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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1157th MEETING OF THE
OSCE PERMANENT COUNCIL**

28 September 2017

On Russian citizens detained by the United States of America

Mr. Chairperson,

Our statement is on the developing story of the role of the United States of America in enforced disappearances, which was raised at the Permanent Council meeting on 31 August 2017.

The United States has not abandoned the illegal practice of abducting foreign citizens abroad or forcing third-country authorities to arbitrarily extradite such persons to the United States. This happens without notification to the State of which they are a citizen, as a result of which they find themselves in US prisons without procedural safeguards. More than one Russian citizen has suffered this fate.

For example, Konstantin Yaroshenko was abducted in Liberia by employees of the US Drug Enforcement Administration with the support of the local police and then transferred to the United States, where he was found guilty of allegedly attempting to smuggle a large consignment of drugs. The Russian Federation was not properly informed. He was deprived of his legal right to seek help and consular assistance from the Russian Federation and did not understand the reason for his detention and transfer to the United States. He was not given a lawyer within 48 hours after his arrest.

Mr. Yaroshenko was subjected to torture and inhuman treatment, which led to serious health consequences requiring constant qualified medical supervision and treatment. Adequate conditions for his detention in prison are not provided.

Violations of Mr. Yaroshenko's rights to a proper legal procedure continued even after he appeared before the US court. The judges did not question the witnesses of and participants in the torture of the Russian citizen. The defence did not have the same opportunity. And although the "evidence" obtained under torture is considered null and void from a legal point of view, the US court handed down a guilty verdict for Mr. Yaroshenko on the basis of this evidence and sentenced him to 20 years' imprisonment.

Mr. Yaroshenko reported that he was repeatedly placed in the punishment cell for clearly far-fetched reasons, including shortly before a surgical procedure, which was carried out at a local hospital.

In November 2010, another Russian citizen, Viktor Bout, was extradited from Thailand to the United States. The Russian embassy was not informed about the date of his expulsion. Significant pressure was placed on his lawyer. As the main material evidence against Mr. Bout, the prosecutor's office quoted figures on a scrap of paper that he wrote during a meeting with undercover employees of the US Drug Enforcement Administration. This was regarded as the amount of the fee. There was no other material evidence. The testimony of the employees of this agency played a key role.

For 15 months, the Russian was kept in complete isolation, in a solitary windowless cell with artificial lighting. Walks and contact with relatives were forbidden. In April 2012, Mr. Bout was sentenced to 25 years' imprisonment and fined 15 million US dollars. In July 2012, the Ministry of Justice of the Russian Federation sent an official request to the US authorities for the extradition of a Russian citizen under the 1983 Council of Europe Convention on the Transfer of Sentenced Persons. However, the United States, which has ratified this international document, refused. In 2015, Mr. Bout's defence attempted to obtain a review of the case based upon newly revealed evidence, however, the District Court of New York refused to even consider the petition. It also failed to take into account United Nations Security Council resolution 2237 of 2 September 2015, which abolished sanctions in place since 2004 in connection with the "Libyan" plot, for his participation in which Mr. Bout was charged.

In July 2014, Roman Seleznev was detained at the international airport of Malé, the capital of the Maldives, by US intelligence services. On the same day, he was forcibly taken to Guam. Now he is in Atlanta, in a federal prison, which has a very bad reputation. According to his lawyer, Mr. Seleznev does not receive proper treatment for hepatitis B. He also suffers from the consequences of a head injury, so he needs special conditions of detention.

Yuriy Martyshev, who was accused of cyberfraud, was taken out of Latvia by the US intelligence agencies. He is in prison in Alexandria (Virginia). This is another example of the kidnapping of a Russian citizen by the US authorities in violation of the 1999 bilateral Treaty on Mutual Legal Assistance in Criminal Matters.

We regard this practice of the United States as illegal and causing serious damage to the international system of human rights and freedoms.

We urge the US Government to stop the extraterritorial application of national legislation, extrajudicial detentions on the territory of third countries and abductions of citizens of other States, and to fulfil its international obligations, ensuring the observance of prisoners' rights, including protection against torture.

Thank you for your attention.