



КОМИТЕТ ПРОТИВ ПЫТОК
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г. Нижний Новгород,
603000
РОССИЯ / RUSSIE

FIRST SECTION

ECHR-LE3.2R
OAM/esa

3 February 2010

Application no. 6685/10
Umarpashayev and Others v. Russia

Dear Sir and Madam,

I acknowledge receipt on 2 February 2010 of your letter of 28 January 2010 with enclosures, including a completed application form. **Your file has been given the above number. You must refer to it in any further correspondence relating to this case.**

I have noted that you request application of Rule 39 of the Rules of Court.

I would inform you that prior to examining your request the President of the Chamber to which the above case has been allocated decided to invite the respondent Government to answer the following questions by 24 February 2010:

1. What measures have been taken to establish Mr Islam Umarpashayev's whereabouts and have the applicants been informed of them?

2. Do the authorities know the whereabouts of Mr Islam Umarpashayev and, if so, can this information be disclosed to the applicants and/or to the Court?

3. Was Mr Islam Umarpashayev apprehended by State agents?

If so:

- (a) What are the reasons and legal grounds for his arrest and detention?
- (b) What are the conditions of his detention?
- (c) What arrangements have been made to ensure his access to legal assistance?
- (d) Does his condition require medical aid and, if so, is it being provided to him?

4. The Government are requested to provide the Court with copies of all the documents related to (i) measures taken to establish the whereabouts of Mr Islam Umarpashayev, (ii) his detention if he is in State custody and (iii) the special operation conducted at the applicants' household on 11 December 2009, including transcripts of questioning of witnesses.

5. Having special regard to the recent requests for application of interim measures lodged with the Court in the cases of, in particular, *Shamsayeva v. Russia* (no. 30396/09), *Telkhigova v. Russia* (no. 33824/09), *Ziyavdi Kagirov v. Russia* (no. 36367/09), *Gaysanova v. Russia* (no. 62235/09) and *Turluyeva v Russia* (no.63638/09), what measures aimed at establishing the whereabouts of disappeared persons and protecting their lives are generally taken by the State authorities when a disappearance in the Chechen Republic is brought to their attention?

The Government have been asked to submit this information by 24 February 2010.

The information obtained from the Government will be sent to you in order that you may submit written comments in reply on behalf of the applicants.

Yours faithfully,

A handwritten signature in black ink, appearing to be 'A. Wampach', written over a horizontal line.

A. Wampach
Deputy Section Registrar