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US files first-ever war crime charges accusing russian soldiers of torturing American in Ukraine

США висунули перші в історії звинувачення російських солдатів у тортурах американців в Україні

Генеральний прокурор США Меррік Гарланд повідомив про підозру в тортурах і жорстокому поводженні з американським громадянином чотирьом, пов'язаним із росією, військовослужбовцям. Це перший випадок притягнення до відповідальності за воєнні злочини, вчинені під час російської агресії, в рамках юрисдикції іноземних країн.

Генеральний прокурор назвав обвинувальний висновок важливим кроком на шляху до відповідальності за незаконну війну російського режиму в Україні. Завдяки Меморандуму про співпрацю, який підписали Генеральний прокурор України Андрій Костін і Генеральний прокурор США Меррік Гарланд у вересні 2022 р., ця співпраця вийшла на новий рівень і приносить відчутні результати. Звинувачення стало кульмінацією розслідування групи Міністерства юстиції з питань воєнних злочинів, що тривало рік, створеної для вивчення повідомлень про звірства, скоєні російськими військами в Україні.
<https://nypost.com/2023/12/06/news/us-charges-russian-soldiers-with-war-crimes-in-ukraine/>

The US Justice Department took the unprecedented step of charging four Russian soldiers with war crimes against an American living in Ukraine, who was allegedly savagely beaten, tortured and subjected to a mock execution.

Attorney General Merrick Garland said Wednesday these were the first charges brought under a little-known 1996 federal law that allows the US to prosecute people who commit war crimes against Americans abroad.

“As the world has witnessed the horrors of Russia’s brutal invasion of Ukraine, so has the United States Department of Justice,” Garland told a news conference.

The victim, who was not identified, was kidnapped from his home in the village of Mylove in the Kherson region in southern Ukraine in April 2022 and held captive by the Russians for 10 days, according to a 9-page indictment unsealed in Virginia federal court and reviewed by The Post.

Attorney General Merrick Garland (C) speaks in front of FBI Director Chris Wray (3-R), US Homeland Security Secretary Alejandro Mayorkas (3-L) and others; during a news conference at the Justice Department in Washington, DC

During his ordeal, the American was stripped naked and photographed, pummeled with fists, kicked and smashed with the butt of a gun.

He was also allegedly forced to endure interrogations and a simulated execution, in which a gun was put to the back of his head, then moved slightly and fired, with the bullet whizzing just past his head, according to the indictment.

The detainee was repeatedly threatened with death, and even asked for his last words.

One of his captors also threatened to rape the American and “touched him in a sexual manner” by kissing him on the cheek and rubbing his ear.

“Again and again, he believed he was going to die,” Garland said.

Plastic ties for torture and a broken chair are seen inside a basement of an office building, where prosecutors say 30 people were held two months during a Russian occupation in Kherson. The American, who had lived in Ukraine since 2021, was not fighting in the war against Russia and was a protected person under the Geneva Convention of 1949, the indictment stated.

The defendants were identified as commanding officers Suren Seiranovich Mkrtchyan, 45, and Dmitry Budnik, and two lower-level soldiers identified in the indictment only by their first names, Valerii and Nazar.

All four Russians were charged with one count of conspiracy to commit war crimes and three counts of war crimes -unlawful confinement of a protected person, torture and inhuman treatment.

Prosecutors said the suspects were either members of the Russian army or military units of the so-called Donetsk People's Republic, a region in eastern Ukraine that Russia illegally annexed.

The defendants are not in custody and are unlikely to appear in the US to face the charges.

FBI Director Chris Wray (L) speaks in front of US Attorney General Merrick Garland (R), US Homeland Security Secretary Alejandro Mayorkas (2-R) and others; during a news conference at the Justice Department in Washington, DC, USA, 06 December 2023. The US Justice Department announced the unsealing of war crimes charges in connection with Russia's invasion of Ukraine against four Russia-affiliated military personnel. The Justice Department has filed the first ever charges under the US war crimes statute against four Russia-affiliated military personnel for alleged crimes against an American citizen. Garland, however, described the indictment as an "important step toward accountability for the Russian regime's illegal war in Ukraine."

The indictment was the culmination of a year-long investigation by the DOJ's war crimes team that was formed to look into reports of atrocities committed by Russian forces in Ukraine.

Federal investigators traveled to Europe in August 2022 to interview the victim, who had been evacuated from Ukraine after his release from captivity.