

HOSTAGES OF THE KREMLIN:

Undeniable Victims of the Undeclared War

16 PIECES OF
EVIDENCE
OF RUSSIAN
CRIMES AGAINST

26 INDIVIDUALS

LET MY
PEOPLE
GO!



At the moment the list of Ukrainians being detained by the Kremlin for political reasons has 26 names. There are 13 being kept in different detention centres in Russia, and another 13 being held in the occupied Crimea. The arrests started in March 2014 with the mysterious disappearance of one of the Right Sector's leaders Mykola Karpiuk, and such incidents are still happening. The latest arrest happened in Crimea in February 2016 when four Crimean Tatars were captured by security forces. The true number of those prosecuted may be many times higher. Some of them may remain unknown for us.

These people are all different, just as different are each of their cases, the charges against them and its gravity, the location they are being held in also differs from one case to another.

So, why is Kremlin persecuting them?

| The probable answers to this question are the following

- to spread of an atmosphere of fear across the occupied Crimea and thus prevent any public speeches being made against the occupying forces
- to create the image of the enemy out of Ukrainians and Crimean Tatars
- some of the prisoners were arrested specifically for propaganda purposes: the case and the accusations were already prepared, they needed to designate who was guilty
- Moscow uses imprisoned Ukrainians as hostages and the subject of their possible release as a bargain chip during international negotiations

While Russia denies its obligations to release Ukrainian hostages according to Minsk agreements, these people are facing...

1. Torture

On 31 July 2015, one of the main witnesses in the Sentsov-Kolchenko case, the 25-year-old Crimean photographer **Gennadiy Afanasyev**, whose testimony served to support the line of the prosecution, refused to testify against the accused. He also recanted his previous testimony, stating that he had incriminated Sentsov and Kolchenko under the threat of being tortured. Afanasyev disclosed the details of the torture he suffered in the FSB building in Simferopol. They put a gas mask on his head, and pressed the hose; as a result, he began to choke. When he started to lose consciousness, investigators let go of the hose, pulled the mask away from his face and sprayed some gas into the space under the gas mask. As a result, Afanasyev started vomiting; he began to choke on his vomit. They would not let him breathe and they kept beating him. He was threatened with rape and stripped naked; they turned on a soldering iron and passed it around his body, explaining what would happen when they insert the soldering iron into his anus. Afanasyev was also tortured with electric shocks.



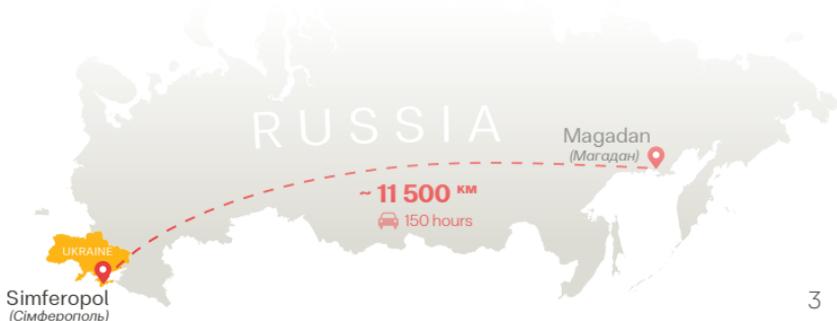
Afanasyev faces constant pressure in the prison colony

Such acts of torture were used in at least 11 cases

2. Illegal transferring to penal colonies thousands of kilometres away from the home of the convicted person

Olexii Chirniy was kidnapped from Simferopol and transferred first to Moscow and after being convicted in Uptar (in the Magadan region) which is 11 thousand kilometres away from Crimea. Although according to the laws of the Russian Federation, the convicted person must serve his sentence in a penal colony near to their place of residence or the place of his sentencing.

This law has been violated in at least 5 cases of Ukrainian prisoners



3. The use of the psychological intimidation

According to the statement, sent by **Mykola Karpyuk** to the ECHR, he was subjected to different kinds of torture. However, the most severe torture for him were the threats that his wife and son would be abducted and subjected to the same procedures for him to witness with his own eyes. Following those threats, Mykola agreed to incriminate himself.

Psychological intimidation has been used systematically in all of the cases.



Pre-trial detention center in Grozny doesn't look so bad from the outside, but the first impressions can be deceptive

4. Denied access for the consuls

For nearly 9 months, the Ukrainian consul was not permitted to visit **Valentyn Vyhivskiy** (in September 2014, he went on personal business to Simferopol, where he was detained by the so-called 'Crimean Self-Defence' forces). When the diplomatic representative finally was given permission to visit the detainee, the meetings were held in the presence of detention facility officers, which had previously exerted psychological intimidation on the accused.

Consuls have faced obstacles while trying to gain access to the arrested in at least 12 cases

It should be noted: **because of the occupation of Crimea the 13 people being held in the peninsula cannot receive any support from official Ukrainian state representatives.**

5. Denied access for independent lawyers

Crimean lawyer Emil Kurbedinov was illegally removed by the so called Crimean court from defending 6 of 8 **individuals of the Crimean Muslims cases** (i.e. Nuri Primov, Rustem Vaitov, Ferat Sayfullaev, Enver Bekirov, Muslim Alev, and Vadym Siruk).

Lawyers have faced problems while trying to gain access to the arrested in at least 11 cases



Recently these four Crimean Tatar Muslims were arrested in Feb'16

6. Isolation of the person from any contacts with the outside world

Yuriy Soloshenko is the oldest prisoner of all the currently known Ukrainians being persecuted for political reasons in Russia. During his time in the detention centre, he turned 73. Soloshenko was permitted to make his first phone call home only 4 months after his arrest. At the same time, he was persuaded by FSB representatives that nobody cares about his case and that he has been forsaken by everyone.

Isolation from any contact with the outside world has been used in almost every case especially during the first stages of the investigation when investigators are usually trying to get the arrested to confess and incriminate themselves.

7. Self-incrimination by confession as a result of the use of physical or psychological violence against the arrested



Stanislav Klykh showed signs of tortures during at his hearings in Grozny

Between 1994 and 1995, **Stanislav Klykh** was a full-time student of the Faculty of History of the Taras Shevchenko National University, and as confirmation of this fact, Stanislav presented his student record book. However, due to the exertion of brutal torture over the course of many months (!), Stanislav Klykh plead guilty to taking part in the First Chechen war and incriminated other people. He disavowed his testimony after an independent lawyer took on his case.

Self-incrimination by confession has been a common way to obtain evidence in the post-Soviet law enforcement system. Often it serves as the only piece of evidence in the case. Self-incrimination by confession has been documented in 7 cases

8. Illegal transferring from the occupied territory

In May 2014, four citizens of Ukraine including Oleksandr Kolchenko were detained in Crimea. On 23 May 2014, they were moved to Moscow for further 'investigation'. This violates the Geneva Conventions (Art. 49) which forbids the transferring of the people from the occupied areas by the Occupying Power regardless of their motive.

The illegal transferring of detainees from Crimea to the Russian Federation has occurred in 7 cases. Four more Crimean Tatars are supposed to be transferred in the near future.

NOTE! Additionally, those Ukrainian citizens convicted for the criminal acts before the occupation of Crimea have also been subjected to being illegally transferred from Crimean detention facilities to penal colonies on the territory of the Russian Federation. According to the information of the MFA of Ukraine the number of the transferred persons is 179.

9. The forcible change of citizenship from Ukrainian to Russian.

Although there is an official document of the Russian General Prosecutor's Office, which cites Oleg Sentsov (as is the case with Olexandr Kolchenko, Gennadiy Afanasyev and Olexii Chyryniy) as a citizen of Ukraine, the official position of Russian law enforcement agencies was to have it changed and Sentsov was granted Russian citizenship "automatically".

The forcible change of citizenship has been used in at least 5 cases.

• МНЕ ПРИШЛА БУМАГА ИЗ ФМС РФ, что я гр. России. Я ПОНИМАЮ ПОЧЕМУ ТАК. ЕСЛИ БЫЯ СИДЕЛ В КЛЕТКЕ ВМЕСТЕ С САВЕЙ И ОЛЕГОМ, тогда я бы был достоин... Искренне ЖЕЛАЮ, чтобы их обменяли - они настоящие герои. По-этому их и признали гр. Украины. Но я не сдаюсь и все-равно буду бороться до конца. Ведь я неслучайный, я - АРМАНИСЬЕВ!

In a letter to his mother, Afanasyev stated that the Russian government had tried to force Russian citizenship on him, but he would refuse it

10. Totally trumped up charges for criminal cases without evidence

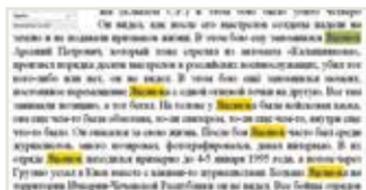
The Investigative Committee initiated a criminal case against Sergiy Litvynov on the charge of 'genocide' against the Russian-speaking population in south-eastern Ukraine. He was accused of committing dozens of assassinations and rapes, which he had, allegedly, committed on the orders of the management of the Ukrainian battalion 'Dnipro-1'. But after the arguments brought by the lawyer, the Investigative Committee of the Russian Federation itself admitted the lack of evidence for the charges by justifying it with the following wording: "...the investigative bodies have concluded that the charges of committing a crime... have not been substantiated with sufficient evidence, while the evidence obtained does not suggest S. N. Litvynov's involvement in the alleged crime, and opportunities for generating new evidence have been exhausted."

At least 7 criminal cases were simply made out of whole cloth

11. The use of the arrested person for creating the propaganda image of the enemy

One of the most obvious examples here is **Nadia Savchenko**. However, at least a third of the prisoners were put forward or even forced to give interviews to Russian TV-channels supporting the accusations of the investigators.

12. Attempts to bring Ukrainian high officials into the criminal cases to put into a question the Ukrainian legitimacy



The indictment in Chechen case also states that Ukrainian Prime Minister Yatseniuk, armed with a Kalashnikou, fought in Grozny

The accused figures from the **Chechen case** were forced to testify against Ukrainian prime minister Arseniy Yatseniuk and to support the version of the Russian Investigative Committee about the participation of Yatseniuk in the First Chechen war.

Dozens of Ukrainian officials and politicians of different levels are mentioned in 3 cases

13. Persecution of opinion makers to threaten the whole community

Akhtem Chiyhoz, a Crimean Tatar, Deputy Chairman of the Majlis of the Crimean Tatar People, was detained on 29 January 2015. He was engaged in a public activity, which distinguishes him from other defendants in the case of the 26th of February, and which, to some extent, explains the increased interest of law enforcement bodies in him.



At least 7 of the arrested persons can be considered as opinion makers who openly questioned the actions of the Russian Federation in Crimea

Figurants of the case of the 26th of February including Akhtem Chiyhoz (in the foreground)

14. The extension of the Russian repressive practices on the occupied Crimea

During the previous year, **8 Crimean Tatars** were arrested and charged with being a part of the organization Hizb Ut-Tahrir which is banned in Russia. At the same time, the accusations of terrorism they face (part of the newly established article 205.5 of the Russian Criminal Code) are much the same as those being used to persecute Muslim organization on the whole in Russia. Russian human right defenders also consider that this is being done for political reasons.

15. “Russian global jurisdiction”



Kostenko after the arrest, when he was severely beaten by FSB

The case against **Oleksandr Kostenko** shows a dangerous trend of extending the jurisdiction of the Russian Federation for crimes committed in another state and against the citizens of that state. According to the criminal case file, the offence began and ended on 18 February 2014, in Kyiv, at the time when the accused and the victim were citizens of Ukraine.

This kind of violation of a Russian law was repeated in at least one similar case, that of Andrii Kolomiets.

16. Refusal to provide medical assistance

In the beginning of 2016, the lawyer of Gennadiy Afanasyev informed us on a few incidents where the penal colony administration refused to provide his client with medical assistance.

1. У гр. Клых С.Р. при осмотре 23.11.2015г обнаружены рубцы: в области спинки носа справа, в области лучезапястных, коленных и голеностопных суставов, на тыльной поверхности левой стопы, в ягодичных областях, явившихся следствием заживления повреждений кожных покровов.

One of the official Russian documents which says about multiple scars on the body of Klykh

| How we can support them?

As ordinary citizens

- Share the information from the publications of the LetMyPeopleGo campaign in Ukrainian (FB: letmypeoplegoukraine) or English (FB: LetMyPeopleGoUkraine.en)
- Send a postcard. Please note that the letters and postcards have to pass through the censors and have to be written in Russian. For more information on how to send the postcard properly, please go to the Facebook page: LetMyPeopleGoUkraine.en
- Demand your government to take steps aimed at the release of the detainees
- Ask the LetMyPeopleGo campaign exactly how you can help the families of the detainees and provide them with the assistance directly

As decision makers

- Publicly condemn the Kremlin's practice of capturing and taking hostage political detainees, demand for the release of the Ukrainian ones or at least for the protection of their fundamental rights
- Organise an international campaign for the defence of the Ukrainian citizens, faced with unlawful, politically motivated criminal prosecution in Russia and occupied Crimea. In particular, it is necessary to organise hearings on the topic in the national parliaments of democratic states and the European Parliament.
- Create a foundation for emergency aid for Ukrainians and their families, who are persecuted for political reasons in Russia and occupied Crimea. Promote the provision of qualified legal assistance for Ukrainians, persecuted for political reasons in Russia and occupied Crimea; provide protection and international support for lawyers who are working on the criminal cases within the framework of the campaign 'LetMyPeopleGo'.
- Introduce personal sanctions against those involved in the illegal, politically motivated criminal prosecution of Ukrainians in Russia and occupied Crimea.
- Demand from the Russian side that Ukrainian citizens, imprisoned in Russia and occupied Crimea for political reasons, be unconditionally released. Without meeting this requirement, the Minsk Agreements cannot be considered to have been fulfilled, and the regime of sanctions, imposed on Russia by democratic countries of the world should remain in force until all Ukrainians, incarcerated for political reasons in Russia and occupied Crimea, are released.
- Organise monitoring missions to places where Ukrainian citizens are being detained and imprisoned for political reasons in Russia and occupied Crimea. It is necessary to establish control over the conditions of their detention and their states of health.

LET MY PEOPLE GO!

The campaign **'LetMyPeopleGo'** was launched by 'Euromaidan SOS' for the protection of all Ukrainian citizens, incarcerated for political reasons in Russia and occupied Crimea. The aims of the campaign are to bring about the release of all those on the list 'LetMyPeopleGo' and to monitor the observance of their fundamental rights, including freedom from torture, the right to free access to legal defence, the right to medical assistance and others. The campaign is supported by a significant number of organisations in Ukraine and abroad, such as the Centre for Civil Liberties, the Open Dialog Foundation, People in Need, Euromaidan Press, Euromaidan Warsaw, Ukrainian Helsinki Human Rights Union, Kharkov Human Rights Group and the Ministry of Foreign Affairs of Ukraine as well as Ukrainian Parliament Commissioner for Human Rights.

Due to the effective cooperation between the defence, the public campaign, Ukrainian government and international organisations we have managed to get one person – Yurii Yatsenko released. But this is a singular success story in the context of the ongoing arrests in Crimea, which are not likely to be stopped in the near future, but quite the opposite.

 facebook.com/LetMyPeopleGoUkraine.en

 lmpg.ukraine@gmail.com



URGENT ACTIONS NEEDED!

- *Nadia Savchenko* is on dry hunger strike!
- 73-year-old *Yurii Soloshenko* has cancer and is suffering from tachycardia and coronary heart disease!
- *Stanislav Klykh* is likely to have developed a mental disorder, however, this cannot be proven since the court has refused the lawyer's petition on the need for an independent psychiatric examination!
- The number of *illegally transferred people* from occupied Crimea to Russia **is growing**. Demand an end to these criminal acts!

