

## **Memorial considers Ukrainian citizens Nikolai Karpiuk and Stanislav Klykh political prisoners**

Ukrainian citizens [Nikolai Karpiuk](#) and [Stanislav Klykh](#) have been prosecuted for allegedly taking part in military engagements during the First Chechen War.

Their prosecution started, and continues, in the context of the anti-Ukrainian campaign in state-controlled media that began in the spring of 2014. It has been accompanied by statements by the highest officials of the Russian Federation. One of the essential aspects of the campaign has been the prosecution of those who have taken a public stance on events in Ukraine that is at variance with the official view, and in particular of citizens of Ukraine.

According to the official investigation, Stanislav Klykh and Nikolai Karpiuk were members of the extremist organization 'Ukrainian National Assembly – Ukrainian People's Self-Defence' (UNA-UNSO) and at the end of 1994 and the beginning of 1995 had fought against Russian federal forces as part of the military formations set up by the self-declared Chechen Republic of Ichkeria. According to the investigation, the two men took part in action against Russian forces in Grozny, in particular in the area around Minutka Square and near the Presidential Palace.

Nikolai Karpiuk was accused of having created and led a group called 'Viking' that consisted of members of UNA-UNSO, while Stanislav Klykh was accused of taking part in this group and in the military clashes in which it engaged. Moreover, both were charged with intentional killing of two or more persons who were carrying out their professional duty and with attempting such killing.

The evidential base for the charges was in essence built on the testimony that Karpiuk and Klykh gave against themselves and against each other, and also on the testimony of Ukrainian citizen Aleksandr Malofeev, a member of UNA-UNSO, convicted of taking part in military engagements in Chechnya as a member of the Viking unit and of committing other crimes (robbery and murder of two people).

In his testimony, Malofeev said that Dmytro Yarosh, leader of the Right Sector, an organization banned in the Russian Federation, leader of the Ukrainian Freedom party Oleh Tyahnybok, the prime minister of Ukraine Arseniy Yatsenyuk, and many other Ukrainian citizens, took part in military engagements on the territory of Chechnya. Criminal charges were brought against them and they were put on a wanted list, but are currently beyond the reach of Russian investigators since they are on the territory of Ukraine.

During the initial investigation the whereabouts of Klykh and Karpiuk, and even the fact of their prosecution, was carefully hidden, and the defendants were deprived of consular support and basically of the assistance of lawyers as well. Formally, they were represented by state-appointed lawyers who, according to the defendants, gave them no legal assistance whatsoever in practice, and the lawyers hired by the relatives were only able to take part in the case once the investigation had nearly finished gathering evidence. At the first meeting with their lawyers, both defendants said they had been tortured, as a result of which they had been forced to testify against themselves and to give evidence against others. Both defendants have applied to the European Court of Human Rights with regard to the alleged torture. Clear evidence of torture on the body of Klykh has been recorded.

Memorial Human Rights Centre has analysed the prosecutor's conclusions in case No. 84003, and published the results in four parts ([Part 1](#), [2](#), [3](#), [4](#)). The analysis shows that the case for the prosecution had been drawn up in violation of the Criminal Code and Criminal Procedural Code of the Russian Federation, includes descriptions of crimes that did not take place, contains a large number of factual errors, and in general is almost completely built on the testimony (probably, false testimony) given by the witness Malofeev and testimony against themselves by the defendants.

Consequently, it is possible to state with a high degree of probability, that Klykh and Karpiuk are innocent, and the investigation had no evidence that they were ever in Chechnya.

Memorial Human Rights Centre considers Nikolai Karpiuk and Stanislav Klykh to be political prisoners and demands their immediate and unconditional release.

*Recognition of a person as a political prisoner, or as a victim of a politically-motivated prosecution, does not mean that Memorial Human Rights Centre agrees with their views or statements, or approves of their statements or actions.*

Reports on the course of the court hearings, links to the analysis of the case of the prosecution and other materials in the case of UNA-UNSO in Grozny can be found on the [website of Memorial Human Rights Centre](#).