
GERMANY

Staatsanwalt der Republik Burjatien
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Ulan-Ude, Republic of Buryatia
RUSSISCHE FÖDERATION

Hamburg, March 17th 2024

Oleksandr Marchenko

Dear Prosecutor,

I am writing to you to express my deep concern about the ongoing persecution and harassment of Oleksandr Marchenko, Ukrainian citizen imprisoned on the fabricated charges of espionage, by the administration of the penal colony FKU IK-8 where he is currently serving his ten-year sentence.

On 10 January, they placed him in a confinement cell (PKT) for six months. I understand that the punishments were issued on spurious grounds of "violation of the standard of clothing". Besides, according to Rule 36 of the UN Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) "discipline and order shall be maintained with no more restrictions than is necessary to ensure safer custody ...". Rule 39(2) of the same international document proclaims the principle of proportionality between a disciplinary sanction and the offence for which it is established. I believe that these international standards have been violated when imposing the punishments. The penal authorities have repeatedly subjected Oleksandr Marchenko to arbitrary disciplinary measures on spurious grounds. Furthermore, Oleksandr Marchenko is denied contact with his partner. The circumstances of his case and the manner of his treatment in the penal institutions give grounds to believe that he is being targeted for harsher treatment because of his citizenship.

I am extremely concerned that repeated placement of Oleksandr Marchenko in punishment cells could lead to deterioration of his health. In 2016, Oleksandr Marchenko had his thyroid removed due to cancer. He requires daily medication, monthly blood tests and other medical examinations once every three months. However, I understand that he is not provided with the health care he needs, while the vital medication has to be supplied by his family at their own cost. The denial of health care as well as continuous placement in punishment cells may violate the absolute prohibition of torture and other ill-treatment.

I urge you to initiate a review of the treatment of Oleksandr Marchenko in penal colonies in Buryatia, to ensure that he does not face disciplinary measures on spurious grounds, is provided with the health care he requires, and that his allegations of ill-treatment are promptly, effectively and impartially investigated.

Yours sincerely,