
Germany

Amtierender Staatsanwalt der Republik Burjatien
Mikhail Yurievich Filichev
23a, Borsoeva Street
Ulan-Ude
Republic of Buryatia
Russische Föderation

Hamburg, 2nd April 2023

Oleksandr Marchenko

Dear Prosecutor,

I am writing to you to express my deep concern about the administrative proceedings against the Ukrainian citizen Oleksandr Marchenko for "discreditation of the Russian Armed Forces" and his persecution and harassment by the authorities of penal colony FKU IK-8 where he was serving a ten-year sentence.

On 7 February the Buryatia Supreme Court upheld the decision of the Ulan-Ude Oktyabrsky District court finding Oleksandr Marchenko in violation of Article 20.3.3 (1) of the Code of Administrative Offence and issuing a fine. He denies allegations of discreditation.

I am further concerned that the authorities of the penal colony FKU IK-8, where Oleksandr Marchenko had been imprisoned until his transfer to penal colony FKU IK-2 on 17 February, repeatedly subjected him to arbitrary disciplinary incarcerations on spurious grounds. For instance, on 31 August 2022, he was placed in a confinement cell for six months allegedly for refusing to participate in the cleaning of the premises. Following his appeal against the administrative proceedings, the authorities placed him in a confinement cell on spurious grounds for further six months. Besides, the IK-8 penal colony authorities denied Oleksandr Marchenko contact with his partner. Furthermore, according to Oleksandr Marchenko's family, he was not provided with the urgent medical care he needs, including daily medication, monthly blood tests and other medical examinations once every three months to monitor his thyroid condition. 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. The circumstances of his case and the manner of his treatment at penal colony FKU IK-8 gives grounds to believe that the administrative case against him was fabricated and that he is being persecuted because of his nationality.

I urge you to ensure that Oleksandr Marchenko is not subjected to torture and other ill-treatment at penal colony FKU IK-2, that he is released from confinement cell, that he is provided with the medical care he requires, and that his allegations of ill-treatment are promptly, effectively and impartially investigated.

Yours sincerely,

[name and signature]