



ЕВРОПЕЙСКИ ПАРЛАМЕНТ : PARLAMENTO EUROPEO EVROPSKÝ PARLAMENT EUROPA-PARLAMENTET
EUROPÄISCHES PARLAMENT EUROOPA PARLAMENT ΕΥΡΩΠΑΪΚΟ ΚΟΙΝΟΒΟΥΛΙΟ EUROPEAN PARLIAMENT
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TUNNE KELAM

Committee on Foreign Affairs

Subcommittee on Security and Defence

Delegation for relations with the United States

Brussels, 29 June, 2016

**Mr. Pozdeyev Sergey
Leonidovich**
Head of the Penal Colony

Penal Colony No.5 of the Department
Federal Penitentiary Service of the
Russian Federation
in Kirov Province

613040, Russian Federation
Kirov Province, Kirovo-Chepetsk
16 Ovrazhnaya Street

Mr. Pozdeyev,

We are addressing you, Mr. Pozdeyev, in your official role of the Head of the Penal Colony No.5 of the Department of the Federal Penitentiary Service of the Russian Federation in Kirov Province, with regard to the case of Mr. Oleksandr Kostenko, a Ukrainian citizen, who is currently serving a sentence of 3 years and 11 months of imprisonment in your detention facility.

As has been reported, Mr. Kostenko, a Ukrainian citizen, has been detained and tried by the Russian authorities for an offence, allegedly committed against another Ukrainian citizen on Ukrainian soil. Even according to the case files, the offence for which Mr. Kostenko has been sentenced took place (began and ended) on 18 February, 2014 in Kyiv, Ukraine. It is clear that by unlawfully extending its jurisdiction over a case that obviously had no basis for being considered by the Russian courts, the Russian authorities *de facto* confirmed the political motivation behind the persecution of Mr. Kostenko and the political background of the whole case against him.

We would also like to express our grave concern over the current health condition of Mr. Kostenko, who – according to publicly available information – has suffered from numerous acts of inhumane treatment and torture over the last months. We remind you that acts of torture, physical or psychological abuse and pressures constitute a clear violation of the detainee's rights and a violation of basic human rights. At the same time, you – as the Head of the Penal Colony, are responsible for ensuring that



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prisoner's rights are respected, he is provided the necessary medical assistance and his detention conditions respect the norms and regulations.

Finally, the case of Mr. Kostenko is not a singular one, as many Ukrainian citizens have been unlawfully detained in Russia over the last months, namely in the wake of the conflict in Ukraine. Please, be informed that the international community, including the European Parliament and its Members, is closely monitoring all of these cases.

In light of the above-cited information, we would like to ask you to provide us with up-to-date information on Mr. Kostenko's state of health and detention to ensure that he receives all the necessary medical assistance. We call on you to make sure that he does not suffer any further ill-treatment and that his lawyers, family members, as well as representatives of the Ukrainian state can visit him freely.

Tunne Kelam, MEP
Estonia