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Convicted Murderer, Slowly Dying, Demands Euthanasia

By Alexander Bratersky

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A euthanasia machine used in Australia in the 1990s. Usminksy's plea for euthanasia goes directly against the teachings of the Russian Orthodox Church, and Russia is not among the handful of countries

A convicted murderer who is dying of diabetes has asked to be put to death rather than to slowly waste away in prison.

The request for euthanasia, which cannot legally be granted in Russia, comes after judges have persistently refused to free the bed-ridden veteran of the Chechen war — even though the law gives courts the discretion to release terminally ill inmates. A third request for release was thrown out Monday.

Gennady Uminsky, who is serving an 18-year sentence for killing two businessmen in an extortion attempt, asked for euthanasia in an open letter last month.

"I am suffering from a severe form of diabetes. I can't walk without assistance and a pair

of crutches. I have a progressing form of dystrophy. Most of my teeth have fallen out. I can't even chew," the 43-year-old Uminsky wrote in the letter published by Moskovsky Komsomolets.

He added that, as a Christian, he could not commit suicide, but euthanasia, carried out by someone else, might spare him from the suffering. Incidentally, the Russian Orthodox Church has spoken explicitly against euthanasia since as early as 1999, but Uminsky appeared to be unaware of that.

A picture of Uminsky accompanying the newspaper article showed a gaunt man propped on crutches — a sharp contrast to his pudgy figure before being jailed. Prison officials concede that he spends most of his time in a prison hospital, not in his cell.

The appeal for euthanasia has been met with some suspicion — and not without cause. Uminsky has taken sensational actions in the past, including once suing Islamist militants for injuries he sustained while fighting them in Chechnya.

Russia is not among the handful of countries — including Germany, Switzerland and India — that permit euthanasia. The sole attempt to legalize the practice took place in 2007, when the Federation Council drafted a bill allowing it in "extraordinary cases." The proposal was promptly withdrawn after a strong public backlash.

While the law prohibits the taking of a life under any circumstances, it also allows those in extreme pain to die in peace regardless of their wrongdoings. The government last year compiled a list of more than 20 grave illnesses that can qualify an inmate for a pardon.

Diabetes is on the list, but courts in the Ryazan region, where Uminsky is serving his sentence, have rejected requests to release him since 2009. In Monday's denial, the court said Uminsky did not deserve to be pardoned because he had committed his crimes while already ill and has not shown remorse.

Ryazan-based rights activist Alexander Bekhtold said Uminsky's plight was similar to the case of Hermitage lawyer Sergei Magnitsky, who died in Moscow's Butyrskaya pretrial prison in 2009 after being denied medical treatment. A similar death occurred last year when businesswoman Vera Trifonova died from diabetes in pretrial detention in Moscow.

Another high-profile case saw former Yukos vice president Vasily Alexanyan kept in detention despite having AIDS, cancer and tuberculosis. Alexanyan was eventually released over his illnesses — but not before spending two years in jail on charges that supporters said were an attempt to put pressure on jailed former Yukos CEO Mikhail Khodorkovsky in an associated politically tinged case.

The first time Uminsky made headlines was in 2005, when he sued Chechen rebels for disabilities sustained during fighting in Grozny in 1996. Uminsky claimed to have survived a three-week siege that killed 150 soldiers from his unit. He was discharged from the military after sustaining shellshock and shrapnel wounds in both legs.

Uminsky unsuccessfully sought financial support from the Defense Ministry. He then won a lawsuit against the ministry in an Oryol regional court, but the verdict was overturned

on appeal in 2005. The court cited a Civil Code provision that places liability for injuries on those who inflicted them. In this case, it meant the insurgents who have fought two bloody wars against federal forces in the North Caucasus over the past 15 years.

Disappointed with the ruling, Uminsky returned his military medals to then-Defense Minister Sergei Ivanov and sued separatist leaders Shamil Basayev and Aslan Maskhadov, also in the Oryol court.

The Oryol court threw out Uminsky's lawsuit, while Maskhadov was killed later in 2005 and Basayev the following year.

Fellow veterans have questioned the authenticity of Uminsky's war medals. The Defense Ministry said he never received any medals, and an Oryol newspaper, Orlovskiye Novosti, reported in 2005 that the awards Uminsky returned had, in fact, been handed to other people.

Among those suspicious of Uminsky's claims are Alexander Shepetin, head of the Oryol region veterans organization. Speaking by phone from Oryol, Shepetin said he had no doubt that Uminsky served in Chechnya but began to wonder about his statements after Uminsky claimed to have fought in the same campaign as him in the 1980s Afghan War. Uminsky was only 12 when the Soviet Union invaded Afghanistan in 1979, though he became eligible for military service before Soviet forces pulled out in 1989.

Shepetin went public with his suspicions, and Uminsky sued him and Orlovskiye Novosti for libel. A court rejected his complaint in 2006.

Uminsky proceeded to head a private security company in Oryol but in 2008 was jailed with two accomplices on charges of killing two local businessmen from whom they were trying to extort 80 million rubles ($2.8 million).

Uminsky's mother told Moskovsky Komsomolets that the case against her son was fabricated over a business dispute that his firm had with a construction company backed by a former Oryol governor. She did not elaborate but said the judge told her during the latest appeal that the court had been "instructed" not to let Uminsky go.

Former Oryol Governor Yegor Stroyev and local court officials have not commented on the allegations.

Asked about the possible release of Uminsky, Shepetin advised addressing the question to the widows of the slain businessmen.

But rights activist Bekhtold said no one in Uminsky's condition deserved to be kept in prison. "Regardless of what he has done, he is ill, and he can be freed because he needs treatment," he said.

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