

Case RUS 190209
Torture and other forms of ill-treatment/ Fear for safety

The International Secretariat of the World Organisation Against Torture (OMCT) requests your **URGENT** intervention in the following situation in the **Russian Federation**.

Brief description of the situation

The International Secretariat of OMCT has been informed by the Russian-Chechen Friendship Society (RCFS), a member of OMCT SOS-Torture Network, about the torture and other forms of ill-treatment suffered by Mr. **Zubajr Isaevich Zubajraev**, 30-year-old Chechen, currently detained in penitentiary colony ЯР-154/15 (also known as LIU-125 prison hospital) in Volgograd, Southern Russia.

According to the information received, in August 2007, Mr. Zubajr Isaevich Zubajraev was sentenced to five years in high security prison and sent to prison colony IAR- 154/25 in Frolovo, Volgograd region, where he was tortured by prison colony officers throughout the period he was held there. The acts of torture included severe beatings, also with full plastic bottles, electroshocks, injection of unknown substances, nailing to the ground and having to stand in the snow with bear feet. He was also placed on several occasions in a punishment cell.

Following complaints on Mr. Zubajr Isaevich Zubajraev's situation, he was reportedly admitted to the prison hospital (penitentiary colony ЯР-154/15) in February 2008, where he is still currently being detained. However, according to the same information, instead of receiving adequate medical care and treatment, he was again subjected to torture and other forms of ill-treatment, including beatings, allegedly by the chief of the penitentiary colony and his deputy. Mr. Zubajr Isaevich Zubajraev was also reportedly threatened with psychiatric internment.

In November 2008, the Volgograd regional prosecutor inspected the prison hospital but reportedly found no fault with the prison authorities.

According to the same information received, Mr. Zubajr Isaevich Zubajraev's health is extremely poor and, due to several head injuries, he might be suffering from epilepsy. Moreover, he would have several wounds on his leg that do not heal.

His family has reportedly recently received threats, including by a Federal Security Service (FSB) officer, for having denounced his conditions on several occasions. OMCT fears for its safety.

The International Secretariat of OMCT is gravely concerned for the physical and psychological integrity of Mr. Zubajr Isaevich Zubajraev following the reports of continuous torture and other forms of ill-treatment and lack of adequate medical care. OMCT therefore calls on the authorities to guarantee his safety at all times, as well as to carry out a prompt, effective, thorough, independent and impartial investigation into these reports, in order to bring those responsible before a competent, independent and impartial tribunal and apply penal, civil and/or administrative sanctions as provided by law. OMCT recalls the absolute prohibition of torture and other forms of ill-treatment and recalls article 11 of the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment stipulating that, "*Each State Party shall keep under systematic review interrogation rules, instructions, methods and practices as well as arrangements for the custody and treatment of persons subjected to any form of arrest, detention or imprisonment in any territory under its jurisdiction, with a view to preventing any cases of torture*".

Action requested

Please write to the authorities in Russia urging them to:

- i. Guarantee, in all circumstances, the physical and psychological integrity of Mr. Zubajr Isaevich Zubajraev as well as of his family;
- ii. Guarantee unconditional access to his lawyer and his family, as well as guarantee that Mr. Zubajr Isaevich Zubajraev is examined by independent doctors and receives adequate

- medical care, in accordance with provisions of the UN Standard Minimum Rules for the Treatment of Prisoners;
- iii. Carry out a prompt, effective, thorough, independent and impartial investigation into the reports of torture and other forms of ill-treatment, in order to bring those responsible before a competent, independent and impartial tribunal and apply penal, civil and/or administrative sanctions as provided by law;
 - iv. Order his immediate release in the absence of valid legal charges that are consistent with international law and standards, or if such charges exist, bring him before an impartial and competent tribunal and guarantee his procedural rights at all times;
 - v. Ensure the respect of human rights and fundamental freedoms throughout the country in accordance with national laws and international human rights standards.

Addresses

- Dmitry Anatolyevich Medvedev, President of the Russian Federation, Kremlin, Moscow, Russia, Faxes:+ 7 495 206 5173 / 230 2408, Email: president@gov.ru;
- Prosecutor General of the Russian Federation, Yuri Chayka, 125993, Moskva K-31, Ul. B. Dimitrovka, d 15a, Russian Federation, Fax: + 7 (495)692-17-25;
- Chairwoman of the Presidential Human Rights Commission of the Russian Federation, Ella Pamfilova, 103132 g. Moskva, Staraya ploshchad, d 8/5,pod 3, Russian Federation, Fax: +7 495 20 64 855;
- Vladimir Lukin, Russian Federal Ombudsman for Human Rights, Fax: +7 495 207-74-70;
- Minister of Internal Affairs, Rashid Nurgaliev, ul. Zhitnaya, 16, 117049 Moscow, Russian Federation, Telegram: Rossiia, 117049, Moskva, Fax: + 7 495 237 49 25;
- Minister of Foreign Affairs, Sergey Lavrov, Smolenskaya-Sennaya pl, 32/34, 121200 Moscow, Russian Federation, Telegram: Fax:+ 7 495 230 21 30;
- Permanent Mission of the Russian Federation to the United Nations in Geneva Av. de la Paix 15, CH-1211, Geneva 20, Switzerland, e-mail : mission.russian@ties.itu.int, fax: +4122 734 40 44;

Please also write to the diplomatic representations of the Russian Federation in your respective countries.

Geneva, 19 February 2009.

Kindly inform OMCT of any action undertaken quoting the code number of this appeal in your reply.