

URGENT ACTION

UKRAINIAN ACTIVISTS SENTENCED AFTER UNFAIR TRIAL

Film director Oleg Sentsov has been sentenced to 20 years and ecologist and anti-fascist activist Aleksandr Kolchenko has been sentenced to 10 years of imprisonment on 25 August after an unfair trial in a military court in Rostov-on-Don, Russia. They are both Ukrainian citizens and faced “terrorism” charges stemming from their opposition to Russia’s occupation of Crimea.

Ukrainian film director **Oleg Sentsov** has been sentenced for allegedly setting up a branch of a terrorist group and organized terrorist acts in April 2014 shortly after the Russian occupation and annexation of Crimea. **Aleksandr Kolchenko**, an ecologist and anti-fascist activist has been sentenced for allegedly committing terrorist acts. They were accused of a series of arson attacks which damaged private property but caused no injuries, and of attempting to blow up the Lenin statue and the Eternal Flame monument in the Crimean capital Simferopol. In their closing words on 19 August both men denied the charges and claimed that the accusations were politically motivated. Oleg Sentsov praised the bravery of prosecution witness Gennady Afanasyev, who withdrew the testimony against Oleg Sentsov and Aleksandr Kolchenko that he claimed had been given under torture, and said: “I don’t know what your convictions are worth if you are not prepared to suffer or die for them.”

Allegations of torture and other ill-treatment by Oleg Sentsov and witness Gennady Afanasyev have been ignored by the court, in violation of Article 3 and 5 of the European Convention on Human Rights. Both Oleg Sentsov and Aleksandr Kolchenko were denied access to their Russian lawyers for more than four days after their transfer from Crimea to Moscow. Both are Ukrainian citizens from Crimea, but in violation of international humanitarian law have been transferred from occupied Crimea to Russia and tried in a military court under Russian law, and have been denied access to the Ukrainian consul. The defence have claimed that some of the prosecution evidence has been gained through entrapment, in violation of Russian law.

Their lawyers are intending to appeal.

Please write immediately in Russian or your own language:

- Calling on the authorities to take immediate steps to overturn the convictions of Oleg Sentsov and Aleksandr Kolchenko under disproportionate terrorism-related charges and present them with appropriate charges or release them;
- Demanding that, if new legitimate charges are brought against them, Oleg Sentsov and Aleksandr Kolchenko be retried in a civilian court, and that all testimony gained through torture and other ill-treatment and other illegal methods should be excluded;
- Insisting that all allegations of torture and other ill-treatment by the defendants, witnesses and their lawyers are immediately, effectively and impartially investigated.

PLEASE SEND APPEALS BEFORE 6 OCTOBER 2015 TO:

Prosecutor General
Yurii Yakovlevich Chaika
Prosecutor General's Office
ul. B. Dmitrovka, d.15a
125993 Moscow GSP- 3
Russian Federation
Fax: +7 495 987 58 41
+7 495 692 17 25

Salutation: Dear Prosecutor General

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 170/15. Further information:

<https://www.amnesty.org/en/documents/EUR46/2202/2015/en/>

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ADDITIONAL INFORMATION

Oleg Sentsov and Aleksandr Kolchenko have been sentenced in connection with a series of arson attacks, one on the future offices of the United Russia Party, which at the time were the offices of the Ukrainian Party of the Regions (the party of ousted President Viktor Yanukovich), destroying the kitchen of the building, and an attack which partially damaged the door of the office of the organisation, Russian Community of Crimea. They were also accused of two further failed attempts to blow up the Lenin statue and the Eternal Flame monument in the Crimean capital Simferopol. They deny membership of the Ukrainian right-wing group Pravyi Sektor (Right Sector), of which the prosecution has accused them. Pravy Sektor has also issued a statement that they are not, and have never been, its members. Aleksandr Kolchenko has admitted that took part in the arson attacks, but denies that they were terrorist attacks. Oleg Sentsov has denied all charges.

Oleg Sentsov was detained on the night of 10-11 May 2014 at his home. He complained that when he was detained by the FSB officers they tortured him by placing a plastic bag over his head, and suffocating him until he passed out. They threatened him with rape and murder and forced him to confess to organizing explosions, terrorist acts and to possessing illegal firearms.

Aleksandr Kolchenko was detained on 16 May 2014 in the centre of Simferopol, the capital.

They were transferred to Moscow on 23 May along with other Ukrainian detainees from Crimea. Oleg Sentsov and Aleksandr Kolchenko were denied access to their Russian lawyers until 27 and 28 May, respectively four and five days after their transfer to Moscow, in violation of international fair trial standards and Russian law. Both had taken part in peaceful demonstrations opposing the Russian intervention in Crimea, and Oleg Sentsov had taken part in the EuroMaydan demonstrations in Kyiv, Ukraine, as a member of the motorists' protest group "AutoMaydan".

A November 2014 decision of the Russian Supreme Court which declared four right-wing Ukrainian organizations, including Pravyi Sektor, extremist and made their membership illegal on the territory of the Russian Federation, has specifically referred to this criminal case to justify its decision regarding the banning of Pravyi Sektor.

Name: Oleg Sentsov, Aleksandr Kolchenko

Gender m/f: m

Further information on UA: 170/15 Index: EUR 46/2325/2015 Issue Date: 25 August 2015