

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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RELEASE TRANSGENDER ANTI-WAR ACTIVIST MARK KISLITSYN

Amnesty International is deeply concerned about the criminal prosecution and imprisonment on “high treason” charges of Mark Kislitsyn. Having studied available information, the organization believes that Mark Kislitsyn is being prosecuted solely for his peaceful anti-war position and therefore, is a prisoner of conscience who must be released immediately and unconditionally.

CRIMINAL PERSECUTION OF MARK KISLITSYN

Mark Kislitsyn is a 27 year-old transgender man and a long-standing civil society activist who, according to his former colleagues and friends, had volunteered with civil society organizations, provided temporary shelter for those who needed accommodation, actively donated for various good causes and rescued stray animals, among other things.

On the night of 25 February 2022, within hours of Russia’s full-scale invasion of Ukraine, Mark Kislitsyn transferred RUB 865 (USD 10) to a Ukrainian bank account the details of which had been shared by a friend from Ukraine. On 12 July 2023, Mark Kislitsyn was arrested by the Federal Security Service (FSB) officers in Moscow and charged with “high treason” (Article 275 of the Russian Criminal Code). The authorities claimed that he transferred USD 10 “to provide financial support to the Armed Forces of Ukraine” and that it was aimed “against the state security of Russia”.

At first, Mark Kislitsyn was transferred to a pretrial detention centre in the city of Orel, around 360 km south-west of Moscow. In November 2023, he was transferred back to Moscow and held in Lefortovo pretrial detention centre. His trial was closed to the public. On 22 December 2023, the Moscow City Court found Mark Kislitsyn guilty of “high treason” sentencing him to 12 years imprisonment in a general-regime penal colony and ordering him to pay a RUB 200,000 (USD 2,185) fine. On 3 June 2024, the sentence was upheld on appeal and on 12 March 2025, the Russian Supreme Court upheld the earlier appeal court decision.

During the trial at the Moscow City Court, the prosecution built the case against Mark Kislitsyn on his anti-war and anti-government position and argued that this had motivated him to transfer the money with the intention to “harm the security” of Russia. The evidence against him included the decision by the Moscow Lefortovo court against Mark Kislitsyn, of 15 April 2022, ordering him to pay RUB 10,000 (USD 119) fine for his anti-war picket of 28 February 2022, as well as anti-war posters found during the search of his flat and his social media posts. Mark Kislitsyn stated in court that he had been upset about the start of the so called “special military operation” against Ukraine (as the war is officially called in Russia) and made the money transfer to Ukraine in protest against it. He insisted that at the time he had no knowledge of the account being used to collect donations for the Ukrainian military (which is what the prosecution claimed) and that he had made it out of humanitarian considerations. Yet, the Court rejected these explanations as “plainly fictitious and disconnected from reality,” without providing explanations why, and made no efforts to establish whether the transfer had caused or was motivated by any intent to cause harm to Russia’s security, which is an element of the crime as defined by Article 275.

Mark Kislitsyn reiterated his strong antiwar position during his appeal hearing on 12 March 2025. In particular he spoke about how important it was to stop the war which he described as unacceptable and criminal.

Amnesty International believes that criminal prosecution of Mark Kislitsyn was politically motivated, carried out in violation of his right to a fair trial and with the sole aim of penalizing him for his peaceful anti-war position. Mark Kislitsyn is a prisoner of conscience and must be released immediately and unconditionally.

MARK KISLITSYN’S HARASSMENT AND ILL-TREATMENT IN THE PENAL COLONY

Despite being a transgender man, Mark Kislitsyn is serving his sentence in women’s penal colony IK-9 in Novosibirsk (Western Siberia), over 3,300 km from his hometown, Moscow. He is forced to wear female clothing and is addressed by the female name he was known by before transitioning. The penal colony authorities deny his access to gender affirming hormonal treatment which is detrimental to his health and may amount to torture and other ill-treatment.

Since November 2024, Mark Kislitsyn has been repeatedly placed in a punishment cell (SHIZO) on spurious grounds, mostly in a solitary confinement, in cruel, inhuman and degrading conditions such as a cold cell without access to hot

water and warm clothes. While in SHIZO, Mark Kislitsyn is also deprived of the contact with the outside world, including phone calls, and is forbidden to send and receive letters. He does not have access to books of his choice nor TV or other pastime activities. In addition, the penal colony authorities have violated his right to communicate with his legal adviser when they arbitrarily interrupted his meeting with his lawyer on 12 February 2025.¹

Credible sources told Amnesty International that the harassment in detention allegedly started after an inspector's visit. The inspector had allegedly pointed out to the penal colony officers that absence of disciplinary punishments was unacceptable if a person was serving a sentence on such charges as those of Mark's.

Mark Kislitsyn received his first arbitrary disciplinary punishment of seven days in SHIZO shortly after the inspector's visit, in November 2024. Another seven days punishment followed shortly afterwards. From 26 December 2024 to 10 January 2025, he spent 15 more days in SHIZO. He then spent four more days in SHIZO from 20 to 23 January 2025.²

On 3 February, Mark Kislitsyn was given two disciplinary punishments of 14 days each.³ For at least half of the time he was placed in a cold solitary confinement cell⁴. The first of these punishments was issued for a partially torn off ID tag on his prison uniform. When Mark Kislitsyn reportedly tried to explain that the ID tag could have been torn off as a provocation by another prisoner, the authorities immediately added another punishment. Later, this term was extended by another 14 days, until 17 March, for allegedly not greeting an officer. Thus, by the time of his release on 17 March, he had spent 75 days in a punishment cell, with 48 days of them continuously. Subsequently, he received two more disciplinary punishments and by July 2025 he had spent 98 days in SHIZO. Such punishments are arbitrary, and are applied as penalties for non-existent or minor infringements.

By continuously incarcerating Mark Kislitsyn in SHIZO and subjecting him to other cruel, inhuman or degrading treatment, include harassment, depriving him of the medical care he requires, arbitrarily restricting his contact with the outside world, including his lawyer, and transporting him to serve his sentence to a penal colony thousands of kilometres away from his home, the Russian authorities have violated their obligations under international human rights law, international standards on treatment of detainees, and Russian legislation. The authorities must immediately release him, and while he remains in custody they must ensure that Mark Kislitsyn's human rights are not violated, including that he is not subjected to torture or other ill-treatment nor subjected to arbitrary disciplinary punishment, and is provided with the medical care that he requires. He must have access to a remedy for all human rights violations he has suffered.

RELEVANT INTERNATIONAL STANDARDS

Torture and other inhuman or degrading treatment or punishment is absolutely prohibited under the international law.⁵ The prohibition is echoed by the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) which state that "[a]ll prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification."⁶ Other rules regulating treatment of prisoners also stem from this or other legally binding international norms and therefore should be adhered to.

There is also a set of core legal principles which should be followed by the penitentiary staff while performing their duties. In particular, imposition of disciplinary sanctions shall be carried out with observation of principles of strict necessity, proportionality, legality, and within a due process.⁷ It is explicitly prohibited to impose disciplinary sanctions which may amount to torture or other cruel, inhuman or degrading treatment or punishment, including prolonged solitary confinement, which is defined as "solitary confinement for a time period in excess of 15 consecutive days".⁸ Solitary

¹ See: https://t.me/mark_kiclicin/49

² See, for instance: <https://ovd.info/express-news/2025/01/29/trans-aktivista-osuzhdenno-iz-za-donata-na-ukrainskiy-schet-otpravlyali-v> ; https://t.me/mark_kiclicin/24; https://t.me/mark_kiclicin/37

³ See, https://t.me/mark_kiclicin/45

⁴ https://t.me/mark_kiclicin/45

⁵ The UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, available at: <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

⁶ The UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), Rule 1, available at: https://www.unodc.org/documents/justice-and-prison-reform/Nelson_Mandela_Rules-E-ebook.pdf

⁷ Rules 36, 37, 38, 39, 41 of the Nelson Mandela Rules.

⁸ Rule 43 (1) (b), Rule 44.

confinement shall only be used in” exceptional cases as a last resort, for as short a time as possible.”⁹ It must not be imposed solely “by virtue of a prisoner’s sentence”.¹⁰ Moreover, disciplinary sanctions or restrictive measures shall not include the prohibition of family contact.¹¹

Indeed, prisoners have the right to contact with the outside world, including family contact and contact with a lawyer, as per Rules 58 and 61 of the Nelson Mandela Rules. To facilitate the former, prisoners shall be allocated as close as possible to their homes.¹² For the latter, adequate opportunity, time and facilities should be provided by the penitentiary authorities and the legal visit should be conducted in full confidentiality and “without delay, interception or censorship”, “within sight, but not within hearing of prison staff”.¹³

Another important element of the right to contact with the outside world is the right to be informed of external developments, including through newspapers, periodicals, the wireless or other means.¹⁴ No exception from this right is envisaged for those prisoners, who are serving disciplinary punishment. Similarly, international standards clearly state that all categories of prisoners shall be able to use a prison library.

One of the most important aspects of prisoners’ well-being is being able to receive adequate health care. Denial of the healthcare they require may amount to cruel, inhuman and degrading treatment. Rule 24 of the Nelson Mandela Rules states prisoners’ entitlement to the same standards of health care that are available in the community. They access to health care should be free of charge and without discrimination. Continuity of treatment and care should be ensured.¹⁵ Furthermore, particular attention should be paid to prisoners with special health-care needs.¹⁶

⁹ Rule 45(1)

¹⁰ Rule 45(1)

¹¹ Rule 43 (2)

¹² Rule 59.

¹³ Rule 61.

¹⁴ Rule 63.

¹⁵ Rule 24

¹⁶ Rule 25.