



REPORT:

THE CASE OF THE 'CRIMEAN TERRORISTS'



The Russian regime held a show trial involving opponents of the annexation of the Crimean peninsula. Oleg Sentsov and Aleksander Kolchenko were sentenced to lengthy prison terms on trumped-up charges of terrorism

The Open Dialog Foundation was established in Poland, in 2009, on the initiative of Lyudmyla Kozlovska (who is currently the President of the Management Board). The statutory objectives of the Foundation include protection of human rights, democracy and rule of law in the post-Soviet area. Particular attention of the Foundation is focused on the largest CIS countries: Kazakhstan Russia and Ukraine.

The Foundation pursues its goals through the organisation of observation missions, including election observation and monitoring of the human rights situation in the CIS countries. Based on these activities, the Foundation creates its reports and distributes them among the institutions of the EU, the OSCE and other international organisations, foreign ministries and parliaments of EU countries, analytical centres and media.

In addition to observational and analytical activities, the Foundation is actively engaged in cooperation with members of parliaments involved in foreign affairs, human rights and relationships with the CIS countries, in order to support the process of democratisation and liberalisation of internal policies in the post-Soviet area. Significant areas of the Foundation's activities also include support programmes for political prisoners and refugees.

The Foundation has its permanent representative offices in Warsaw, Kiev and Brussels.

Copyright: Open Dialog Foundation, September 2015.

00-580 Warsaw

Aleja Szucha 11a, office 21

Tel. +48 22 307 11 22

E-mail: odfoundation@odfoundation.eu
en.odfoundation.eu

For more detailed information, please contact us:

Project Manager:

Lyudmyla Kozlovska lyudmylakozylovska@odfoundation.eu

Author:

Andriy Osavoliyk andriy.osavoliyk@odfoundation.eu

Editing:

Lyudmyla Kozlovska

Translation:

Barbara Odrobińska-Dudek

Proofreading:

Andrew Sewell

Graphic design:

Andriy Osavoliyk

The report has been translated into English thanks to the kind support of the 'Kiev Dialogue', an innovative German-Ukrainian dialogue platform, designed to promote democratic development and support Ukraine's pro-European course and civil society initiatives.

Київський діалог
Kiewer Gespräche

Cover photo: [Radio Svoboda](http://RadioSvoboda.com)

Reproduction of the materials contained, in whole or in part, is permissible only with the consent of the editors.

Table of contents:

1. INTRODUCTION.....	4
2. THE TRIAL.....	4
3. THE JUDGMENT.....	6
4. FABRICATED TERRORISM CHARGES.....	6
4.1. Provocation by intelligence agencies.....	6
4.2. The exertion of torture on the suspects in order to bring about confessions.....	7
4.3. Disparity between the accusations presented and the components of the crime.....	9
5. REACTION OF THE INTERNATIONAL COMMUNITY.....	10
6. CONCLUSIONS.....	11

1. INTRODUCTION

The first major political trial against the citizens of Ukraine has ended in Russia. Quite predictably, Oleg Sentsov and Aleksander Kolchenkov, who publicly opposed the annexation of the Crimea by Russia in 2014, were sentenced to long prison terms on charges of terrorist activities.

The criminal case against them was fabricated. 'The terrorist organisation' had been created artificially by the investigators; most of the 'evidence' was obtained through the use of torture or through legal violations, and elements of the alleged crime did not correspond with the charges.

The global community has unanimously condemned the sentences, labelling them 'an act of cynicism on the part of Russia'.

Let us remind ourselves that in May 2014, citizens of Ukraine: Gennadyi Afanasyev, Aleksander Kolchenko, Oleg Sentsov and Aleksey Chirnyi were arrested in the Crimea. They were all accused of offences related to 'terrorism' - in the arson attack on the office door of the Russian Community of the Crimea and the window of the office of the 'United Russia' party, as well as in the preparation of an explosion at the Lenin monument and the eternal flame memorial in Simferopol. On 23 May, 2014, they were transported to Moscow for further investigations to be undertaken and to face trial. Ukrainian diplomats were not permitted to visit the detainees, as the Russian side stated that it considers the Crimeans to be Russian citizens.

Having been subjected to torture, two suspects (Gennadyi Afanasyev and Aleksey Chirnyi) agreed to cooperate with the investigators and pleaded guilty to all charges. At the same time, they gave false testimonies against Oleg Sentsov and Aleksander Kolchenko. Oleg Sentsov pleaded not guilty. Aleksander Kolchenko confessed to having taken an indirect part in the arson of the office of the 'United Russia' party, but strongly opposed the classification of the crime as a 'terrorist act'.

The evidence base against Sentsov and Kolchenko consisted mainly of the testimony given by Chirnyi and Afanasyev. In connection with the cooperation with the investigative bodies, the case of Afanasyev and Chirnyi were divided into separate proceedings.

On 17 December, 2014, the Moscow City Court sentenced Gennadiy Afanasyev to 7 years in prison to be served in a strict regime penal colony. Another prosecution witness, Alexey Chirnyi, having been presented with similar charges, was sentenced on 21 April, 2015, by a military court in Rostov-on-Don to 7 years' imprisonment in a strict regime penal colony.

According to the fabricated version of the investigative bodies, the 'terrorist group', consisting of a few people, operated in the Crimea. In addition to the above-mentioned persons, it also included Nikita Borkin, Ilya Zuykov, Enver Asanov and Stepan Cyril, who are now wanted. The group was allegedly managed by Oleg Sentsov, who gave the order to organise arson attacks and bombings in Simferopol. At the same time, according to the investigative bodies, 'management' consisted in the fact that Sentsov gave orders to Afanasyev and Chirnyi, who, in turn, were directly involved in conspiring to commit crimes.

According to investigators, by its actions, the 'terrorist group' was designed to 'destabilise the situation on the peninsula and influence the authorities in order to ensure that they would issue a decision to withdraw the 'republic' from the Russian Federation. [\[1\]](#)

2. THE TRIAL

As early as in May 2015, Nadiya Savchenko's counsel, Mark Feigin informed the Open Dialog Foundation that it had been decided at the highest state level that the trials against the Ukrainian activists detained in Russia, would be held in regional cities, rather than in the capital. *"I know unofficially that, according to the decision issued, the consideration of all Ukrainian high-profile cases will be isolated from Moscow*

to the greatest possible extent. The cases of Sentsov and Kolchenko will be examined in Rostov-on-Don, the case of Karpyuk – in Vladikavkaz, while the case of Savchenko – in Voronezh ", - the counsel stated. This technique was used specifically to complicate the process of monitoring by the public. Later, it transpired that the case of Sentsov and Kolchenko would be considered in the North Caucasus Military Regional Court of Voronezh. The trial commenced on 21 July, 2015.

As expected, the court was more favourably inclined towards the motions of the prosecution, and subsequently, rejected most of the motions of the defence. In particular, the lawyers requested that, due to the complexity of the case, meetings be held no more frequently than twice weekly. However, Judge Sergey Mikhailyuk appointed the meetings for each working day. As a result, the counsels did not have enough time to adequately prepare for the defence of their clients.

At the trial, several witnesses were cross-examined. Provisionally, they can be divided into three groups:

- Those with a criminal record.
- Those who voluntarily agreed to cooperate with the FSB. People who were initially critical towards Euromaidan and were their ideological opponents.
- Secret witnesses (supposedly, the FSB workers). [\[2\]](#)

The impartiality and objectivity of testimonies of each of the groups evokes doubts.

During the trial, some facts, proving the innocence of the accused have been revealed:

- On 31 July, 2015, one of the main witnesses in the case of Sentsov-Kolchenko, Gennadiy Afanasyev, whose testimony served to build the line of the prosecution, refused to testify against the accused. He also recanted his previous testimony, stating that he had incriminated Sentsov and Kolchenko under the pressure of torture.
- According to investigators, Sentsov 'organised' arson attacks on pro-Russian organisations with the assistance of Gennadiy Afanasyev. **"The immediate organiser of the actions was Afanasiev, who, each time, mentioned to the participants that he acts on the orders of Sentsov"**, - the criminal case file reads. Afanasyev's revocation of his testimony completely ruined the line of the investigation which led that Sentsov was the organiser of the arson attacks.
- A polygraph test did not confirm the presence in the memory of Alexey Chirnyi of any orders received from Sentsov. This is indicative of the fact that Sentsov did not give to Chirnyi any orders to organise explosions in Simferopol.
- During the familiarisation with the case file, it transpired that Afanasiev and Chirniy were engaged in 'conspiracy to commit crimes'. Sentsov, according to investigators, only gave indications as to what 'crimes' must be committed. This was proven by the testimonies of Afanasyev and Chirnyi. However, given that they made a deal with the investigative bodies, their testimonies cannot be considered impartial. Therefore, there is no evidence of Sentsov's involvement in the organisation of the alleged crimes.
- With regard to Sentsov, no operational measures were carried out (he was not shadowed, unlike other defendants in the case). In his case, only investigative actions, accompanied by illegal influence (the use of torture), were carried out.
- The 'Crimean terrorists' group was not stable, hierarchically structured and did not operate under a single management. Each of the defendants in the case decided individually whether he would take part in the arson attacks or not.

- None of the witnesses, cross-examined in court, could disclose anything about the composition and structure of the group. Gennadiy Afanasyev stated in court that he did not know Kolchenko, and he only knew Sentsov because he is a famous film director. [\[3\]](#), [\[4\]](#)

3. THE JUDGMENT

On 25 August, 2015, the North Caucasus Military Regional Court handed down a judgment against Oleg Sentsov and Aleksander Kolchenko.

- **Oleg Sentsov** was found guilty of committing all incriminated deeds: the establishment of a terrorist association (**Art. 1, Art. 205.4 of the Criminal Code of the RF**), committing two acts of terrorism (**Art. 205, section 2, letter 'a' of the Criminal Code of the RF**), conspiracy to commit two terrorist acts (**Art. 30, section 1, Art. 205, section 2, letter 'a' of the Criminal Code of the RF**), as well as two episodes of illicit trafficking in arms and explosives (**Art. 222, section 3 of the Criminal Code of the RF**). By decision of the court, **Oleg Sentsov was sentenced to 20 years' imprisonment** in a strict regime penal colony (originally, the state prosecutor requested 23 years' imprisonment).
- **Aleksander Kolchenko** was also found guilty of all the incriminated deeds: membership of a terrorist organisation (**Art. 205.4, section 2 of the Criminal Code of the RF**), and committing a terrorist act (**Art. 205, section 2, letter 'a' of the Criminal Code of the RF**). Kolchenko was sentenced to 10 years' imprisonment in a strict regime penal colony [\[5\]](#) (originally, the state prosecutor requested 12 years' imprisonment).

It is worth noting that both Sentsov and Kolchenko were sentenced to the exact same term of imprisonment that they were threatened with by investigators during interrogations. [\[6\]](#) This is further proof that the court and the investigators did not act objectively and independently; rather, they executed orders of the regime.

4. FABRICATED TERRORISM CHARGES

4.1. Provocation by intelligence agencies

According to investigators, in April 2014, Oleg Sentsov instructed Chirnyi and Afanasyev to blow up the Lenin monument near the railway station of Simferopol. For the organisation of the explosion, Sentsov allegedly handed to Chirnyi (through Afanasyev) funds in the amount of 200 hryvnias (8 euros) for the acquisition of the necessary components to produce improvised explosive devices (IEDs). In addition, Sentsov allegedly gave the instruction to blow up the Eternal Flame memorial on 9 May. Chirnyi, in turn, asked the familiar chemist Aleksander Pirogov to produce IEDs. Several days before the scheduled date, Chirnyi twice received from Pirogov an object, imitating the detonator, made on the basis of an electronic watch, and took replicas home.

As it transpired later, Pirogov initially operated under the control of the FSB, and the transfer of replica explosive devices to Chirnyi was carried out "in the course of operational activities". [\[7\]](#)

According to Sentsov's counsel, Dmitry Dinze, with the help of Pirogov, the FSB carried out provocations instigating the accused to commit a crime. In particular, the security services instructed Pirogov, indicating to him that he "*should seek to transfer the replica*" (an explosive device - Ed.) *through a 'drop-point'*".

Also, the case file proves that as early as on 11 April, 2015, the secret services were aware of the fact that on 14 and 18 April, 2015, Chirnyi intended to carry out arson attacks at the office of the Russian Community of Crimea and the office of the 'United Russia' Party, but did not prevent the attacks. "*These*

actions were purposely allowed to go ahead so as to create the impression that a terrorist organisation was acting on the territory of Crimea" [\[8\]](#), - Aleksander Kolchenko's counsel, Svetlana Sidorkina, stated in the court.

During the debate in court, Counsel Dmitryi Dinze recalled the decision of the Supreme Court of the Russian Federation of 2012. According to the decision of the Supreme Court, *"the intervention and the use of evidence obtained as a result provocations by police in criminal proceedings, violate the principle of fair trial"*. [\[9\]](#)

4.2. The exertion of torture on the suspects in order to bring about confessions

As a result of the exertion of brutal torture on suspects, two of them (Afanasyev and Chirnyi) were forced to confess to a crime, and to cooperate with the investigative bodies. Torture was also exerted on Oleg Sentsov and Aleksander Kolchenko, but they refused to confess to the incriminated deeds.

Torture of Gennadiy Afanasyev

Gennadiy Afanasyev's recanting of the previous testimony and a statement on the exertion of torture against him has severely shaken the position of public prosecution, because it was on the testimony of Afanasyev that most of the 'evidence' against Sentsov was built.

On 3 August, 2015, Gennadiy Afanasyev confirmed to his counsel Aleksander Popkov, who visited him in the detention facility, that he had slandered Oleg Sentsov and Aleksander Kolchenko under torture. Afanasyev informed the counsel that *"he deliberately made his statement in court that no terrorist groups ever existed. It's all the fruit of imagination of the investigative bodies, which he signed without looking..."*. [\[10\]](#)

Lawyer Aleksander Popkov gave some details about the torture exerted on his client. Gennadiy Afanasyev was arrested on one of the streets of Simferopol, on 9 May, 2014. Unfamiliar masked men seized him, and inflicted several blows on him, put a bag over his head, drove him around the city for a long time in a car; they were beating him and demanded that he give the names of activists of the 'Right Sector', with which he was associated. Then, they took Afanasyev to his apartment, which was already being searched. After the search, he was taken to Russia's FSB building in Simferopol, where he was tortured and ordered to confess to carrying out 'terrorist activity' (conspiracy to blow up the Lenin monument and the Eternal Flame Memorial).

They put a gas mask on Afanasyev's head, and pressed the hose; as a result, he began to choke. When he began to lose consciousness, investigators let go of the hose, pulled the mask away from his face and sprayed some gas into the space under the gas mask. From this gas, Afanasyev started vomiting; he began to choke on his vomit. They would not let him breathe and they kept beating him. He was threatened with rape, stripped naked; they turned on a soldering iron and moved it around in close proximity to his body, explaining what will happen when they insert the soldering iron into his anus. Afanasyev was also tortured with electric shocks. Bare wires were put on his genitals. As a result, Afanasyev began to testify and slandered Sentsov and Kolchenko. Then, investigators began to make up more and more new episodes to which he confessed, incriminating Sentsov and Kolchenko. Also, under torture, he incriminated a few other people whose names he does not remember. According to Gennadiy Afanasyev, an order to subject him to torture was given by FSB investigator Aleksander Burdin.

On the eve of the court session, i.e. on 31 August, 2015, Russia's FSB investigators warned Afanasyev that he should refuse to testify in court, but at the same time, he should confirm all the testimonies given during the preliminary investigation. Resorting to this solution was necessary so that Sentsov's and Kolchenko's counsels could not ask him 'inconvenient' questions. However, Afanasyev decided to break

a deal with the investigative bodies and during the hearing, he recanted the testimony given under torture during the investigation.

On 12 August, 2015, Aleksander Popkov again visited Gennadiy Afanasyev in the detention facility and learned from him that on 6 August, 2015, he was visited by a FSB investigator. The interrogator demanded that Afanasyev disclose who had made him recant the testimony against Sentsov. Afanasyev did not talk with him and only quietly said prayers. This angered the investigator and he kicked Afanasyev in the back of his lower thigh. [\[11\]](#)

On 19 August, 2015, Russian human rights organisation 'Memorial' stated that it considers Gennadiy Afanasyev a political prisoner. [\[12\]](#)

Torture of Aleksey Chirnyi

Torture was also used against another key witness in the case of 'Crimean terrorists', Aleksey Chirnyi.

In August 2014, Chirnyi was held in a psychiatric hospital of the detention facility 'Butyrka' (Moscow). The exact time of his stay there is unknown because the Russian side keeps it a secret. Chirnyi is the only one of the accused, who was held in a mental hospital. Unlawful methods of influence could have been applied to him there.

On 2 February, 2015, Aleksey Chirnyi met with Ukrainian consul Gennadiy Breskalenko in the detention facility 'Lefortovo' (this was Chirnyi's first meeting with a Ukrainian diplomat since his arrest in May 2014). During the meeting, Chirnyi informed the Ukrainian consul that during his detention in the Autonomous Republic of Crimea in May 2014, he was subjected to torture. In particular, he suffered blows to the head and other body parts, measures of psychological pressure and intimidation were used against him in order to compel him to give false testimony regarding the charges brought against him.

During the trial in the case of Chirnyi in April 2015, his counsel Ilya Novikov filed a motion to return the case to the pre-trial investigation in connection with the fact that Chirnyi had incriminated himself, and that he was tortured. Aleksey Chirnyi disagreed with the position of the counsel and requested that the proceedings continue under special conditions. After the incident, the court removed Counsel Ilya Novikov from Chirnyi's case in connection with a "mismatch of the position of the counsel and the defendant", also, his motion, filed earlier, was rejected. It should be noted that the actions of counsel Novikov and Chirnyi were predetermined: they had previously agreed that the counsel would file a motion, and Chirnyi would deny it. Such a measure, on the one hand, allowed him to comply with the agreement on cooperation between investigators and Chirnyi, and, on the other hand, tell the court about the torture, exerted on him. [\[13\]](#)

Aleksey Chirnyi was sentenced to 7 years in prison.

Torture of Oleg Sentsov and Aleksander Kolchenko

The use of torture against Oleg Sentsov was reported by his counsel back in June 2014.

On 6 August, 2015, during the trial, Oleg Sentsov spoke in more detail about the torture which he had been subjected to. *"On 10 May, I was arrested near the entrance to my house. I was thrown on to a bus, hooded, handcuffed and taken to the building of the Security Service of Ukraine; at that time, it was already the FSB building. They pushed me into a chair and began to interrogate me in a brutal way. They asked if I knew Chirnyi and Afanasyev. **They began to beat me, kick me, beat with special tools, while I was standing, lying, sitting. It's hard to sit on a chair when they beat you with a baton. They tried to suffocate me with a plastic bag. When I saw this in the movies, I did not understand why people broke. What they did to me was terrible. I went through it four times. They threatened to rape me with a baton in a perverted act. This went on for three or four hours. When they got tired, I was taken for a search, and only there did I learn that they were FSB workers"*** [\[14\]](#), - Sentsov told in the court.

In October 2014, Russia's Investigative Committee refused to open a criminal case with regard to the use of torture. The materials of the judgment stated that Sentsov was fond of sadomasochism, and injuries to his back were inflicted on him by some female sex partner shortly before his arrest.

Also, Aleksander Kolchenko spoke about the exertion of torture on him: "*After the arrest, during the preliminary interrogation, which was not recorded in the report, I was **beaten about the face and body...** I cannot confirm the testimony [given during the investigation - Ed.]. The counsel misled me then regarding the articles that I was charged under. I did not report the violence, because then, I found out what measures were used against Oleg, and I saw the pressure exerted on me as insignificant and unworthy of declaring.*" [\[15\]](#)

4.3. Disparity between the accusations presented and the components of the crime

An important element of the case of the 'Crimean terrorists' is the fact that of the disparity between the charges and the alleged crime. The three defendants in the case (Chirnyi, Afanasyev, Kolchenko) confessed to the involvement in the arson attack on the office of the 'United Russia' Party (before the annexation of the Crimea, it was the office of the Party of Regions). Also, Chirnyi and Afanasyev confessed that they had participated in the arson attack at the office of the Russian Community of Crimea in Simferopol. Oleg Sentsov did not plead guilty to setting fire to both buildings. Kolchenko stated that he didn't consider his deed an act of terrorism or hooliganism. Chirnyi and Afanasyev pleaded guilty, but expressed their objection to the qualification of their actions as terrorism.

In the office of the Russian Community of Crimea, a door was burned; the cost of the damage amounted to approx. 400 euros; in the office of the 'United Russia' party, a window was burned – the damage approx. 2,600 euros. A relevant question is: **Is it possible to qualify arson, which did not lead to serious consequences, as a terrorist act?**

According to investigators, the arson attack was committed with the intention of "intimidating the community and affecting the decision of the authorities." This very wording allowed charges of terrorism to be brought against the defendants. The prosecution focused on the fact that in both cases, the arson attacks had been committed at the offices of organisations, whose names contain the word 'Russian' or 'Russia' and where Russian flags were on display. **However, it should be noted that in April 2014, in the Crimea, the 'United Russia' Party did not exist *de jure*, and the office set on fire belonged to Ukraine's Party of Regions.** 'United Russia' has nothing to do with this office, this location is home to a former city office of the Party of Regions [\[16\]](#), - Deputy Head of the Central Executive Committee of the 'United Russia' Party, Konstantin Mazurevskiy stated regarding the arson attack.

The recent history of Russia has seen many arson attacks carried out for political reasons; however, only once before the case of the 'Crimean terrorists' has it ever been classified as 'terrorist activities'. In 2012, for a number of ideologically motivated arson attacks, a group of young people was convicted. According to the investigative bodies, they were part of the 'Autonomous Militant Terrorist Organisation'. Notable is a case that took place in autumn 2008 in Karachay-Cherkessia (Russia) in which a group of militants tried to set fire to the building of the administration of Zelenchuk Region, using an incendiary device. The room was not set on fire due to reasons beyond their control. Actions of the militants were classified as "intentional destruction or damage of property" (Art. 167 of the Criminal Code of the Russian Federation). According to the prosecution, the action was planned with the aim of "destabilising the socio-political situation in the region and intimidating the population". The same wording is present in the case of the 'Crimean terrorists', but they were presented with charges under an entirely different article: terrorism. [\[17\]](#)

Turning to the charges of planning to blow up the Lenin monument and Eternal Flame Memorial, which were classified as conspiracy to commit a terrorist act, such cases have been dealt under various

different articles in the history of Russia. For example, in 2009 in St Petersburg, a statue of Lenin at the Finland Station was blown up and the case was initiated under Art. 167 of the Criminal Code of the RF - "deliberate destruction or damage of property". [\[18\]](#)

5. REACTION OF THE INTERNATIONAL COMMUNITY

Through the intervention of human rights organisations, including the Open Dialog Foundation, which was one of the first to focus on the case of the 'Crimean terrorists', the prosecution of Ukrainian citizens by Russian investigative authorities gained publicity in the international arena. Despite attempts by the Russian authorities to shield the trial from the public eye to the greatest possible extent (the case was transferred to a regional town, and only Russian media were granted permission to attend the hearings), the case was monitored by governments of democratic states, international organisations, and the proceedings were covered not only in the Ukrainian and Russian languages but, also in the world media.

The imposition of a harsh sentence following trumped-up criminal charges prompted unanimous condemnation by the Ukrainian and global community.

Strong protest was expressed by Ukraine's Foreign Ministry in connection with the verdict of the Russian court against Sentsov and Kolchenko. *"We demand from the Russian side that they cease the judicial farce which, for the sake of ambitions of the Russian leadership destroys people's lives, and the immediate release of Oleg Sentsov and Aleksander Kolchenko, as well as all other political hostages"* [\[19\]](#), - representatives of the department stated.

"This entire process has been arranged in order to transmit a signal. It has been used in the Russian propaganda war against Ukraine and mirrors the show trials of the Stalin era dissidents" [\[20\]](#), - a representative of Amnesty International in Ukraine, Bogdan Ovcharuk, enunciated.

US Ambassador to Ukraine, Jeffrey Payet condemned the lawsuit against Sentsov and Kolchenko, labelling it 'a farce', and the verdict – 'a shameful decision'. [\[21\]](#)

PACE President Anne Brasseur stated that the court judgment is contrary to the requirements of the PACE with regard to the Russian Federation. *"Today's Court decision is in manifest contradiction with these demands. Therefore, I urge, once again, the Russian authorities to live up to their commitments as a member state of the Council of Europe and release all persons illegally detained following the annexation of Crimea."*, [\[22\]](#) - Brasseur underlined.

"Russian courts are not competent to judge acts committed outside the internationally-recognised territory of Russia. The EU considers the case to be in breach of international law and elementary standards of justice", [\[23\]](#) - EU High Representative for Foreign and Security Policy, Federica Mogherini, enunciated.

During the meeting with President of Ukraine Petro Poroshenko, President of the European Council, Donald Tusk stated that the prosecution of Ukrainian citizens in Russia is a sign of the cynicism that currently dominates Russian politics. [\[24\]](#)

On 3 September, 2015, foreign ministers of eight northern European countries (Denmark, Sweden, Norway, Finland, Iceland, Estonia, Latvia and Lithuania), during a meeting in Copenhagen, urged Russia to release the illegally kidnapped and imprisoned citizens of Ukraine: Oleg Sentsov and Aleksander Kolchenko, as well as an Estonian citizen Eston Kohver. [\[25\]](#).

On 10 September, 2015, The European Parliament adopted a resolution with regard to the convictions of Oleg Sentsov, Aleksander Kolchenko and Eston Kohver, calling on Russia to release them immediately. *"Parliament strongly condemns the blatant violation of the territorial integrity of Ukraine and Estonia through the illegal kidnapping of citizens of both countries so that they could be charged before a Russian court"*, [\[26\]](#) – the resolution reads.

6. CONCLUSIONS

The Open Dialog Foundation considers that the convictions of Oleg Sentsov and Aleksander Kolchenko are further evidence of the lack of justice in Russia. The courts and law enforcement agencies are part of the state's oppressive machinery. These sentences are a signal to all the liberal and democratic forces in the country that the government is ready to suppress any dissent in the most cruel way.

It is also a signal to the countries of the West, which stood up for Ukrainian political prisoners, that Moscow is not going to heed the position of the countries of the civilised world or respect the existing international legal norms. Earlier, on trumped-up criminal charges, an Estonian citizen, Eston Kohver was sentenced to 15 years' imprisonment in Russia. There is no doubt that a conviction also awaits another famous Ukrainian political prisoner in Russia - Nadiya Savchenko.

Russia, like a terrorist, takes hostages in order to have additional leverage in international negotiations, in which it acts only from a position of strength using blackmail.

The international community should demonstrate clearly to the Russian authorities that it does not give in to blackmail, and that the offender will be punished in accordance with the established norms. The Open Dialog Foundation hereby calls on Western countries to extend the list of sanctions against Russia. In particular, the persons responsible for the prosecution of Oleg Sentsov and Aleksander Kolchenko should be subjected to sanctions.

All those willing to support our demands are welcome to send their appeals to the following persons and institutions:

- PACE President Anne Brasseur – e-mail: abrassuer@chd.lu, phone: +33 88 41 23 41;
- OSCE PA President Ilkka Kanerva - e-mail: ilkka.kanerva@parliament.fi, phone: +358 9 432 3055; +358 9 432 3529;
- EU High Representative for Foreign Affairs and Security Policy Federica Mogherini – 1049 Brussels, Rue de la Loi / Wetstraat 200, phone: +32 2 584 11 11; +32 (0) 2 295 71 69;
- The head of the European Parliament Committee on Foreign Affairs Elmar Brok – Rue Wiertz 60, 1047 Bruxelles, Belgique, phone: +32 2 28 49013 (Brussels), +33 3 881 76902 (Strasbourg);
- The President of the European Council, Donald Tusk - Rue de la Loi / Wetstraat 175, 1048 Brussels, e-mail: donald.tusk@european-council.europa.eu, phone: +32 2 28 15650;
- The President of the European Commission, Jean-Claude Juncker – 1049 Brussels, Belgium Rue de la Loi / Wetstraat 200, e-mail: president.juncker@ec.europa.eu.
- United Nations High Commissioner for Human Rights Ra'ad Zeid Al-Hussein– Palais des Nations CH-1211 Geneva 10, Switzerland, phone: +41 22 917 9220;

List of sources:

1. Mediazona / The trial of Sentsov. Day 1. - <http://zona.media/online/sentsov-nachalo/>
2. Mediazona / The trial of Sentsov. Final speech - <http://zona.media/online/sentsov-preniya/>
3. Mediazona / The trial of Sentsov. Final speech - <http://zona.media/online/sentsov-preniya/>
4. Mediazona / The trial of Sentsov. The cross-examination of Afanasyev - <http://zona.media/online/sentsov-afanasev/#7983>
5. Gromadske.TV / Russia sentenced Sentsov to 20 years in prison, Kolchenko - to 10 - <http://www.hromadske.tv/politics/sud-rostova-viznav-vinnim-olega-sentsova/>
6. UNIAN / Sentsov: FSB threatened me with 20 years' imprisonment - <http://www.unian.net/politics/1065162-sentsov-fsb-ugrojaet-mne-lisnieniem-svobody-na-20-let.html>
7. Mediazona / The trial of Sentsov. Day 1- <http://zona.media/online/sentsov-nachalo/>

8. Mediazona / The trial of Sentsov. Final speech - <http://zona.media/online/sentsov-preniya/>
9. 'Rossiyskaya Gazeta' ['The Russian Newspaper' / The Supreme Court has presented the concept of a police provocation - <http://www.rg.ru/2012/07/03/provokaciya-site.html>
10. Mediazona / Convicted in the case of 'Crimean terrorists', Gennadiy Afanasyev reported the torture and libelling of the film director Sentsov - <http://zona.media/news/afanasiev-davlenie/>
11. The page of Aleksander Popkov on Facebook - <https://www.facebook.com/Aleksander.popkov.7/posts/900242453396109?pnref=story>
12. Memorial / 'Memorial' considered Gennadiy Afanasyev a political prisoner - <http://www.memo.ru/d/243934.html>
13. The page of Ilya Novikov on Facebook - <https://www.facebook.com/Ilya.S.Novikov/posts/10203237585660241?fref=nf>
14. Radio Svoboda / It's hard to sit when they are beating you with a club - <http://www.svoboda.org/content/article/27173887.html>
15. Radio Svoboda / It's hard to sit when they are beating you with a club - <http://www.svoboda.org/content/article/27173887.html>
16. Unified information portal / The office, burned in Simferopol, does not belong to 'United Russia' - <http://www.ua-ru.info/news/12238-sozhzhenny-v-simferopole-ofis-ne-prinadlezhit-edinoy-rossii.html>
17. Mediazona / In society, a debate about the role of a party was instigated - <http://zona.media/practice/casus-arson/>
18. Komsomolskaya Pravda / Restoration of the bombed Lenin statue will cost 8 million - <http://www.spb.kp.ru/daily/24270/466415/>
19. The Ministry of Foreign Affairs / Ministry of Foreign Affairs of Ukraine demands that the Russian Federation immediately release Oleg Sentsov and Aleksander Kolchenko - <http://mfa.gov.ua/ua/press-center/comments/4044-ministerstvo-zakordonnih-sprav-ukrajini-vimagaje-vid-rosijsykoji-federaciji-negajno-zvilyniti-olega-sencova-ta-oleksandra-kolychenka>
20. Amnesty International / Russia: Crimean activists convicted in an unfair trial - <http://amnesty.org.ua/nws/rosiya-krimski-aktivisti-zasudzeni-v-rezultati-nespravedlivogo-sudovogo-protsesu/>
21. The page of Jeffrey Payet on Twitter - <https://twitter.com/GeoffPyatt/status/636161659476774912>
22. PACE / PACE President deplores sentencing in Russia of Sentsov and Kolchenko - <http://assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=5742&lang=2&cat=15>
23. EEAS / Statement by High Representative/Vice-President Mogherini on the sentencing by a Russian court of Ukrainian citizens O. Sentsov and O. Kolchenko - http://eeas.europa.eu/statements-eeas/2015/150825_01_en.htm
24. Council of the European Union / Press statement by President Donald Tusk after meeting with President of Ukraine, Petro Poroshenko - http://www.consilium.europa.eu/en/press/press-releases/2015/08/27-tusk-statement-meeting-poroshenko/?utm_source=dsm-auto&utm_medium=email&utm_campaign=Press+statement+by+President+Donald+Tusk+after+meeting+with+President+of+Ukraine%2c+Petro+Poroshenko
25. Norden2015 / Statement by Denmark, Estonia, Finland, Iceland, Latvia, Lithuania, Norway and Sweden on regional security - http://um.dk/da/~media/UM/Danish-site/Documents/Udenrigspolitik/Nyheder_udenrigspolitik/2015/NB8%20statement%20regional%20security.pdf
26. European Parliament / Human Rights: Russia, Azerbaijan and Angola - <http://www.europarl.europa.eu/news/en/news-room/content/20150903IPR91536/html/Human-rights-Russia-Azerbaijan-and-Angola>