



Alexey Gorinov in the Meshchansky District Court of Moscow, July 8, 2022 / Collage: OVD-Info, photo: Alexandra Astakhova, Mediazona

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Submission of Information to Special Procedures Report on Alexey Gorinov

1. OVD-Info is an independent human rights media project aimed at monitoring cases of political persecution in Russia and providing legal assistance to victims of such persecution. OVD-Info was founded during mass protests of December 2011 as a volunteer project with the purpose of giving publicity to information on arrests of protests' participants. Today OVD-Info operates a 24-hour federal hotline to collect information on all types of political persecution and coordinate legal assistance to its victims, provides legal education to activists and researches different types of political persecution in Russia.

2. The Human Rights Defence Centre «Memorial» is a Russian non-governmental organization, established after the forced liquidation of the Human Rights Centre «Memorial» in 2022. The Centre monitors and documents cases of human rights violations and provides legal assistance and information support to political prisoners, refugees, migrants and anyone whose rights are violated by the Russian

authorities. In 2022, Memorial became a co-laureate of the Nobel Peace Prize together with the Ukrainian Human Rights organization Center for Civil Liberties and the Belarusian Human Rights activist Ales Bialiatski.

3. The Moscow Helsinki Group is the oldest human rights organization in Russia, founded in 1976. The mission of the Moscow Helsinki Group is to promote respect for human rights, protect from human rights abuses, build and develop democratic institutions in Russia. To achieve this goal MHG conducted constant monitoring and documentation of human rights violations, provided expert analysis for the Government and civil society, organized public campaigns and participated in legislative processes. The organization was forcibly liquidated by the authorities in April 2023, but members of the organization continue its mission.

CONTEXT OF IMPRISONMENT

On July 8, 2022, Alexey Gorinov became the first person to receive a real prison term of seven years based on the charge with Article 207.3 of the Russian Criminal Code (so-called fake news about the Russian army) for speaking out against the war with Ukraine. The Meshchansky district court in Moscow sentenced Aleksei to seven years in prison. He was found guilty on account of Part 2, Article 207.3 of the Criminal Code: for "spreading deliberately false information under the guise of accurate facts, containing data on the armed forces, while abusing an official position, by a group of persons.» Here the court considered Gorinov's deputy status as an «abuse of official position, » and the voiced support by some officials as criminal collusion with a group.

On September 19, 2022, an appellate court «softened» the sentence, reducing it by one month — from seven years to six years and 11 months in prison.

In the 95th Session in November 2022, the UN Working Group on arbitrary detention adopted an opinion regarding Alexey Gorinov's imprisonment (78/2022). The WGAD called on Russian authorities to immediately release Gorinov. The opinion is still not implemented and Alexey is still unlawfully deprived of liberty. Moreover, he is included in the list of people prone to escape and is checked by the prison guard every two hours, even during the night. It was the alleged violations of the preventive registration procedure that served as the formal basis for placing Alexey in the punishment cell.

CURRENT HEALTH CONDITION

Aleksey Gorinov has been in jail since April 2022. He has chronic health issues — a few years ago he went through major surgery on his lungs. Incarceration is negatively affecting his state. There are severe and well-founded fears that Alexey will not survive his imprisonment. Unfortunately, since December 9, 2022, Alexey has gotten very sick. He could not breathe normally or eat. He also did not have access to adequate medical treatment. Under public and media pressure, authorities sent Alexey to the hospital for prisoners in Vladimir. Subsequently, Alexey was back in the prisoner camp. His health is still weak.

AGGRAVATION OF PUNITIVE MEASURES

On September 5, 2023, FSB officers came to imprisoned Alexey Gorinov as part of their operational investigative activities. The questioning focused on Alexey's attitude towards terrorist and extremist organizations. The FSB officers promised to return for another conversation with Alexey.

On September 7, Alexey was placed in a punishment cell for 6 days. The reason was that he allegedly refused to identify himself as part of the preventive registration.

On September 13, Aleksey was supposed to be released from the punitive isolation cell, but the colony authorities sent Aleksey there again. That happened just on the eve of the planned visit with his family. The family was not informed of the fact and Alexey's relatives only discovered the truth when they were not allowed to attend the long-awaited visit, while Alexey was not even allowed to receive a parcel from them. In and of itself deprivation of family visits is an inhumane treatment and abuse of the political prisoner and his family. Such meetings are the few things that connect Alexey with his former life.

The horror of being in a punitive isolation cell is not limited to the lack of visits with loved ones. The punishment cell is a small, cold, damp, dirty room, the stay wherein irreversibly undermines the already weak health of Alexey Gorinov. The reason for placing him again in a punitive isolation cell is unknown. It is obvious that the authorities, having sentenced a man for seven years in prison for anti-war statements, will find any pretext to create torturous conditions for him in the colony.

We believe that Alexey's stay in the punishment cell is harmful to his already deteriorating health and it might be a method of exerting influence to obtain incriminating evidence.

ADDITIONAL INFORMATION

At least 698 persons are criminally prosecuted in the context of war in Russia. Particularly, 200 people are prosecuted under article 207.3 of the Criminal Code that bans «public dissemination of deliberately false information about the use of the Armed Forces of the Russian Federation.» According

to OVD-Info's data, 80 defendants have already been convicted under article 207.3, and 40 of them have been sentenced to imprisonment. 23 people among the non-convicted defendants are taken into custody. The treatment of political prisoners has been deteriorating over the last two years which is demonstrated by the following practices: Bringing up additional charges of calls to terrorism and high treason, Using punishment cells as intimidation and silencing techniques, Ill-treatment, torture, and inhumane conditions, Neglect of inmates' health conditions and denied treatment.

Recently, another activist Azat Miftakhov was accused of glorification of terrorism just before the end of his first imprisonment. The same tactic is applied to Alexey Navalny who was charged with calls to extremism and rehabilitation of Nazism while already imprisoned, and Vladimir Kara-Murza who faced additional accusations of high treason. We are concerned that Russian authorities will fabricate additional criminal cases to keep political activists incarcerated as long as possible. And we are concerned that such a tactic could be applied to Alexey Gorinov too.

We observe an increase in the number of cases of prison employees using punishment cells as a method of pressure against political prisoners. The practice of placing prisoners in punishment cell several times in a row, initially tried out on Alexei Navalny, becomes more and more common. While in punitive isolation cells the inmates cannot use phones or meet with their lawyers which prevents the defense from acquiring live information on the inmates' health.

Several political prisoners from different regions of Russia keep complaining about torture and ill-treatment. While Alexandra Skochilenko, and Vladimir Kara-Murza are held in conditions incompatible with their state of health, other prisoners, such as Dmitry Ivanov and Maria Ponomarenko report physical violence. More details on those cases are contained in the Appendix.

In view of the alarming situation regarding the state of health and punitive actions against Alexey Gorinov and other political prisoners in Russia, we request the following:

1) Request from the Russian authorities a plan of action to implement the WGAD's opinion 78/2022 in relation to Alexey Gorinov, and how this opinion is taken into account by Russian courts in other cases under Article 207.3 of the Russian Criminal Code.

2) Request information on the reasons for the placement of Alexey Gorinov in a punitive cell;

3) Request information on the grounds for the visit of the FSB to Alexey Gorinov on September 5, 2023, and how Alexey Gorinov's procedural rights were ensured during such a visit without the participation of his lawyer.

4) Send a letter to the Russian Human Rights Ombudsman and ask her to draw attention to:

- failure by the Russian authorities to implement the opinion of the WGAD 78/2022;

- ask her to take under her control cases of repeated initiation of criminal proceedings against already arrested prisoners convicted for anti-war statements or political activism;

- ask it to monitor cases of placement of prisoners convicted for anti-war statements or political activism in punitive cells (including grounds for such placement, duration, conditions of detention, etc.); ask her to make the results of such monitoring available to UN experts, journalists and human rights activists.

Ещё почитать



«Что-то не так с Горецкой»: история ростовской провокаторки и свидетельницы обвинения в двух политических делах

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