

ANNUAL REPORT 2017

И К - 14
здание
См. здание
Панель с серийным номером без учета учета
Формат А4, версия 7.0
Товар не подлежит обязательной сертификации.
Срок годности не определен.
ПРОИЗВЕДИТЕЛЬ: ООО «БАЛТЕК»
140402, Московская обл.
г. Коломна, Спасский проезд, д. 30,
тел.: +7 (49661) 150129

Dear readers.

Here is the report on the main results of our activity in 2017. Thanks to our colleagues, the results for the reporting period involve:

- checks based on **153** complaints from citizens about applying tortures and brutal treatment are performed;
- **12** criminal cases are opened regarding the crimes related to human rights violations;
- **6** criminal cases regarding the crimes related to human rights violations are sent to court;
- **7** law-enforcement officers and 1 medic are convicted for crimes related to human rights violations;
- **over 20** million rubles' worth of compensations to the victims of the state representatives' unlawful actions is awarded;
- positive rulings are passed regarding **7** complaints, submitted to the European Court of Human Rights;
- **46** rulings of the Investigative Committee are declared illegal and quashed;
- **49** victims of tortures and their relatives have passed medical rehabilitation and treatment for total **sum of 3 million** rubles.

COMPLAINTS OF CITIZENS ABOUT TORTURE AND BRUTAL TREATMENT

153

Although the number of our applicants increased in **2017**, we think that the level of illegal violence by law-enforcement officers remains roughly at the same level as in the previous period.

And it is, unfortunately, rather high.

Here are just a few applications which we received in **2017** – they demonstrate that anyone may become a victim of unlawful violence by law-enforcement officers.

Moscow State University post graduate broke his finger after he refused to show his passport to a police officer

In March Aleksandr Kim applied to human rights defenders for legal assistance. According to Aleksandr, on 21 February at the Pervomayskaya metro station he was stopped by a police officer who demanded that he showed his ID. Although initially he did not introduce himself, Kim managed to get to know from the police officer that his name was Andrey Pyshkin. When Aleksandr asked, what was the reason of the demand to show ID, the police officer replied that it is necessary in the framework of operation "Migrant. Residential sector". Pyshkin added that Mr Kim had a non-Slavic appearance, and in his opinion, it was a sufficient ground for assuming that his stay in the territory of the Russian Federation was illegal.

Having considered Pyshkin's actions illegal, in fact, discriminating on ethnic grounds, Mr Kim refused to show his ID and went up the escalator. The police officer followed with him, and when they went up to the turnstiles, started to pull Aleksandr in the direction of the police premises located nearby. Aleksandr, on the other hand, intended to leave the metro station. He held the mobile rack with both hands, while Mr Pyshkin was pulling him to his side. The police officer started to disengage Aleksandr's fingers from the rack one by one. When Mr Pyshkin used force to pull Mr Kim's left hand thumb the latter felt a sharp pain. Mr Kim told Mr Pyshkin that he was breaking his fingers; however, the law-enforcement officer ignored his words and continued to apply force.

Subsequently Aleksandr was taken to Police Department No.6 at the Moscow Metro, having been handcuffed to the same police officer. At the same time, they had to go by metro, with people around, which is why Mr Kim describes the trip as humiliating. At the police department, the police officers realized what happened, apologized to Aleksandr for Mr Pyshkin's actions, and escorted Mr Kim to the first aid station, where his bodily injuries were registered. Medics diagnosed Aleksandr with: "closed incomplete nondisplaced fracture of the proximal phalanx base of the 1st finger of the left hand. Bruise of the 3rd finger of the left arm".

The Investigative Committee performed a check of Mr Kim's arguments and failed to find elements of crime under Article 286 of the Criminal Code of the RF ("abuse of office") in Mr Pyshkin's actions. The Ministry of the Interior agency check did not establish any element of disciplinary offence in the police officer actions, either (considering, that according to the materials of the agency check, three other police officers were brought to disciplinary action for improper paperwork related to Aleksandr Kim's delivery to the department).

Therefore, since there was no adequate reaction by the Russian state authorities to obvious violations of Aleksandr Kim's rights, lawyers with the Committee Against Torture were forced to apply to the European Court of Human Rights.

"Now we have submitted a complaint concerning the violation of several articles of European Convention for the Protection of Human Rights and Fundamental Freedoms regarding Aleksandr Kim, – international law expert with the Committee Against Torture Ekaterina Vanslova emphasizes. – These are the fifth, the sixth, the thirteenth and the fourteenth articles, which guarantee the right to fair judicial examination, to freedom and personal security, to effective legal remedy and prohibiting discrimination. We have not yet submitted the complaint concerning the third – main article, which the Committee Against Torture works with and which prohibits brutal treatment, since so far, we have not yet exhausted domestic remedy. We hope that at least in this part we'll succeed in seeking justice at the national level".



Viktor Kapitonov: “The police officers broke my arm and told me it was like that before”

In his application to human rights defenders, seeking legal assistance, Viktor Kapitonov informed that on October 7, 2016 he was conducting a one-man picket near the Administration of the President of Russia and was detained by the police officers.

Thanks to the fact that several journalists were present at the one-person picket, the process of apprehension was recorded on video camera. It is seen in the record that Viktor is taken away by two police officers and then they bend his body forwards.

– I felt that they are pulling my hand behind my back. It went wrong and the police officer started to perform jerking movements. After that I heard the rustle of bones and started to scream, – Viktor describes the process of apprehension.

“If you don’t sign it now – I’ll beat you!”

Elena Petrova from Nizhny Novgorod (the name and surname are changed) informed to have been violently detained in Nizhny Novgorod karaoke-café and taken to the police department of Sovetsky district. There, according to her words, one of the policemen shouted at her during the conversation, hit her in the face with his hand and pushed her to the wall.

On 10 April 2017 investigator from the investigating department of the Investigation Office of the Investigation Committee of the Russian Federation in Nizhny Novgorod region, Major of Justice Izverov initiated a criminal case against the police officer according to p. <a> Part 3 Article 286 of the Criminal Code of the RF (“Abuse of office with the use of violence”).

Preliminary investigation took about two months, and after the Prosecutor’s Office approved the indictment, on 2 June it was sent to the Sovetsky District Court of Nizhny Novgorod.

Refusing to provide fingerprints resulted in 23 days spent in hospital

Aleksey Galiullin from Bashkiria accuses representatives of Federal National Guard Troops Service and the police in illegal applying violence against him for refusing to provide his fingerprints. According to Mr Galiullin, because of this he got closed craniocerebral injury, brain contusion (light form), as well as neck vertebra injury.

Galiullin’s report addressed to the head of the police department was redirected based on the consequences to Birsk Interdistrict Investigation Department of the RF Investigation Office of Investigation Committee for the Republic of Bashkortostan. On 25 May investigator from this department Bulat Galiev issued an order to refuse to open a criminal case due to the absence of criminal elements in the actions of the law enforcement representatives. He considered that they had rightfully used physical force.



Aleksey Galiullin's lawyer Pavel Kiselev successfully insisted on quashing this refusal, after that additional check was assigned. Based on its results, on 26 April of last year Deputy Head of the Investigative Department Vadil' Nurmukhametov initiated a criminal case on abuse of office.

In eight months, on 25 December 2017, investigator Bulat Galiyev issued a ruling on dismissing a criminal case due to absence of the element of crime.

“We disagree with the investigator's ruling on dismissal of the criminal case, – lawyer with the Committee Against Torture Danil Chendemerov, representing the interests of Aleksey Galiullin, comments. – In our opinion, the results of the expert examination, the investigative experiment and the expert's evidence only confirm Aleksey's words on what happened that day, however, for some reason that we don't understand, the investigator interprets this in his own way, drawing a conclusion that the police officers' actions did not contain any element of crime. After familiarization with the materials of the criminal case we will appeal against this investigator's ruling”.

Human rights defenders started investigation based on the fact of the death of a citizen from Anapa

On 30 June 2017 Zalina Geliyeva from Anapa applied to the Krasnodar branch of the Committee Against Torture for legal assistance. She informed human rights defenders that her brother Ivan died in the police UAZ vehicle's cell for apprehended early in the morning on 18 March of the same year.

During public investigation, human rights defenders managed to clarify some circumstances of the incident. About 4 hours 15 minutes on 18 March of this year Ivan Geliyev arrived at the cross-section of Vladimirskaya street and Shevchenko street of Anapa at the request of his friend who was detained by the Road Patrol Service for drunk driving. Ivan started to argue with the police officers loudly, in response the Road Patrol Service officers applied physical force and hand-cuffed him. Sometime later a Patrol-Guard Service arrived at the scene of the incident, its officers together with their colleagues from Road Patrol Service loaded Geliyev, who offered resistance, to police UAZ vehicle's cell for apprehended and took him to the Department of the Interior of Russia for Anapa.

Having arrived at the police department the Road Patrol Service officers revealed that Ivan was in unconscious state and gave no signs of life. The medical aid team that arrived at the place of the incident simply had to establish the fact of the death of the apprehended person.

Criminal case under Article “death by negligence” was initiated only two and a half months after the incident and, according to human rights defenders, is being conducted most ineffectively.

A citizen from the Nizhny Novgorod region claims that the police officers broke his rib

Aleksey Shlyapugin from Pervoye Maya settlement of the Balakhninsky region applied to the Committee Against Torture for legal assistance in August. He reported that he was beaten up by the police officers during apprehension in his own garage. According to Aleksey, because of the battery he got his rib broken, as well as received a lot of bruises.



In his explanation to human rights defenders Aleksey reported that on 26 June about midday he came at his garage, where his fellow was, who was using this room for computer equipment repair. According to Shlyapugin, he was about to unload his tools in the garage and to go out to run errands, however, at this moment four men in civilian clothes attacked him.

– They brought him down on the floor in the garage shouting: “Lie down! Where are the drugs?” When they were bringing me down, one of the men hit and kicked me several times with hands against the body and my feet. There were no less than 20 blows, as I remember, and the battery lasted about two minutes, – Aleksey remembers.

On 6 July Aleksey submitted a crime report to the Investigative Committee. On 9 August investigator of this department Evgeniya Murzayeva issued a refusal to initiate criminal proceedings. After the complaint of the lawyer with the Committee Against Torture this refusal was quashed “due to incompleteness of the check and the necessity to perform additional checking activities”.

A citizen from Ingushetia accuses the law-enforcement officers of electricity torture

In December Aza Khamkhoeva from Yandare settlement in Ingushetia applied to the Committee Against Torture. She reported that on 14 November at about 3 p.m. several masked people in black and camouflage uniform, armed with automatic rifles, stormed the apartment where she lived. Three persons in civilian clothes armed with pistols accompanied them. According to Aza, unidentified masked people captured her son Albert Khamkhoev, tied his hands up, made him stand against the wall and put a pistol in his hand, after that they put the pistol in this belt.

“After that they brought Albert to the yard and again made him stand against the wall, took out the magazine from the pistol (where two cartridges were left) and made him lay on the ground. They put these actions on record in the presence of two attesting witness, who came together with the armed masked men. Then the masked people together with the people in civilian clothes performed a search of our household. The search itself lasted for about two hours. Nothing illegal was found, and it made an impression that this was done to comply with formalities”, – Aza Khamkhoeva described.

Further developments were described by Albert Khamkhoev to defense lawyer Aleksandr Karavaev, provided by the Committee Against Torture: “I was put into Priora, there were five men inside together with me. Right away they put a black plastic bag on me, braided it with Scotch tape and were beating him up all the way non-stop without explaining the reasons, poked a barrel of a machine gun at him. After that I was taken to some building (as I was, in a plastic bag and handcuffed). They brought me to the second floor, put me on my knees and continued to beat me up. They were beating me up with a plastic bottle filled with water. Then they put some pins on my fingers and started to electrocute me so that I passed out a couple of times. They took the wires off my fingers, attached them around the earlap, and electrocuted me again”.

Lawyers with the Committee Against Torture started public investigation.

As before, to achieve opening a criminal case against law-enforcement officers, it often takes using a long road of numerous appeals against unlawful rulings of the Investigative Committee officers, dismissing initiating criminal proceedings, which sometimes takes months and years.

In **2017**, we several times faced situations when torture cases were initiated only after personal involvement of high superiors of the Investigative Committee.

12

**CRIMINAL CASES
WERE INITIATED
FOR CRIMES
RELATED TO
HUMAN RIGHTS
VIOLATIONS**

Criminal case is opened with regard to inflicting serious injuries to a woman in the police department

On 11 January In the Nizhny Novgorod region a criminal case was initiated, it is based on the fact of applying violence against Kristina Morozova from Kstovo at the local police department. According to the applicant, the police officers applied brutal force against her during the search when she refused to take off her underwear in the presence of men. Subsequently Kristina was diagnosed with closed craniocerebral injury, mild brain contusion, fissured fracture of yoke-bone, fracture of the alisphenoid bone from the left.

However, Today, lawyers of the Committee Against Torture received a copy of the ruling of investigator Elena Lyadskaya on dismissing the criminal case against the police officers.

“In the ruling dismissing the criminal case it is indicated that the investigation critically evaluated the results of the initial forensic medical examination which established that the victim was inflicted a grave bodily harm, – lawyer with the Committee Against Torture Vladimir Smirnov comments. – Investigator Elena Lyadskaya is basing on conclusions of the second expert examination which indicate that the victim could not receive the whole complex of the bodily injuries in the circumstances which she describes”.

“We definitely do not agree to this ruling of the investigator and we will appeal against it after examination of the materials of the case, – Smirnov emphasizes. – I assume that out of the three available expert examinations investigator Lyadskaya simply picked the one closest to her legal stance. And this legal stance is based on, among other things, on rather contradictory evidence of the police officers, who got seriously lost in detail during the face-to-face confrontation”.

From the police department – to intensive care. One more criminal case is opened in Bashkiria

Another criminal case is opened in the Republic of Bashkortostan based on the fact of the abuse of office by the police officers. According to Denis Yamagulov from Kara-Yakupovo settlement, he was brutally beaten up at the district police department, where the police officers tried to pin three crimes on him, which resulted in a lacerated spleen.

On 5 May, a criminal case based on the crime under p.p. “a, v” of Part 3 of Article 286 of the Criminal Code of the Russian Federation (“Abuse of office using violence and inflicting grave consequences”). On the same day, Denis Yamagulov was declared a victim, and the first suspect appeared in the case – Special Investigative Agent of the Criminal Investigations Department of the Department of the Interior for the Chushminsky District Ilmir Amirkhanov. On 12 May charges against him were brought. At that time, he did not acknowledge his guilt in the incriminated crime and refused to give testimony. For the period of the investigation Amirkhanov was suspended from duty and taken under house arrest.

In December, in the course of familiarization with the case the defendant expressed his wish to acknowledge the guilt in full scope: Ilmir Amirkhanov wrote a full confession, gave confessionary evidence to the investigator, after that he filed a motion to conduct the court hearing according to the special procedure.



Criminal case is opened based on the fact of abduction and tortures of Aleksandr Noloselov in 2004

On 2 August, a criminal case based on the fact of abduction and torture of Aleksandr Novoselov by police officers in 2004 was opened. Mr Novoselov accuses the police officers of abduction and tortures, by which they forced him to confess of attempted assassination of well-known businessman Oleg Sorokin from Nizhny Novgorod. In the course of pre-investigation check based on Novoselov's application, the FSB expert pointed out that the video record of what was happening in the woods, which was recorded by the police officers, featured the voice belonging to Sorokin.

Back in 2004, Mr Novoselov applied to the Prosecutor's Office, but his request to open a criminal case was dismissed.

Having failed to attain justice on the national level, on 24 December 2005 lawyers of the Committee Against Torture lodged the relevant application with the European Court of Human Rights on behalf of Aleksandr Novoselov.

On 28 November 2013, the ECHR delivered a ruling on it. The Strasbourg judges established that Novoselov was tortured by the representatives of the state, and the investigation of this fact by the Prosecutor's Office was "shallow" and "formalistic". At that time, the European Court obliged Russia to pay 27 500 euro to Novoselov.

In Moscow, the criminal case is opened based on the fact of the football manager battery by the police officers

The Investigative Committee initiated criminal proceedings based on the fact of the battery of manager of female football club "Torpedo" (Moscow) Faig Nagdaliyev by the police officers in August 2016. For over a year the investigators were checking Faig's story, however, the criminal case was opened only after the personal order of Head of the Chief Investigative Directorate of the Investigative Committee of the Russian Federation for Moscow Aleksandr Drymanov, on 7 November of this year.

Faig Nagdaliyev applied to the Committee Against Torture with a complaint, stating that in August 2016 he was beaten up by the police officers after he gave them reproof for smoking at undesignated smoking point. According to Faig, on 25 August 2016 he saw a group of people who were smoking at the entrance to Taganskaya metro station. There were 8-10 of them and the majority wore police uniforms. Faig was surprised that the police officers were violating the Code of Administrative Offences in such an open manner. He approached them and made a comment on that. The police officers replied in a gross manner, after that an argument followed on how the law-enforcement officers should and should not behave. According to Faig, the dispute ended when one of the officers knocked Faig's mobile phone from his hands when he was trying to take a photo of the law-enforcement officers, and then the policemen pulled his arms behind him, put him on his knees and beat him up, kicking at his head and chest. As a result, Faig was inflicted with closed craniocerebral injury, brain concussion, as well as numerous bruises and contusions.

For over a year he was seeking for justice at the Investigative Committee, however, the investigative authorities kept issuing refusals to initiate criminal proceedings which were subsequently quashed.



In the end, on 3 November, during personal appointment with Head of the Chief Investigative Directorate of the Investigative Committee of the Russian Federation for Moscow Aleksandr Drymanov, the latter, having listened to Faig, ordered to open a criminal case against the police officers who beat him up. On 7 November, his order was implemented. Now the criminal case is in the proceedings of investigators of the department for investigating crimes committed by law-enforcement officials of the Chief Investigative Directorate of the Investigative Committee of the Russian Federation for Moscow. On 14 November Faig was declared a victim in this case.



Criminal case is opened based on the fact of tortures of four citizens from Anapa at the police department

On 23 November, a criminal case was opened based on the fact of abuse of office with the use of violence by the police officers from Anapa. As we have previously reported, four citizens from Anapa are accusing the criminal police investigators of tortures, including with electricity, at the local police department in December 2015. One of the applicants claimed that the police officers raped him with a stick. The criminal case is opened after eleven refusals to initiate criminal proceedings were issued.

Artem Ponomarchuk, Aram Arustamyan, Karen and Erik Engoyan applied to human rights defenders for legal assistance in May. The men reported that they were apprehended at various times in the period from 24-25 December 2015 – allegedly, all four of them refused to show their IDs. Later on, the protocols on administrative violation were drawn up with regard to all the apprehended persons, and on 26 December judge of the Anapa City Court Elena Kravtsova convicted everyone to 12 days of administrative arrest.

The men reported that upon their delivery to the police department all of them were forced under torture to confess of armed assault.

Only on 2 February 2016, after the repeated complaints of Aram Arustamyan's relatives addressed to the local Prosecutor's Office and the territorial investigative department, the investigative department for Anapa started the check of the crime report.

In May 2016, the material of the check was handed over to the first department for major crimes investigation of the Investigative Department of the Investigative Committee for the Krasnodar Territory. For over one and a half years the investigators issued eleven refusals to initiate criminal proceedings.

On 13 November of this year Artem Ponomarchuk's mother, Anna Zavgorodnaya, and lawyer with the Committee Against Torture Sergey Romanov had a personal appointment with Deputy Chairman of the Investigative Committee of Russia Boris Karnaukhov. In the course of the meeting the human rights defender informed Mr Karnaukhov about the inaction and red tape of the Krasnodar investigators during checking the four complaints against illegal apprehensions and tortures in the Anapa police department in December 2015.

6

CRIMINAL CASES, RELATED TO VIOLATIONS OF HUMAN RIGHTS, ARE SENT TO COURT

Initiating a criminal case against law-enforcement officers does not always mean this case will make it to court room. Regarding this we render legal assistance to the applicants at the stage of pre-trial investigation and as victim's representatives, as well.

In Nizhny Novgorod region, a former police officer accused of torture faces the trial

On 20 September, the Shakhunsky District Court of the Nizhny Novgorod region holds the first court hearing of the criminal case with regard to former investigative officer of the Department of the Interior for the Shakhunsky District Andrey Tumanov, who is charged with committing a crime under item “a” part 3 Article 286 of the Criminal Code of the RF (“abuse of office with the use of violence”).

Denis Kramchaninov applied to the Committee Against Torture in July 2010. He told the human rights defenders that he was severely beaten by a local police officer who was forcing the young man to sign a false self-accusation of committing a street theft.

As Kramchaninov reported in his explanation, in the evening of 15 July 2010 he was brought from his home to the police department of Shakhunya town. Inside the office premises the police officer demanded that the guy confessed of a street theft, after that he hit him several times with his fists against the head, pressed his fingers with pliers, and, having put the gas mask on the young man, made him do knee bends. The battery and torture lasted about two hours, after that Denis yielded and agreed to sign a full confession, which was dictated to him by the police officer. When in the evening of the same day the young man applied to the Shakhunskaya District hospital doctors diagnosed him with a cerebral concussion and registered some hematomas on his body.

The criminal case on theft initiated against Denis was dismissed in a short time due to failure to prove the young man's guilt.

Almost seven years of pre-investigation check, ten illegal refusals to initiate criminal proceedings and a complaint to the European Court of Human Rights – only after that the investigators of Shakhunsky Interdistrict Investigative Department of the Investigative Committee of the RF for the Nizhny Novgorod region initiated criminal case based on the fact of Denis Kramchaninov’s tortures at the Shakhunsky police department.

In Neftekamsk a trial of two police officers, charged with electricity torture, started

On 1 November, the Neftekamsky City Court of the Republic of Bashkortostan started to examine a criminal case against Head of the local criminal investigations Ilvir Sagitov and his subordinate, senior investigative officer Radim Khairullin, charged with committing a crime under items “a”, “b” part 3 Article 286 of the Criminal Code of the Russian Federation (“abuse of office using violence and special equipment”).

On 22 November 2016 Vener Mardamshin applied to the Committee Against Torture asking for legal assistance. He said that on 10 November 2016 he was captured by four men; they handcuffed his hands, put a plastic bag on his head, pushed into the car and drove him away in the unknown direction. According to Vener, it turned out later that those were the policemen who took him to the local police department. After that they started beating him using truncheons and an electric shocker forcing him to confess to kidnapping of a woman. But the policemen’s attempts to get a confession to the committed crime from Vener were unsuccessful and they released him after taking an explanatory statement from him where he stated that he had been drinking alcohol with friends and had no claims to the policemen.





According to Mardamshin, an acquaintance of him helped him to get home. Vener's wife called an ambulance, and the man was taken to the hospital in Neftekamsk, where he was receiving treatment until 21 November, and then was transferred to the hospital of Ufa. Totally, Mardamshin spent twenty-seven days receiving hospital treatment. The doctors of Neftekamsk hospital registered the following diagnosis in the discharge summary of the sick person: "Concomitant injury, closed craniocerebral injury. Brain concussion. Concussion of cervical vertebrae. Closed compression fracture of the body of vertebra L1. Closed (old?) fracture of L1 spine vertebra on the right. Concussion of the left side of the pelvis. Both kidneys contusion. Gross hematuria. Numerous concussions, bruises, scratch marks and pinpoint wounds of the soft tissues of the head, body, upper and lower limbs. Post-traumatic ischemic neuropathy of radial nerve of the left forearm. Post-traumatic ischemic neuropathy of the fibular nerve of the left lower leg."

In the Orenburg region, the trial of the former Head of the Pre-Trial Detention Facility and his subordinate started

In November, the Sovetsky District Court of Orsk received a criminal case regarding former head of local Pre-Trial Detention Facility No.2 Evgeny Shnaider and former Head of the Operational Department of this establishment Vitaly Simonenko. The former officers of the Federal Penitentiary Service are charged with abuse of office using of violence with grave consequences – it resulted in the death of convict Vladimir Tkachuk.

In September 2013, mother of convicted Vladimir Tkachuk Nadezhda Chertovskikh applied to interregional non-governmental organization «Committee Against Torture» for legal assistance. She informed human rights defenders that on 5 September she received a call from an unknown person who told her that her son had been beaten to death by the officers of Pre-Trial Detention Facility No.2 in Orsk, Orenburg region, where Tkachuk was seconded from Penal-Colony No 11 to serve his sentence as a household worker.

Initially the investigation of Tkachuk's death was conducted in a rather spiritless and drowsy manner: this was expressively showed by the fact that investigator of Investigative Department of the Investigative Committee of the RF for Orsk (Orenburg region) Anastasia Chichina issued six refusals to initiate criminal proceedings which were subsequently declared illegal and quashed. For half a year, the investigator was asserting that Tkachuk received his numerous injuries as a result of a wooden plank falling on him. By the way, the unknown person who telephoned Nadezhda Chertovskikh on 5 September 2013 told her that the detention facility staff was going to maintain the version with the falling plank.

The criminal case with relation to this fact was initiated only in half a year, but even after that the investigators did not come closer to establishing the persons guilty of Tkachuk's death: the case was dismissed six times, and each time lawyers with the Committee Against Torture appealed against such rulings of the investigators.

In 2016, lawyers with Committee Against Torture applied a complaint to the European Court of Human Rights on behalf of Nadezhda Chertovskikh. In December of the same year the complaint was communicated – questions were put to Russian authorities concerning the circumstances of Tkachuk's death, as well as about the efficiency of the conducted investigation at the national level.

**LAW-ENFORCEMENT
OFFICERS**

7

MEDICAL WORKER

1

**ARE CONVICTED FOR CRIMES RELATED TO
VIOLATIONS OF HUMAN RIGHTS**

Sometimes judicial examination of criminal cases related to violations of human rights is dragging on for a long time. We represent victims' interests for the whole duration of the trial.



The convicted obstetrician-gynecologist is released from penalty due to expiry of the period of limitation

On 7 February, the Nizhny Novgorod City Court upheld a guilty verdict regarding birth attendant of the local Perinatal center Evgenia Balandina. In 2016, the Dzerzhinsky City Court established that Balandina failed to adequately evaluate the condition of woman in labor Irina Fomina and did not take necessary measure to control bleeding and compensate the blood loss which resulted in the death of the patient. At that time, the court sentenced Balandina to a year and a half of imprisonment but the convicted person was released from the sentence due to the expiry of the period of limitation for the institution of criminal proceedings.

On 19 June of this year judge of the Dzerzhinsky City Court Oksana Yurova partially satisfied the claims under Denis Fomin's lawsuit, having decided to collect nine hundred thousand rubles from the Dzerzhinsky Perinatal Center as a compensation for moral damage.

The verdict of former police officers who broke the spine of the detained, is upheld

On 30 May 2017, the Nizhny Novgorod Regional Court upheld the verdict of two former officers of the criminal investigation department No. 7 of the Department of the Interior for Nizhny Novgorod Aleksey Sokolov and Vadim Volkov. They were declared guilty of committing the crime under items "a, b" of part 3 of Article 286 of the Criminal Code of the Russian Federation ("exceeding official authority using violence and special equipment"), and convicted to five years of jail time each.

According to the legal findings, on 6 March 2011 Aleksandr Dmitriyev was unlawfully apprehended by the police officers in his own apartment and taken to Police Department no. 7 on suspicion of theft. The next day Mr. Dmitriyev was charged with resisting police officers, and appeared before court, but Justice of the Peace in Sovetskiy District acquitted him, having found that no offense had been committed.

Despite the court decision, the policemen forcibly took Aleksandr to their department again, and forced him to give false statements against himself and his acquaintance, which read that they had stolen some building implements. The officers Aleksey Sokolov and Vadim Volkov were beating him and used the method of torture known as «envelope» (victim's hands are twisted behind the back and handcuffed, legs are tied together and with the hands so that the victim is «folded» like an envelope). During this «interrogation» officer Sokolov set on his victim's back – and the latter felt sharp pain in the lumbar area.

Later Aleksandr Dmitriyev was examined by forensic medical experts. According to their report, on admission to hospital no. 39 the man had the following injuries: simple compression fracture of the first lumbar vertebrae, lumbar contusion (tenderness of the spinous processes, muscle tension, restriction of movement), brain concussion, wrist abrasions. Aleksandr is a disabled person of group II now.



On 23 January 2014 the Sovetskiy District Court of Nizhny Novgorod pronounced the guilty verdict for two former police officers with Police Department no. 7 Aleksey Sokolov and Vadim Volkov and convicted them to five years' prison term. Their defense team was not satisfied with the court decision, having filed an appellate complaint against it, and on 4 March 2015 the judicial board quashed the ruling of the court of the first instance due to technical errors. The convicts, who spent over a year in the detention center, were released in the court room, and their measure of restraint was changed to the house imprisonment, and the case was sent back for re-examination to the district court.

However, the re-examination of this criminal case also ended with a judgment of conviction for the police officers.

In the Republic of Mari El the verdict of the State Traffic Safety Inspectorate officer, who was convicted for the battery of a man, is upheld

On 7 June. the Supreme Court of the Republic of Mari El dismissed the appellate appeal of former State Traffic Safety Inspectorate officer Evgeny Petukhov against the verdict, according to which he was declared guilty of crime under item "a" part 3 Article 286 of the Criminal Code of the Russian Federation ("Exceeding official authority with the use of violence") and convicted to three years of conditional term. The verdict of the court of the first instance came into force.

In 2013 citizen of Morki settlement Valentin Aleksandrov applied to the office of INGO «The Committee Against torture»; he claimed that the regional Traffic Police officers had beat him during the arrest and had broken his arm.

The case was opened only on 11 November 2014 after three illegal refusals. After that it was also dismissed three times. All these rulings were appealed against by lawyers with the Committee Against Torture.

Only in 2016 the case was sent for court examination. In the course of court discussions State Prosecutor Nadezhda Opikova dismissed the charges in the part of the fracture of the victim's arm – according to the State Prosecutor's opinion, in the course of the judicial investigation it was not proved that this injury was inflicted as a result of the former STSI officer actions.

The verdict of former superiors of Penal Colony No.11 for sexual violence of a convict is upheld

On 27 June 2017, the judicial panel of the Orenburg Regional Court upheld the ruling with regard to former head of Penal Colony–Settlement No.11 Philyus Khusainov and his deputy Murat Kumarov. As we have previously reported, on 5 April of this year the Novotroitsky City Court of the Orenburg region declared both guilty under three articles of the Criminal Code of Russia. They share two articles: violent actions of sexual nature by a group of people by previous concert and abuse of office. In addition, the court declared Khusainov guilty of exceeding his official authority, and Kumarov – of taking the bribe. Former head of the Penal Colony No. 11 is sentenced to seven years' prison term, and his subordinate – to five and a half years. Both will serve their sentence in the standard regime penal colony. The verdict of the court of the first instance have entered legal force.

Penal-Colony Settlement No.11 of the Federal Penitentiary Service of Russia for the Orenburg region attracted the attention of human rights back in summer of 2013 when Irina Balashova applied for legal assistance. According to the woman, her partner Sergey Nikonorov was trapped in unbearable and inhuman conditions created by the staff of Penal Colony (settlement) no. 11 for Orenburg region, which is headed by Filyus Khusainov: convicts were systematically subjected to ill-treatment, including threats of sexual abuse.

Concerning Mr Nikonorov, the treatment had been caused by his refusals to work at construction sites, and his forced labor complaints were lodged with the Investigative Committee and the Prosecutor's Office. Based on these episodes former head of this penal institution Filyus Khusainov was convicted and sentenced to three years' prison term with serving the sentence in a standard regime penal colony.

In end of 2013 the picture of appalling abuse of power in Penal-Colony Settlement No.11 was supplemented by testimonies of convicts K. and D. (full names are not given due to ethical reasons), who informed that they became victims of crimes committed by the Colony's officers. They applied to the Orenburg branch of the Committee Against Torture out of desperation, since after the failed attempt to flee (in its turn, motivated by batteries) one of them was raped by the convict from the so called «core group» in the presence of the Colony officers and at their order and this was recorded by the administration officers using the video recorder.



Unfortunately, the sums awarded to the victims of unlawful actions of law-enforcement officers as moral compensation for tortures and inefficient investigation of these crimes at the national level are still inadequate to the gravity of these crimes and do not correspond to the practice of the European Court of Human Rights.

20

**MILLION RUBLES OF COMPENSATION TO
VICTIMS OF ILLEGAL ACTIONS OF THE STATE
REPRESENTATIVES**

Tortures at the police department “cost” fifty thousand rubles

On 24 January, the Nizhny Novgorod Regional Court upheld the ruling of the court of the first instance on fifty thousand rubles as a compensation of moral damage to Anton Golovko, who became a victim of police torture.

In 2012, he was tortured by the police officers of Police Department No.8 of the Sormovsky region in order to make him confess of a theft from a car: police officers beat him up, put a gas mask on his face, choked him and hang him up. Golovko was forced to sign a full confession which by that time had already been written for him by one of the police officers; however, no criminal case was opened against Anton.

Instead the investigative authorities opened a criminal case based on the fact of torture. In 2016, a verdict was pronounced with regard to two former police officers Sergey Baranov and Sergey Batmanov. They were declared guilty of crime under items «a», «b» part 3 Article 286 of the Criminal Code of the Russian Federation («Exceeding official powers using violence and special equipment»). Baranov was sentenced to 4 years of prison term, Batmanov – to 3.5 years. The court declared the punishment to be a conditional one.

The sister of the person who died at the police department in 2005 is awarded 50600 Euro as a compensation

On 14 February, the European Court of Human Rights passed a ruling on a complaint submitted by lawyers with the Committee Against Torture on behalf of Lubov Maslova from the Orenburg region – her brother Vasily Lyamov died in the Buguruslan District Department of the Interior (the Orenburg region) in 2005. The Strasbourg judges acknowledged that Russia violated several articles of the European Convention with regard to Lyamov, and awarded his sister 50600 Euro as a compensation.

On 19 December 2005, Vasilii Lyamov was detained and beaten up by the district police officer Valeriy Prytkov. Then the man was brought to Buguruslan District Department of the Interior (ROVD). There Mr Lyamov was lying on the floor of the lobby for several hours, right before the eyes of a patrol-guard officer and the police station duty officer. The ambulance, that was called too late, had nothing left to do but to pronounce death.

The court trial, which lasted for five years, found that the prosecution had failed to provide sufficient evidence showing that it was officer Prytkov who had inflicted the deadly injury. In 2011. he was found guilty of exceeding official powers with the use of violence and special devices which led to grave consequences. He was sentenced to 3 years in general regime (minimum security) penal colony.

It is worth noting that during the five years, from the moment of being charged with a criminal offense, Mr Prytkov was not debarred from police service. Moreover, he got promoted to the rank of lieutenant-colonel and was granted preferential pension.



24 000 Euro for ten-year police torture

On 21 February, the European Court of Human Rights passed a ruling on the complaint submitted by lawyers of the Committee Against Torture in the interests of Suren Ovakimyan from Yoshkar-Ola, who was beaten up in 2007 by the police officers aiming at obtaining his confession. The Strasbourg judges acknowledged that Russia violated several articles of the European Convention with regard to Ovakimyan and awarded him a compensation in the amount of 24 000 Euro.

It is worth noting that in 2012 Mr Georgiy Matyushkin, Representative of the Russian Federation at the European Court of Human Rights, signed the Memorandum acknowledging violations of Article 3 (Prohibition of torture), Article 5 (Right to liberty and security), and Article 13 (Right to an effective remedy) of the European Convention on Human Rights and Fundamental Freedoms committed by Russian public authorities in respect of the applicant Suren Ovakimyan.

Despite this, the criminal case regarding applying violence against Ovakimyan has never been opened.

Russia will pay 25 000 Euro for brutal treatment with a kid in a kindergarten in 2005

On 7 March, the European Court of Human Rights passed a ruling with regard to the complaint of an underage citizen of Saint-Petersburg against the brutal treatment which he was subjected to in 2005 in a kindergarten, as well as against inefficient investigation of these facts at the national level. The Strasbourg judges established that articles of the European Convention were violated with respect to the applicant and awarded him 25 000 Euros as a compensation for moral damage.

In 2006, Sasha (the name is changed) told his parents that because he could not fall asleep during the rest-hour he was put on the folding bed in the toilet, the lights were switched out and he was threatened with rats, next time he was made to stand in the next room barefoot with nothing but his pants on with hands up during the whole rest-hour. Sometimes he was punched on his back. Once the teachers taped his mouth with a scotch-tape. The boy started to choke and tried to remove the tape, then the teachers tied his hands up with the tape behind his back. Some kids of his group were also subjected to such types of punishments. All of them were forbidden to tell their parents about it.

The boy's mother applied to the prosecutor office of the Kirovskiy district of Saint Petersburg. However, the criminal case on grounds of a crime under part 1 of Article 112 of the Russian Federation Criminal Code ("intended infliction of moderately severe bodily harm") was opened only in 2009. It is obvious that in three years' time potential witnesses in the case time for the most part forgot the circumstances of the events and could not describe them during interrogations in the way how they could have done had the criminal case been opened in good time.

As a result, the criminal case was dismissed at the national level due to absence of the event of a crime.



The man, apprehended by the Nizhny Novgorod E center won 20 000 Euro in court action as a compensation for torture

On 2 May, the European Court of Human Rights (ECHR) passed a ruling based on a complaint submitted by human rights defenders on behalf of Nikita Danishkin who claimed that in 2010 he was tortured by the officers of the Centre to Counter Extremism of the Main Directorate of the Ministry of the Interior of Russia for the Nizhny Novgorod region. The Strasbourg judges established that the applicant was subjected to torture in violation of Article 3 of the European Convention (“prohibition of torture”), and due to that he was awarded a compensation in the amount of 20 000 euro.

In 2011, Nikita Danishkin applied to Nizhny Novgorod office of the Committee Against Torture for legal assistance. In his application, Nikita claimed that on 25 December 2010 he was detained in his rented flat by officers of the Anti-Extremism Centre (AEC) who took him to AEC headquarters. There these officers beat and tortured his him (they made Nikita sit with crossed legs, tied his legs up with the towing-cable and flung him on the floor) to make him confess of preparation of a terrorist attack and dissemination of information smearing the honor and dignity of AEC staff. Nikita emphasized that the head of AEC took part in his tortures.

No criminal case based on the fact of torture has been opened still.

The Moscow City Court considered 200 thousand rubles a sufficient compensation for beating up a man to death at the police department

On 4 October 2017, the Moscow City Court dismissed the lawsuit on compensation of moral damage to Ilkhom Alikhonov, whose brother was beaten up to death by the police officers at the police department of the Solnechnogorsky District in 2014. The court considered that two hundred thousand rubles awarded to Alikhonov by the court of the first instance to be sufficient sum.

In 2014, a Moscow-area resident Ilkhom Alikhonov applied to the Committee Against Torture for legal support. He told the human rights defenders that in the evening of 17 September when he returned home his brother Farrukh Urozov was asleep. In ten minutes' time, several Patrol-and-Guard Service officers entered the house together with the woman from a neighboring house.

According to Ilkhom, having applied physical violence, the police officers woke up his brother, handcuffed him and took him to the police department. As Ilkhom learned later, Farrukh was detained upon suspicion of using violence against six-year-old daughter of their neighbor.

Ilkhom explained that after a while police officers came up to his house again and this time they took him together with his mate Firdavs Sattorov to the same police department. There Alikhonov heard the loud cries of his brother, who was in one of the rooms. For some time, he even managed to see Farrukh through a cracked door: the brother was sitting on the floor with hands tied, a lot of bruises and scratches were clearly seen on his face, there was blood on the floor. Early in the morning of the next day Ilkhom and Firdavs were released from the police department. Several hours later they learned that Farrukh Urozov died.



On 15 June 2016, judge of the Solnechnogorskiy City Court of the Moscow region Stanislav Chepik has brought in the verdict of guilty for three defendants. They were declared guilty of committing the crimes under part 4 Article 111 of the Criminal Code of Russia («inflicting grave bodily harm leading to the death by negligence») and items «a, b, c» of part 3 Article 286 of the Criminal Code of Russia («abuse of office using violence, weapons or special equipment, which inflicted grave consequences»). Deikun and Chernyshev are sentenced to seven years and four months of prison term, Gordeyev – to seven years and six months of prison term, serving the sentence in a maximum security penal colony.



220 thousand rubles as a compensation for sexual violence and battery at the penal colony

On 7 November, the Central District Court of Orenburg obliged the Federal Penitentiary Service of Russia to pay a compensation for moral damage in the amount of two hundred thousand rubles to the former convict who was subjected to battery and violent actions of sexual nature which were organized by superiors of Penal Colony–Settlement No.11. Lawyer with the Committee Against Torture Albina Mudarisova, representing the interests of the victim, considers the awarded sum of compensation to be inappropriate to the gravity of the inflicted damage and intends to appeal against this court ruling.

“It is very difficult to come up with a monetary equivalent to evaluate the sufferings which our applicant K. experienced when he became a victim of lawlessness and abuse of power by ex- superiors of Penal Colony–Settlement No.11. It’s not so much about physical health, but about the psychological one, about human dignity and honor, personal inviolability, which are virtually impossible to be assessed money-wise, – lawyer with the Committee Against Torture Albina Mudarisova comments. – The victim and myself, we think that the court failed to consider the sufferings which he went through and continues to live through till the present time. We intend to appeal against the court ruling to the appellate court where we will be insisting on increasing the amount of the compensation”.

During the public investigation, we try to implement all possible mechanisms to restore the violated rights of the applicants at the national level. When we fail to do it, we are forced to apply to the European Court of Human Rights.

7

**COMPLAINTS SUBMITTED TO THE
EUROPEAN COURT OF HUMAN
RIGHTS POSITIVE RULINGS WERE
PASSED**

48 550 Euro for tortures of an under-age at the Nizhny Novgorod police

On 28 March, the European Court of Human Rights passed a ruling concerning the complaint lodged by human rights defenders on behalf of Anton Shestopalov, who was subjected to torture in 2004 at the District Department of the Interior of the Sovetsky District of Nizhny Novgorod. The Strasbourg judges established that Article 3 of the European Convention was violated with relation to Mr Shestopalov, and due to that he was awarded 48 550 Euro as a compensation of moral damage.

Tamara Shestopalova applied to the Committee Against Torture for legal assistance. She said that on May 24, 2004 her under-age son Anton was detained on suspicion of rape of a girl who was his former classmate. The boy was taken to Sovetsky Department of the Interior of Nizhny Novgorod. There, according to Anton, he was forced to give confession statements to a grave criminal offense after several hours of torture and battery. Medical examination on the following day observed such injuries as closed craniocerebral trauma, brain concussion, and numerous injuries and bruises on chest and knees. It should be noted that on May 26, 2004 the victim made a written statement testifying that Shestopalov did not rape her and she did not have any claims against him.

The checking of facts, reported by Anton, took the investigative authorities two years. Six refusals to initiate criminal proceedings were issued, which were subsequently appealed against by lawyers with the Committee Against Torture, and quashed as unlawful and unfounded. At last, on February 20, 2006 criminal case was initiated, but with all the time that had passed a lot of essential investigative steps that could obtain evidence against the perpetrators lost their timeliness and relevance. Subsequently the case was suspended on the grounds that all possible investigative steps had not led to identification of the perpetrators, and on 24 May 2016 the statute of limitation under this crime expired. The culprits were never found or punished.

45 000 Euro for tortures in the Orenburg police

On 2 May, the European Court of Human Rights passed a ruling concerning the complaint submitted by lawyers with the Committee Against Torture in the interests of Yury Zontov from Orenburg who was subjected to torture in 2011 at police department No 4 for Orenburg. The Strasbourg judges acknowledged that Russia violated Article 3 of the European Convention with regard to Mr Zontov, and awarded him a compensation in the amount of 45 000 euro.

In September 2011, Yury Zontov applied for legal assistance to the Orenburg office of INGO «The Committee Against Torture». He told the human rights defenders that on 27 August he was taken to the police department No.4 for Orenburg city. There police officers were beating him, hitting his feet with rubber truncheons, and strangling him with a plastic bag in order to make the man confess of thefts of a cell phone and a golden necklace. Having yielded to tortures Yury signed the full confession.

At the first-aid station the man told the doctors that he was beaten up by the police. Later the bodily injuries were registered when he was transferred to the temporary detention facility (IVS) and to a pre-trial detention center (SIZO): bruises on the chest and both feet, numerous scratches on the lower back, in the area of left cheek-bone and in the area of both wrist joints.



On 30 September 2011, the crime report based on this case was submitted to the Investigative Department for Orenburg of the Investigative Committee of the Russian Federation for the Orenburg region. During the pre-trial investigation 20 dismissals to initiate criminal case were issued, 19 of which were subsequently quashed at the initiative of the human rights defenders as illegal and ungrounded.

Having exhausted all domestic remedies aimed at restoring Yury's rights at the national level, in April 2014 human rights defenders lodged a complaint with the European Court of Human Rights (the ECHR).

“The ECHR ruling will be an additional argument for us, with the help of which we will continue to insist on opening the criminal case based on the fact of Zontov torture”, – human rights defender Evgeny Litvinov, representing his interests, comments.

30 000 Euro as a compensation for the police battery in 2007

On 12 December 2017, the European Court passed a ruling regarding the complaint submitted by lawyers with the Committee Against Torture on behalf of Ruslan Lebedev from the Republic of Mari El who was beaten up by the police officers in 2007. The Strasbourg judges established that Russia violated several articles of the European Convention with regard to Mr Lebedev – “prohibition of torture” and “right to liberty and security” – having awarded the applicant thirty thousand euro as a compensation for moral damage.

In 2007 Ruslan Lebedev from Novy Toryal settlement in the Republic of Mari El applied to the Committee Against Torture. He reported to human rights defenders that in the night from 30 March to 31 March he was brutally beaten up by the police officers.

According to Ruslan, that night he was going back from the neighboring village on a car in the company of three guys. Sometime later one of the passengers noticed that a car with a rotating beacon on was following them, however, the driver continued driving and stopped only in Novy Toryal itself, since he was out of petrol. Right after that VAZ-2115 car stopped nearby, a police officer in a uniform came out. Ruslan and his friends also came out of the vehicle. The police officer started to question them on the reason why they did not stop. The conversation was dropped practically right away, for 3-4 minutes later a police vehicle UAZ came by, and several police officers ran out of it and having pushed the young people on the ground started to beat them up with hands and feet. Then the whole group was taken to the Department of the Interior of the Novotoryalsky region of the Republic of Mari El, where the battery continued. In particular, Ruslan was “grilled” about the car in which they were driving and its driver.

After such communication with law-enforcement officers Ruslan had to undergo hospital treatment, where he was diagnosed with closed craniocerebral trauma, cerebral contusion, brain concussion, numerous bruises of the face and hematomas, hematoma of the occipital region from the left, temporal regions, numerous bruises of the back, neck, shoulder, right side surface of the body, bruise of the waist area, bruise of the right earflap.



On 31 March, Ruslan's mother Raisiya Lebedeva applied with a crime report to the Prosecutor's Office of the Novotoryalsky region. However, the criminal case was never opened: at first the Prosecutor's Office issued six refusals to open a criminal case, considering that Ruslan obtained his bodily injuries as a result of legal actions of law enforcement officers.

In December 2007, human rights defenders submitted a complaint on behalf of Ruslan Lebedev to the European Court of Human Rights. In January 2013, it was communicated and the Russian authorities were provided with questions on the circumstances of the story.

Work at the domestic level continued, too. Human rights defenders were appealing against the last refusal, issued on 20 May 2013, for over three years: at first it was declared legal by district and republican courts, later on – by the Prosecutor's Office and the Investigative Directorate for the Mari El Republic. Only after the complaint to the Investigative Committee of the Russian Federation the refusal to initiate criminal proceedings dated 20 May 2013 was declared illegal and quashed on 8 February 2017 and the materials were returned to the Sovetsky Interdistrict Investigative Department of the Investigative Committee of the Russian Federation for the Republic of Mari El for resuming the check.

However, the criminal case has been never opened, three more additional checks were performed, which resulted in refusals to initiate criminal proceedings – at the same time all these refusals were issued after expiry of the period of limitation for bringing the culprits to criminal responsibility on this category of cases.



OF THE INVESTIGATIVE COMMITTEE ARE DECLARED ILLEGAL AND QUASHED

46

The problem of the Investigative Committee's officers passing illegal rulings violating the citizens' rights is still urgent. Unfortunately, the investigators who committed the red tape, are extremely rarely subjected to disciplinary action.

How to lose the blood samples, six times dismiss the torture case and resume it again

During seven years, the investigative authorities have been conducting the investigation based on the complaint of Vladimir Prytkov from Orenburg against the police torture. During this period, the investigators have illegally dismissed the criminal case six times, and managed to lose the samples of the blood samples obtained in the office of the operative officers during the visual inspection of the scene of the incident. The complaint of human rights defenders against the last dismissal of the criminal case travelled a long way for half a year: first it went to the Prosecutor's Office, then – to the district court, after – to the regional court and returned to the district court. On 19 September, during the court hearing it has become known that this decree on dismissal of the criminal case is quashed as illegal.

“I completely fail to comprehend the stance of investigator Dmitry Gryazev in relation to this criminal case, taking into account that this is a quite experienced specialist with the first department for major cases investigation of the regional Investigative Department of the Investigative Committee, – human rights defender Albina Mudarisova, representing the interests of Vladimir Prytkov comments. – Time after time the investigator issues dismissals of the criminal case on one and the same ground – allegedly, no element of crime is present. These dismissals with one and the same wordings are declared illegal time after time. At the same time, it is we as the victim's representatives who appear initiators of these rulings, and not the Prosecutor's Office or the superiors of the regional Investigative Department of the Investigative Committee. At that neither the supervisory body nor Mr Gryazev's superiors do not quash these illegal rulings at their initiative, but wait for courts' rulings, by which they contribute to prolonging the time of criminal proceedings. In relation to this we intend to insist on handing over the case to another investigator as well as on bringing all parties guilty of red tape to responsibility”. In 2015, because of obvious reluctance of the investigative authorities to investigate the criminal case based on the fact of Vladimir Prytkov's police torture, human rights defenders were forced to apply to the European Court of Human Rights.

For three years and a half years the family from Nizhny Novgorod has been trying to bring the police officers to responsibility

For over three and a half years a married couple from Nizhny Novgorod has been trying to bring to responsibility the extra-departmental guard officers: according to Dmitry Kamzolov and Lyubov Abramova, in February 2014 the police officers brutally beat them up in their own apartment. The investigators seven times refused to initiate criminal proceedings, and in six of them these refusals were declared illegal. Even though in November of last year the materials of the check based on the application of the family were transferred to the first department for major crimes investigation of the regional Investigative Department of the Investigative Committee, and the superiors of the Sormovsky Investigative Department, which had conducted the check previously, were brought to disciplinary responsibility for red tape, the work of the investigators still cannot be called effective.

“The investigation continues to evade the necessary checking activities, including sabotaging the instructions of their own superiors. We cannot accept such an approach of the investigator to his work, – lawyer with the Committee Against Torture Sergey Shounin, representing the interests of the married couple, comments. – We have already appealed to court against the last refusal to initiate the criminal proceedings. We also applied to Chairman of the Investigative Committee Aleksandr Bastykin with a request to conduct the agency check of the investigator and his direct superior due to inefficient investigation”.



The Prosecutor's Office established a red tape during the check of the crime report of a citizen from Krasnodar concerning the abduction and tortures in the forest



The Prosecutor's Office of the Karasunsky District of Krasnodar revealed a red tape committed by the investigators of the Investigative Committee during the check of the crime report of Aram Gambaryan from Krasnodar concerning abduction and tortures in the forest. For six months of the pre-investigative check the investigators have already issued five refusals to initiate criminal proceedings which were subsequently quashed as illegal.

On 30 May, Aram Gambaryan applied to the Krasnodar branch of the Committee Against Torture for legal assistance. He reported that on 21 March of this year at about 10 a.m. his car was blocked in the busy street by two other vehicles, out of which several armed masked men rushed out shouting "FSB is working!", grabbed him out of his car, handcuffed him and put him in their mini-van.

– In the mini-van they put a knitted cap or a bag on my head and started to beat me up all over. In response to my questions on who are they and what they want these people answered that they were FSB and Moscow Criminal Police officers, – Aram remembered.

According to Mr Gambaryan, in about fifty minutes he was taken to the woods where the battery continued: "I was thrown on my back and they started to kick at all the parts of my body, specifically targeting the area of thighs and knees, as well as the right shoulder. They took my pants and underwear off me. A man sat on my chest and started to question me. He was very heavy and I had troubles to breath under his weight. Besides, they were continuously pouring water on my face, which made me gasp and gave trouble speaking".

According to Aram, he was also beaten up by electric shocker in the genital area, armpits, under his jaw, he was threatened with murder – they even threw him in the pit and started to put soil over him; several times they brought the gun to his temple and pulled the trigger, after that they shot at his ear. According to his feeling, tortures lasted for about six hours – all this time the torturers demanded that he confessed of an attempt of murder of a local entrepreneur.

Aram explained to human rights defenders that after the tortures he was taken to the Investigative Committee, where he was forced to sign the record of interrogation with the "required" explanations, which he agreed to provide to his torturers in the woods.

In addition to the applicants, directly suffered from tortures, we also provide assistance in providing medical rehabilitation and treatment to their relatives who are also victims in this situation.

In 2017, we implemented a joint project with **MediaZone** and artist **Stasya Sokolovskaya**, dedicated to torture victims' relatives, and organized a charity gig in support of our applicant, **Aleksandr Dmitriyev**.

49

**TORTURE VICTIMS AND THEIR RELATIVES
UNDERWENT MEDICAL REHABILITATION
AND TREATMENT FOR THE TOTAL SUM OF
ABOUT 3 MILLION RUBLES**



“That’s how I became bald, nothing to comb anymore”. Relatives of police torture victims tell their stories

Discussions on torture often leave the victims’ relatives behind-the-scenes — although they are the ones who at first spend sleepless nights trying to save a close one, and then haunt thresholds searching for justice. On the International Day in Support of Victims of Torture MediaZone publishes stories of wives and mothers of five defendants of the “Committee for the Prevention of Torture” and their portraits by artist Stasya Sokolovskaya.

<http://www.pytkam.net/mass-media.news/1598>



Despite the obstacles, charity rock-festival in support of torture victims took place in Nizhny Novgorod

On 1 July, despite all the obstacles created by the city administration, concert “NeTramplin Party: «Music Against Torture»», dedicated to the United Nations International Day in Support of Victims of Torture, took place in Nizhny Novgorod. Previously, the city administration and the Ministry of the Interior claimed that the event, which was planned at the Grebnoy Canal, would be considered unauthorized.

Later, despite the signed contract, in the nick of the time HARAT’S PUB refused also – the owners of the building where the pub rents its premises, strongly opposed the event. As a result, the event took place at “Same old place”, the owners of which kindly assisted us to make it happen.

In the framework of the event eighteen and a half thousand rubles for Aleksandr Dmitriyev from Nizhny Novgorod, who suffered from police torture, was gathered. After the incident, Aleksandr became a disabled of group II and requires permanent treatment.

<https://www.youtube.com/watch?v=vaTFTaxoigo>



ROCK AGAINST TORTURE

In 1998, the Prosecutor's Office of the Nizhny Novgorod region, responding to human rights defenders, among other things, reported: “no “facts” of applying “tortures” in the territory of the region have been established”.



In essence, this document became a basis for creating the Nizhny Novgorod office of the Committee Against Torture in 2000. Since that time, the Nizhny Novgorod prosecutors started to use the word “torture” without quotation marks, and the notion itself became an established fact. Without any quotation mark, either.

In the course of time, the Committee Against Torture started to work in other Russian regions, as well, using its own procedure of conducting public investigations. Thanks to the work of the organization's lawyers, 134 law-enforcement officers were convicted for those “facts of applying tortures”, the existence of which was denied by the Prosecutor's Office.

In January 2015, the Ministry of Justice of Russia added the Committee Against Torture to the list of “foreign agents”. Later on, the same befell the successor of the dissolved organization – the Committee for the Prevention of Torture.

Now the Committee Against Torture is working under its original name.

Everything on the activity of our organization and the latest news – on our website <http://www.pytkam.net/eng>