

PC.DEL/385/14

4 April 2014

ENGLISH

Original: RUSSIAN

Delegation of the Russian Federation

**STATEMENT BY MR. ANDREY KELIN,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 993rd MEETING OF THE OSCE PERMANENT COUNCIL**

3 April 2014

Regarding the situation with Konstantin Yaroshenko

Mr. Chairperson,

We are once again forced to raise the question of the situation surrounding the Russian pilot, Konstantin Yaroshenko, who is being held at Fort Dix correctional facility in the United States of America.

At the last Permanent Council meeting we did not receive an answer to the question regarding the possibility of him undergoing the operation that has been recommended by United States doctors. What is also puzzling is the fact that the reason given for refusing to provide the information is “non-disclosure of personal data”. And this is despite the fact that Mr. Yaroshenko has given written consent allowing representatives of the Consulate General of the Russian Federation to be provided with his case record and the doctors’ findings.

Last week we were told that there are allegedly no OSCE commitments regarding the humane treatment of prisoners. I should like to quote them.

The refusal to provide Mr. Yaroshenko with appropriate medical care is not in keeping with numerous OSCE commitments regarding the prohibition of cruel treatment of persons on remand and prisoners. In particular, those commitments set out in decisions of the Vienna Meeting of the CSCE (1989), the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990), the Document of the Moscow Meeting of the Conference on the Human Dimension of the CSCE (1991), the Charter of Paris for a New Europe (1990), and decisions of the Budapest (1994) and Istanbul (1999) OSCE Summits and of the OSCE Ministerial Council meetings in Ljubljana (2005), Brussels (2006), Helsinki (2008) and Athens (2009).

Furthermore, in the aforementioned Copenhagen document the participating States agreed that “preserving and guaranteeing the life and security of any individual subjected to any form of inhuman or degrading treatment will be the sole criterion in determining the urgency and priorities to be accorded in taking remedial action”.

The refusal to provide adequate medical care and carry out an operation is posing a serious threat to the life of Mr. Yaroshenko, who has been sentenced to 20 years' imprisonment, moreover not for committing a crime but merely for criminal intent.

Thank you for your attention.