suspended mail delivery to the Russian Federation)

Arkadiy Aleksandrovich Gostev
Director of Federal Penal Service
14, Zhitnaya Street
Moscow 119049
Russian Federation

Fax: 011 7 495 982 1950

Email: udmail@fsin.su

Salutation: Dear Director of the Penal Service:

And Copy:

His Excellency Oleg Stepanov
Ambassador
Embassy of the Russian Federation
285 Charlotte Street
Ottawa, ON K1N 8L5
Fax: 613 2366342
Email: info@rusembassy.ca

Additional information

Ukrainian citizen Oleksandr (Aleksandr) Marchenko told his lawyers that in December 2018 he travelled from Kyiv, Ukraine's capital, via Russia to Donetsk, in Russia-occupied eastern Ukraine, on personal business. On 18 December 2018, he was abducted by masked men when crossing back into Russia. According to Oleksandr Marchenko, the men put a bag over his head, took away his mobile phone and other personal belongings, and drove him to a secret prison belonging to the so-called "Donetsk People's Republic" (DNR). There he was held incommunicado in the basement, in a cell without windows, bed, toilet or running water. From the first day of his abduction Oleksandr Marchenko was subjected to torture and other ill-treatment, including electrocution, until he agreed to read out his self-incriminating "confession" on video.

On 18 February 2019, he was made to sign papers that he had no complaints against the "Ministry of State Security of the DNR", was driven to the Russian border and was handed over to the Russian Federal Security Service (FSB). The FSB officers put a bag over Oleksandr Marchenko's head and drove him for several hours to the Krasnodar Regional FSB. There, he was questioned about a man whom he says he had never met. Oleksandr Marchenko told his lawyers that after the questioning FSB officers took him to a police station where he spent the following night. Based on a fabricated record of an administrative offence, drawn by police, a court ruled the next day to have Oleksandr Marchenko detained for 10 days. Subsequently, the police fabricated two more administrative cases against Oleksandr Marchenko – each time on the day when he would have served in full his previous administrative detention (on 1 March 2019 and 16 March 2019), and he continued to be kept in custody.

During his arbitrary administrative detention, FSB officials, together with "security officials" from the "DNR", repeatedly interrogated Oleksandr Marchenko and made him sign a "confession". They made threats against him and his family, and denied him access to a lawyer. On 1 May 2019, Oleksandr Marchenko was remanded by a court accused of contraband, initially for two months. This detention was subsequently extended several times. On 6 December 2019 Oleksandr Marchenko was charged with espionage. On 26 November 2020, the Krasnodar Regional Court found Oleksandr Marchenko guilty under Article 276 of the Russian Criminal Code ("Espionage") and sentenced him to ten years' imprisonment in a strict regime penal colony. His appeals were rejected.

Amnesty International and other organizations monitoring human rights have documented cases of individuals deprived of their liberty by the so-called "Ministry of State Security" in Russia-occupied eastern Ukraine who placed them in secret detention and subjected them to torture and other ill-

treatment in order to extract a forced “confession”, which was then used for their “conviction”. For more details about such practices, please see the joint report by Amnesty International and Human Rights Watch, You Don’t Exist: Arbitrary detentions, enforced disappearances, and torture in eastern Ukraine, <https://www.amnesty.org/en/documents/eur50/4455/2016/en/>