

URGENT ACTION

WITNESS MUST BE PROTECTED AGAINST TORTURE

Gennady Afanasiyev, a key a witness for the prosecution in the trial of Ukrainian activists Oleg Sentsov and Aleksandr Kolchenko, has withdrawn the testimony that he gave under torture. He has been threatened and is at renewed risk of torture and other ill-treatment.

Gennady Afanasiyev is a key a witness for the prosecution in the trial of Ukrainian activists Oleg Sentsov and Aleksandr Kolchenko that is currently on-going in a military court in Rostov-on-Don in Southern Russia. Amnesty International is concerned that Oleg Sentsov and Aleksandr Kolchenko have been targeted for their opposition to the Russian occupation of Crimea. When Gennady Afanasiyev was called to testify against the defendants on 31 July he refused on the grounds that he had given his testimony under duress when he was first detained. He has since been visited several times in the court room cell and in the investigation isolation prison by state security officers who have threatened him and his relatives. Before testifying State Security agents told him that if he did not stick to his testimony he would serve his sentence in harsh conditions "with the polar bears".

During a meeting with the prison monitoring commission of Rostov-on-Don on 4 August 2015 Gennady Afanasiyev explained that when he was detained on 9 May 2014 he was asked to incriminate Oleg Sentsov and Aleksandr Kolchenko and when he refused he was beaten and tortured. On 5 August State Security agents visited him and asked who had told him to withdraw his testimony. When he refused to answer he was kicked in the shin. For two days on 8 and 9 August, neither his family nor his lawyer were able to contact him and they were concerned for his safety. His lawyer finally saw him on 13 August and saw that Gennady had bruises on his shin compatible with his allegations that he had been kicked.

Gennady Afanasiyev was detained by Russian State Security agents in May 2014 along with Oleg Sentsov, Aleksandr Kolchenko and Aleksei Chirny. The four men are Ukrainian residents of Crimea and were accused of terrorism related offenses for allegedly participating in arson attacks on two organizations sympathetic to the Russian occupation of Crimea and for planning attacks on a Lenin monument and the eternal flame in Simferopol. All were transferred to Moscow on 23 May 2014 to face trial in Russia in violation of humanitarian law. Gennady Afanasiyev was sentenced to seven years' imprisonment in December. He admits to having taken part in arson attacks against organizations that supported the Russian annexation of Crimea but denies that the acts were terrorism.

Please write immediately in Russian or your own language:

- Reminding the Russian authorities that both the Russian Constitution and the UN Convention against Torture require Russia to take measures to prevent torture and ensure that perpetrators are brought to justice;
- Insisting that Gennady Afanasiyev be protected from all forms of torture and other ill-treatment and any attempts to exert pressure on him;
- Urging them to investigate the allegations that Gennady Afanasiyev was subjected to torture and other ill-treatment when detained in Simferopol in May 2014 and subsequently during the trial in Rostov-on-Don.

PLEASE SEND APPEALS BEFORE 25 SEPTEMBER 2015 TO:

Prosecutor General
Yurii Yakovlevich Chaika
Prosecutor General's Office
ul. B. Dmitrovka, d.15a
125993 Moscow GSP- 3
Russian Federation
Fax: 011 7 495 987 58 41
011 7 495 692 17 25
Salutation: Dear Prosecutor General

Director
Aleksandr Vasilievich Bortnikov
Federal Security Service
ul. Bolshaia Lubyanka, d.1/3
107031 Moscow
Russian Federation
Fax: 011 7 495 914 26 32
Salutation: Dear Director

Director
Sergei Vasilievich Kruchinin
Investigation Isolation Prison No1
344022 Rostov on Don
ul. Maksim Gorkogo, 219
Russian Federation
Fax: 011 7 863 266 60 53
Salutation: Dear Director

Also send copies to:

Ambassador Sergey I. Kislyak, Embassy of the Russian Federation
2650 Wisconsin Ave. NW, Washington DC 20007
Phone: 1 202 298 5700 | Fax: 1 202 298 5735 | Email: embassy@russianembassy.org

Please let us know if you took action so that we can track our impact! EITHER send a short email to uan@aiusa.org with "UA 180/15" in the subject line, and include in the body of the email the number of letters and/or emails you sent, OR fill out this [short online form](#) to let us know how you took action. Thank you for taking action! Please check with the AIUSA Urgent Action Office if taking action after the appeals date.

AMNESTY
INTERNATIONAL



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ADDITIONAL INFORMATION

Gennady Afanasiyev was detained by Russian State Security agents in May 2014 along with Oleg Sentsov, Aleksandr Kolchenko and Aleksei Chirny. The four men are Ukrainian residents of Crimea who were accused of terrorism related offenses for allegedly participating in arson attacks on two organizations sympathetic to the Russian occupation of Crimea and for planning attacks on a Lenin monument and the eternal flame in Simferopol. All were transferred to Moscow on 23 May 2014 to face trial in Russia in violation of humanitarian law.

On 17 December Gennady Afanasiyev was sentenced to 7 years in a strict regime labor colony by Moscow city court, and he agreed to act as a witness for the prosecution of Oleg Sentsov and Aleksandr Kolchenko. Another witness for the prosecution, Aleksei Chirny, was sentenced to 7 years in a strict regime labour colony by the military court in Rostov-on-Don on 21 April 2015 for the same offenses as Gennady Afanasiyev. Aleksei Chirny refused to testify against Oleg Sentsov and Aleksandr Kolchenko referring to his right not to testify against himself. His lawyer had earlier alleged that his client had been ill-treated and promised a lighter sentence if he pleaded guilty and incriminated Oleg Sentsov and Aleksandr Kolchenko. His lawyer was removed from the case.

Amnesty International is concerned that Oleg Sentsov and Aleksandr Kolchenko have been targeted for their opposition to the Russian occupation of Crimea and has asked the authorities to withdraw the terrorism-related charges against the two men or release them. See the last Urgent Action issued on 30 July here:
<https://www.amnesty.org/en/documents/EUR46/2202/2015/en/>

Name: Gennady Afanasiyev (m)

Issues: Risk of torture/ill-treatment, Unfair trial, Legal concern

UA: 180/15

Issue Date: 14 August 2015

Country: Russian Federation