



Annual Report
2013

Dear readers!

We bring to your attention the annual report on the milestone events and main work results of the Inter-regional Non-governmental Organisation "Committee against Torture" in 2013.

For many Russian human rights organisations, that year became not only a year of struggle for human rights, but also a year of struggle for the existence and the right to work on the territory of their country. During the whole year in many NGOs throughout Russia large-scale prosecutor's investigations on compliance with so-called Foreign Agents Law were performed, and several dozen human rights organisations received orders to "brand" themselves in the list of the Ministry of Justice as a foreign agent. Lots of time and effort was spent by human rights activists to prove that they work in the best interests of Russian citizens and their country, and that they are not agents of a mysterious foreign principal. The Committee against Torture were also to prove it.

Despite these difficulties, thanks to our employees, the following was carried out in 2013:

- an investigation of 141 applications of citizens concerning the use of torture and inhuman treatment towards them were carried out;
- ten law enforcement officers were convicted for crimes connected with violation of human rights, five of them received a custodial sentence;
- more than seven and a half million roubles of compensation were awarded to persons, who suffered from the illegal actions of law enforcement officers;
- four criminal cases were opened into crimes connected with violation of human rights;
- 66 decisions of the Investigative Committee, prosecutor's office and various courts were declared unlawful and canceled;
- five favorable judgments on the applications lodged with the European Court of Human Rights were delivered;
- five new applications were lodged with the European Court of Human Rights;
- 26 victims of tortures and their relatives received medical rehabilitation for a total amount of more than four million roubles.

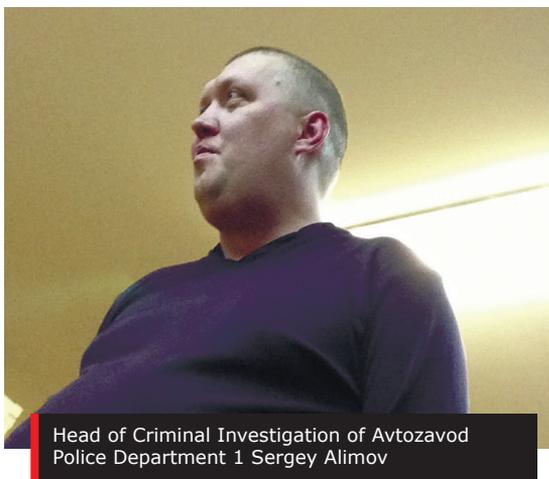
But first things first.



М. Горький

**Nizhny Novgorod
Region**

At the end of January there was a scandal over the Avtozavod Police Station № 1. Six officers of this Station were charged with a crime, provided for by Article 286 § 3a) of the Criminal Code of the Russian Federation (Exceeding Official Powers). Five of them were sentenced to house imprisonment and the deputy head of the Department was placed under detention for a month.



Head of Criminal Investigation of Avtozavod Police Department 1 Sergey Alimov

The background of this high-profile criminal case against policemen is as follows. In April of 2012 Nizami Gasanov and Elshan Zamanov applied to the Nizhny Novgorod branch of the Committee against Torture. They claimed that they were tortured by policemen who made them “take upon themselves” several crimes. As of the end of 2013, officers of the Investigative Committee finalised a bill of indictment for submission to court.



Nizami Gasanov and Elshan Zamanov

On February 5th in the Sarov Town Court of the Nizhny Novgorod Region a sentence against two former local police officers of Sarov Police Department was delivered. Sergey Belokobylskiy was

found guilty of committing crimes, provided for by Article 111 § 4 of the Criminal Code of the Russian Federation (Intentional Infliction of a Grave Injury) and Article 286 § 3 of the Code (Exceeding Official Powers) and he was sentenced to imprisonment for 13 years in a high security facility. Aleksandr Shchukin was found guilty of committing a crime, provided for by Article 286 § 3 of the Criminal Code of the Russian Federation (Exceeding Official Powers) and he was sentenced to 5 years of imprisonment. In addition, the convicted men cannot hold office in the civil service for two years. They were both arrested in a courtroom.

The sentence concerned the case of a former trooper Sergey Titorov, who had died on August 7th, 2010 in the intensive care unit of Sarov Clinical Hospital from a hemorrhagic shock, caused by acute blood loss in connection with a splenic rupture. In the course of a public investigation, carried out by activists of the Inter-regional NGO «Committee against Torture», it was established that on August 6th, 2010 police officers brutally beat Sergey Titorov, first at his home, and then in the police station, making him sign a protocol on an administrative offence which he had not committed. An investigator of the Investigative Committee came to the same conclusions. The police officers punched and kicked Sergey in different body areas including vital organs. As a result of the beating Sergey received numerous bruises, fractures of three ribs and the splenic rupture.



Sergey Titorov

It's important that the Sarov Town Court had already delivered judgments concerning this case twice. In 2011 both criminal defendants were acquitted and in 2012 Sergey Belokobylskiy was sentenced to a prison term of 4 years. Each time the judgments were cancelled after appeals of the lawyers of the Committee against Torture, representing relatives of the deceased, and appeals of the Prosecutor's Office of Sarov.

After all, justice was apparently served.

But on May 28th, 2013 the Nizhny Novgorod Regional Court suddenly changed the sentence of the first-instance court and sentenced both

persons involved only in accordance with Article 286 § 3 of the Criminal Code of the Russian Federation (Exceeding Official Powers). The sentence of Sergey Belokobylskiy was changed from 13 years to 3.5 years imprisonment, and the sentence of Aleksandr Shchukin - from 5 to 3 years.

As the human rights activists had failed to secure a just sentence on a national level, they lodged an application of Sergey Titorov's sister with the European Court of Human Rights.

The head of the Investigation Department of Nizhny Novgorod branch of INGO «Committee against Torture» Dmitriy Utukin:

“Just sentences against law enforcement officers are of great importance for the assurance of society in the supremacy of Law and also for prevention from occurrence of suspicions in collusion with and connivance with unlawful acts towards government agencies. According to trial participants the appeal hearing was 10 minutes long. It's impossible that judges had enough time to examine the facts in evidence of this criminal case, the papers of which contain numerous volumes.

Indeed, we will file an appeal against the sentence in a cassation instance after examining the minutes of the appeal hearing and obtaining an appellate decision. In case of failure on a level of the cassation we will have to raise this with the European Court of Human Rights, which repeatedly in its judgments pointed out that in delivering too mild sentences to public officers the government brings up “a feeling of impunity in law enforcement agencies” rather than demonstrates that such actions are not permitted under any circumstances”.

A sentence against a former officer of Police Department 5 of Nizhny Novgorod Sergey Khurtin came into force on April 26th. He was found guilty of committing crimes, provided for by Articles 286 (Exceeding Official Powers with use of Violence and Special Means) and 111 (Intentional Infliction of a Grave Injury) of the Criminal Code of the Russian Federation, and he was sentenced to imprisonment for 6 years.

The background of this case is as follows. On March 22nd, 2012 resident of Nizhny Novgorod, Dmitriy Krutov, applied to the Committee against Torture. He reported a brutal beating



Sergey Khurtin

in a Police Station. On February 12th he had a quarrel with his wife and the wife's relatives called the police. Officers brought Dmitriy to the Police Department where he was knocked down and beaten. After several hours the man was released. The next morning Dmitriy's mother called an ambulance, which took him to City Clinical Hospital 1, where an operation was urgently performed. In the course of the operation he experienced an apparent death, and doctors saved his life with great difficulty, due to internal injuries, as he lost a lot of blood. The next step for the human rights activists in the case of Dmitriy Krutov was after the sentence had been handed down and this was a civil action against the Ministry of Finance of the Russian Federation.

On September 12th the Nizhny Novgorod District Court awarded Dmitry Krutov compensation in the amount of 100,000 roubles when the claim amount was 1 million roubles. It is worthy of note, that the Ministry of Finance of the Russian Federation asked the Court to dismiss the claim of Krutov on the basis that “the facts surrounding the injury of the applicant are not proven by him and are not confirmed by case materials”. To all seeming the apparent death, grievous bodily harm and Dmitriy's search for psychiatric support could not confirm this fact.

Justly considering the awarded compensation to be disproportional to the gravity of the inflicted injury and inconsistent with the Courts Case Law, the human rights activists filed a claim against this decision.

Curiously enough, less than one month later, on October 1st, the Nizhny Novgorod Regional Court rendered an appellant decision by which it changed the decision of the first-instance court and awarded Pavel Guryanov, who suffered from torture from policemen, a compensation for non-pecuniary damage in the sum of 300,000

вред причинен гражданину в результате его незаконного осуждения, незаконного привлечения к уголовной ответственности, незаконного применения в качестве меры пресечения заключения под стражу или подписки о невыезде, незаконного наложения административного взыскания в виде ареста или исправительных работ;

вред причинен распространением сведений, порочащих честь, достоинство и деловую репутацию;

в иных случаях, предусмотренных законом.

Согласно ст. 1101 ГК РФ моральный вред определяется судом в зависимости от характера причиненных потерпевшему физических и нравственных страданий. При определении размера компенсации вреда должны учитываться требования разумности и справедливости.

В любом случае, действующим законодательством не презюмируется безусловное наличие морального вреда, как его наличие, так и его размер подлежат доказыванию истцом.

Необходимо также выяснить, чем подтверждается факт причинения потерпевшему нравственных или физических страданий. Степень же нравственных или физических страданий должна оцениваться с учетом фактических обстоятельств, причинения морального вреда, индивидуальных особенностей личности и других конкретных обстоятельств, свидетельствующих о тяжести перенесенных им страданий.

Таким образом, установленные судом обстоятельства наличия морального вреда и размер его денежной компенсации не доказаны, и не подтверждены материалами дела. Предъявляемая к взысканию с Минфина России сумма явно завышена, не соответствует характеру нравственных страданий истца и не подтверждена доказательствами.

А заявление истца о том, что он претерпел физические или нравственные страдания не является достаточным для определения наличия морального вреда и определения его размера.

Министерство финансов Российской Федерации считает, что факт наступления вреда для истца им не доказан и материалами дела не подтверждается.

Следовательно, основания для взыскания компенсации морального вреда отсутствуют.

На основании вышеизложенного, считаем искивые требования незаконными, необоснованными и не подлежащими удовлетворению.

Просим в иске Крутову Д.А. к Министерству финансов Российской Федерации отказать.

Представитель Минфина России

Ю.Э. Смолякова

Objections of the Ministry of Finance of the Russian Federation to Krutov's compensation claim

roubles. In the annals of the Committee against Torture this is a rare case, when the national court completely satisfied the claims of our applicant. Previously, on April 28, 2012 a former operations officer of Nizhny Novgorod Police major Sergey Kuzmenkov was found guilty of exceeding official powers with use of violence and special means and sentenced to three and a half years imprisonment by the Moskovsky District Court of Nizhny Novgorod.



Pavel Guryanov

For the first time

The lawyers of the Nizhny Novgorod branch of INGO "Committee against Torture" decided to follow a new type of expertise – a psychophysical examination on a polygraph. It influences the judicial situation in many cases. In such a way, on August 2013 after an examination, taken by Oleg Krayushkin, a victim, a criminal case in accordance with his application was opened.

A lawyer of the Committee against Torture, Evgeniy Chilikov, representing Pavel Guryanov,

comments on the court decision in this way: "We are satisfied with the amount of the compensation awarded, proportional to the ECHR Case-Law, and that the Russian court delivered this decision. Kuzmenkov, by his illegal acts once debased the reputation of the police and the government. We expect that just compensation will be received on a national level in order that Russia would not, once again, show itself to be a state where compensation in an amount similar to that of the monthly salary of a local police officer is awarded for torture".

On September 20th, 2012 a businessmen from Pavlovo, Oleg Krayushkin, applied to the Nizhny Novgorod branch of "Committee against Torture". He stated that on September 11th, 2012 he was tortured by policemen for the



Oleg Krayushkin

purpose of forcing him to give false testimonies and self-incrimination. An investigation, in accordance with the applicant, was carried out by an internal affairs officer Kuzmin A. V. in the office of the Inter-district Department Pavlovskiy. In addition, a policeman unknown to the applicant participated in this investigation.

In general, the human rights activists of Nizhny Novgorod state that a number of applications into illegal use of violence on the part of representatives of government agencies in comparison with the previous year has not decreased and the level of violence which is used in stages of preliminary investigation of criminal cases is still very high.

"Unfortunately, a criminal case was opened only a year after the application of Oleg Krayushkin to investigative bodies, - a lawyer of the **Committee against Torture Dmitriy Laptev commented**, - I think it only became possible only due to our work. The human rights activists performed a huge amount of work in a public investigation and legal advice of this case: we organised a check of Krayushkin's testimonies on a polygraph and also initiated a visit of the applicant to a Chief of the Regional Investigative Committee, Vladimir Stravinskas. We hope that after opening the criminal case the investigation will be more effective. For our part, we will continue to render legal assistance to the applicant".

In general, the human rights activists of Nizhny Novgorod state that a number of applications into illegal use of violence on the part of representatives of government agencies in comparison with the previous year has not decreased and the level of violence which is used in stages of preliminary investigation of criminal cases is still very high.

Also, throughout the year the human rights activists have continued to receive applications from civil activists to whom violence was used in connection with their protest activities. Despite the fact that the number of such applications has decreased compared to the previous year, the level of cynicism and the brutality of the violence has increased. For example, there is a case of the abduction and beating of one of



abducted and beaten activist
Aleksandr Zaytsev

the activists in the proceeding of the Nizhny Novgorod Committee against Torture. An escalation of pressure on those who oppose them, unfortunately, is generated by inactivity of investigative agencies when investigating incidents in relation to civil activists.

Another important problem is the increase in the number of applications from detention facilities of Nizhny Novgorod Region. In 2013, such applications composed one third of all applications accepted by the human rights activists.



**The Republic of
Bashkortostan**

In February, a seventeen-year old citizen of Ufa, Denis Govorun, called upon the assistance of the Bashkir Office of INGO the Committee against Torture.

He accused local policemen of torture. According to the applicant, on January 28th he came back from Samara, from a volleyball competition. On the Dema railway station he was approached by two police officers, out of uniform. They presented their badges and asked him to go with them. They then began to encourage him to confess to his implication in a theft in a café, beating him with hands and a rubber hose. After that a torture “televizor” was used – hands were put in handcuffs and he was made to sit on the floor, legs tied with a rope, which was passed through the neck. Before that a towel was put on the neck so as not to leave marks. After that they pulled his head to his legs with the rope and left him in this position for 30 minutes.



Also Denis told the human rights activists that the policemen carried out their threats and planted drugs on him.

On March 1st, investigative agencies of SK (the Investigative Committee) in the Republic of Bashkortostan opened a criminal case against an operations officer of Police Department 1 of Demskiy District of Ufa on suspicion of committing a crime, provided for by clause a, b, Part 3, Article 286 of the Criminal Code of the Russian Federation (Exceeding Official Powers with use of Violence and Special Means).

As of the end of 2013, the investigation on this

case was “in progress”.

On July 18th, the Penal Division of the Supreme Court of the Republic of Bashkortostan delivered an appellant decision against police captain Azat Shunkarov. The first-instance court sentence was upheld in the part of being given a suspended sentence of 3 years and 6 months. The judicial division only reinforced that he could not hold office connected with the performance of functions of representatives of public authorities of government agencies.



Let's remind ourselves of the background to these events. In summer 2010, Veronika Rozkulieva called upon the legal assistance of the Bashkir Office of INGO the Committee against Torture. She informed the human rights activists that she had been beaten in Alsheevskiy OVD (Internal Affairs Department) in February 2010. According to the applicant, the police captain, Azat Shunkarov, tried to make her confess to the theft of a mobile phone from a café cook where she had worked as a waitress. In particular, he hit the woman with fists and a rubber truncheon to her head and body. In the course of examination it was established that Pozkulieva had bodily injuries in a form of an acute closed craniocerebral injury, brain concussion and numerous injuries to different parts of the body.

The remarkable thing is that a month later after “brutal questioning” policemen found out that a completely different person had the missing phone.

On October 30th the Penal Division of the Supreme Court of the Republic of Bashkortostan delivered an appellant decision by which it upheld the first-instance sentence in relation to three officers of UFSKN (Federal Drug Control Service of the Russian

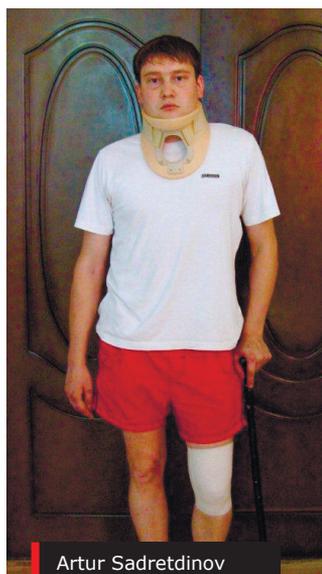


Federation) of the Republic of Bashkortostan, found guilty of committing crimes provided for by Part 3 Article 286 of the Criminal Code of the Russian Federation. Evgeniy Filipov was sentenced to a 6 year suspended sentence with a probation period of 4 years, Aleksandr Bukarev was sentenced to a 3 year suspended sentence with a probation period of 3 years and Sergey Khanzhin – a 4 year suspended sentence with a probation period of 3 years. Also the officers of UFSKN could not hold office in any law enforcement agencies for 3 years.

On August 4th, 2010, citizens of Oktyabrskiy, a police captain Artur Sadretdinov, Sergey Andreev and Oleg Bayrashev appealed to the Bashkir Office of INGO the Committee against Torture that they were beaten by officers of

UFSKN of the Republic of Bashkortostan.

The lawyers of the Committee against Torture carried out a public investigation in the course of which the fact of torture was established. A court also agreed with conclusions of the human rights activists and the official investigation and established that in July 2010, Sadretdinov, Bayrashev and Andreev were arrested by policemen and delivered to Oktyabrskiy Department of UFSKN where they were beaten for several hours to make them confess to drug dealing.



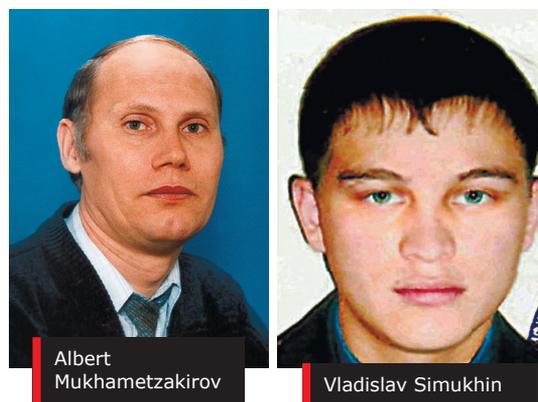
Artur Sadretdinov in a hospital

As a result of “communication” with the policemen, the victims were subjected to beatings of various degrees of severity, as a result of which, Sadredinov and Andreev were to spend several weeks in a hospital.

The Head of the Bashkir Office of INGO the Committee against Torture stated:

“Despite the fact that the Prosecutor’s Office asked to sentence the convicts to a jail term, our applicants are satisfied with the court’s decision. Now we are planning on filing an application to the Ministry of Finance of the Russian Federation for compensation for non-pecuniary damage”.

On December 3rd, the human rights activists managed to secure that Tatyana Ivanova, a widow of a Ufa teacher, murdered by a drunken policeman, Vladislav Sumukhin in 2010, will finally obtain compensation. The lawyers of the Committee against Torture representing Ivanova brought forward claims to FGKU (State-owned Federal State Institution) Administration for Private Security of the Ministry of Internal Affairs of the Republic of Bashkortostan. In accordance with the human rights activists, if a pistol shooting is an activity that poses a higher risk for the wider public, the owner of the pistol (in this case it is the Regional Administration for Private Security) must incur the responsibility for the damages.



Albert Mukhametzakirov

Vladislav Simukhin

As a result, on December 3rd the Supreme Court of the Republic of Bashkortostan upheld the decision of the Kirovskiy Regional Court of Ufa, which obliged the Regional Administration of Private Security of MIA of the Republic of Bashkortostan to pay to Tatyana Ivanova, the widow of Albert Mukhametzakirov, murdered in 2010 by the drunken policeman, 500,000

A lawyer of the Bashkir Office of INGO the Committee against Torture, Ayrat Davletshin, commented on the court’s decision:

“Finally, departmental “bargaining” is over as it has been conducted over a year in Bashkiria between the Ministry of Finance and MIA regarding who would pay the compensation to the widow of the school teacher, murdered by the drunken policeman. We are satisfied with the fact that the court today agreed with the legal basis of the action brought, but we think that the size of the compensation awarded is low. We are now planning to file claims to the court of other victims – two children of Albert Mukhametzakirov”.

roubles as compensation for non-pecuniary damage.

For the first time

For the first time in the practice of the Bashkir Office of INGO the Committee against Torture the human rights activists obtained a positive decision on payment of compensation for a violated time period of a criminal proceeding.

On December 18th the Supreme Court of the Republic of Bashkortostan partially granted an application of Veronika Rozkulieva on compensation for a violated time period of a criminal proceeding with regard to a case of her being beaten in Alsheevskiy OVD in 2010. The Court awarded Rozkulieva the compensation of 35,000 roubles compared to a requested amount of 50,000 roubles.



photo source alfanews.md

Their position on violation of reasonable time periods of proceedings by the Alsheevskiy Regional Court the human rights activists, suggested by the fact that numerous forensic examinations, prescribed by the court on application of the defendant, substantially influenced its duration. The lawyers of the Committee against Torture repeatedly objected to granting these applications, pointing out a sufficiency of expert testimonies in the materials

The lawyer of the Bashkir Office of INGO the Committee against Torture, Ayrat Davletshin, representing Veronika Rozkulieva, commented on the court's decision: "In our practice this is the first decision when the court awarded compensation for violation of reasonable time periods of criminal proceedings. We are pleased by the fact that the Supreme Court took into account the Courts Case Law, awarding compensation equitable to its standards".

of this case, but the Regional Court prescribed other examinations.

Also for the first time in the practice of INGO the Committee against Torture a local police administration apologised to the beaten woman. But still, need to remind policemen to enforce Federal Law. At the beginning of August the human rights activists addressed their application to MIA of the Russian Federation of the Republic of Bashkortostan with a demand to make an apology to Veronika Rozkulieva, who on February 2010 was beaten by police captain, Azat Shunkarov. On August 28th Veronika received a letter, signed by a head of OVD of Alsheevsky district, in which he personally made an apology for the illegal acts of his former subordinate.

One of the main problems in accordance with the Bashkir human rights activists is inefficient investigation of reports about crimes committed by public officers, by officers of the Investigative Committee.

A good example is a criminal case in relation to an officer of Ufa police, Sergey Kozhevnikov, known in internal affairs agencies as SS and Gestapo.

He is also known under these names to several citizens, who have appealed to the Committee against Torture several times, with complaints on his methods of interrogation. In spite of their testimonies and the facts of evidence collected by the human right activists, criminal cases in relation to this man are continually dismissed, and he is still working as a local police officer.

At the beginning of November 2012, Garnik Mkrtkhyan applied to the Bashkir Office of INGO the Committee against Torture with a request to carry out a public investigation into the torture which he experienced in a Division for Organized Crime of the Bashkir MIA. There, Garnik noted a name of a person who tortured him – Sergey Sergeevich Kozhevnikov. According to Garnik, he was tortured with electricity and also by drawing tight with a rope and choking with a gas mask. The case caught the public's attention. On November 13th, 2012 there was a piece on Pyatyy channel devoted to the misadventures of Garnik. In particular, it was pointed out that in Bashkiria there is a police department, which can be put in a par with Kazan "Dalniy"

As a result of comparing information, obtained from Mkrtkhyan and data obtained in the course of work with applications from other



Garnik Mkrtchan (Dmitriy Korotayev, Kommersant)

applicants, the human rights activists found out an interesting fact. Claims of at least six other citizens, applied to the Committee, contain information about the implication in torture of a particular public officer. An analysis of materials gives the basis for making an assumption that one and the same person acted in each case. It is illustrated by the nature of torture, identical instruments of torture, similarity of looks and one and the same first name and patronymic – Sergey Sergeevich.

But investigative agencies of the Republic of Bashkortostan did not hurry to perform any effective investigation in accordance with the specified materials. It is not surprising, as examinations of the applications of two victims, Sidorenko and Khamatkhanov, were performed by investigators of the same investigation department where they were allegedly beaten. Moreover, in accordance with them, they were beaten to make them confess to crime committed by these same investigators.

Seeing no prospect of a non-prejudicial investigation on a local level, the lawyers of the Committee against Torture twice addressed applications in the name of the chairman of SK of the Russian Federation Aleksandr Bastrykin, requesting to consolidate cases against "Gestapo" in one proceeding. The human rights activists also insisted on the requirement to file the criminal case for further investigation to the



Aleksandr Bastrykin (site of the Investigative Committee)

Investigation Department of SK of Russia of PFO (Volga Federal District) or to the Central Office of SK of the Russian Federation, taking the case investigation under the individual control.

The opinions of the human rights activists, however, were not heard each time in the Investigative Committee and in conflict with departmental orders the applications were returned to the agency, against which the claim was filed – the Investigation Department of the Investigative Committee of the Republic of Bashkortostan.

Considering these responses of the Investigative Committee illegal, the human rights activists appealed to Basmany District Court of Moscow.

Следователь, помни о данной тобой присяге:

« Посвящая себя служению России и
Закону, торжественно клянусь

**непримиримо
бороться с любыми
нарушениями закона,**

кто бы их ни совершил, и добиваться высокой
эффективности и беспристрастности
предварительного расследования »

(Присяга сотрудника Следственного комитета РФ)

26 ИЮНЯ

Международный
день в поддержку
жертв пыток



**NO TORTURE
ПРОТИВ ПЫТОК**

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72-11-61

Orenburg
Region

On May 20th, a board of the Orenburg Regional Criminal Court, based on results of a hearing of an appeal petition of employees of the Committee against Torture, affirmed an overly- mild sentence, delivered by the Dzerzhinskiy District Court of Orenburg to a former policeman Oleg Litvishko, who was found guilty of committing a crime, provided for by clauses a and c Part 3, Article 286 of the Criminal Code of the Russian Federation (Exceeding Official Power with the Use of Violence and with the Infliction of Grave Consequences) and was sentenced to 3 years imprisonment with servicing of sentence in general population. As of the end of the year, a cassation appeal of the human rights activists to this sentence was expected to be considered in the Presidium of the Orenburg Regional Court.



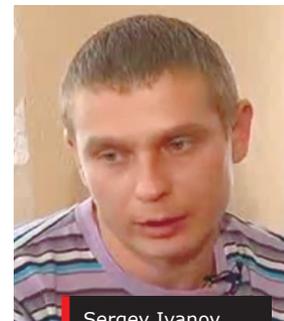
Oleg Litvishko

The year before, in March 2012, a local citizen, Sergey Ivanov called upon the assistance in the Orenburg Division of INGO the Committee against Torture. He informed the human rights activists that on March 14th 2013 he was brutally beaten by a police officer. Afterwards, Sergey underwent an operation and his spleen was removed.

On March 17th, 2010 upon an application of Sergey Ivanov a criminal case against unknown persons concerning grievous bodily injuries was opened. Further, an investigation determined that the police officer, Oleg Litvichko, was implicated in this crime. Almost immediately after the event the criminal absconded from the region and was in hiding for several days and because of this, the investigation put him on the federal wanted list.

For the first time

Despite the fact that the conviction came into force on May, the local police administration was not in a hurry to make an apology to Sergey Ivanov, who was seriously injured from illegal acts of its subordinate Oleg Litvishko.



Sergey Ivanov

Without waiting until the policemen enforce the Federal Law On Police, which obliges them to make an apology officially and publicly to a citizen for illegal actions of officers, the human rights activists addressed a written application in the name of a chief of UMVD (Regional Office of the Ministry of the Internal Affairs) of Orenburg Region, reminding him of compliance with the regulations of the current Russian legislation.

A head of the Orenburg Division of INGO the Committee against Torture Sergey Babinets, representing Sergey Ivanov:

"Let me remind you, that the defendant after committing the crime, "went on the run", but was arrested after he had been put on the federal wanted list. For almost a year, while the investigation was carried out, Litvishko denied his guilt, but literally a few weeks prior to submission of the criminal case to court he eventually admitted his guilt and paid one of the victims a small sum of money as compensation for non-pecuniary damage. In our opinion, in doing so he pursued only one aim –to avoid a long term of imprisonment and to appease the court and he succeeded in doing so. The Committee against Torture will not cease to seek for justice and the court of appeal decision will be appealed in the Presidium of the Orenburg Regional Court".

Only after that, at the end of November, were official apologies made to Sergey Ivanov and an internal review was ordered into the inactivity of public officers of the police, illustrated by ignoring provisions of an order of MIA of the Russian Federation on a system of making an apology, and also additional training of staff was organised.



official apologies of MIA to Sergey Ivanov

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"In our experience this is the first case where the police administration found the courage to make an apology to a person who suffered from the illegal acts of their colleague", - a lawyer of the Orenburg Division of INGO the Committee against Torture

Timur Rakhmatulin commented on the situation. - "It's a pity that it was not an initiative of the administration of the Orenburg Police or a personal genuine wish of the head of the department to apologise for his subordinate but a response to our application. I hope that from now on, policemen will enforce the law without reminders.

On October 25th the Ministry of Finance of Russia paid 510,000 roubles to relatives of Vasilii Lyamov who died in police custody in 2005. In August 2012 Lubov Maslova

received 170,000 roubles as compensation for non-pecuniary damage, caused by the death of her brother.

On December 19th, 2005 a 23-year old citizen

of Aksakova (Orenburg Region), Vasilii Lyamov, was arrested and beaten by a local police officer Valeriy Prytkov, after which he was delivered to Buguruslanskiy ROVD (District Internal Affairs Department). Lyamov was lying on the floor in the entrance hall of the police department for several hours within sight of a sentry and a duty officer. An ambulance, belatedly called, verified the death of the detainee.



Vasilii Lyamov

Experts of Orenburg regional bureau of forensic medical examination performed a forensic medical examination and demonstrated that Lyamov had bruises and face scratches on the soft tissue of his head, cerebral hemorrhage, breaks in cervical vertebrae and other injuries. Death resulted from fracture of cervical vertebrae after the head of the victim was taken back and then abruptly twisted to the right.

But a court, within five years, considered that it was not proven by the prosecution that the death injury was caused by Prytkov. In 2011, he was found guilty only of exceeding official powers associated with the use of violence, special means and also with the infliction of grave consequences. He was sentenced to 3 years imprisonment in general population.

The remarkable thing is that during the five years from the moment of the accusation

The Head of the Orenburg Division of Interregional Non-governmental Organisation the Committee against Torture Sergey Babinets says: "Currently, the investigation into the death of Vasilii Lyamov is singled out in a separate procedure, but the investigation is merely treading water and actually is only pretending to find a murderer. We, in our turn, continue to render legal assistance to this case both on a national and on an international level - in 2012, a corresponding claim was registered in the European Court of Human Rights".

having been filed, Prytkov was not suspended from office, moreover – he was promoted to a lieutenant-colonel and obtained a preferential pension.

Based on the fact that the police officers did not take any measures to save the dying person, the lawyers of the Committee against Torture files claims the government for compensation for non-pecuniary damage to the relatives of Vasiliy Lyamov. Almost eight years after the death the relatives of the deceased obtained in total 650,000 roubles. No guilty person has been found.

The main problem in encouraging the use of torture, in accordance with the Orenburg human rights activists, is a systematic sabotage in the work of local officers of the Investigative Committee. In their report, the human rights activists of the Orenburg Division state the following: in 90% of cases of application of Orenburg citizens on illegal use of violence on the part of officers of law enforcement agencies the regional Investigative Committee refuses to institute a criminal case.

The authors of the report testify: from the moment of the formation of the organisation division in Orenburg they faced the problem of ineffective investigations of torture, inhuman and degrading treatment. Every year this situation becomes worse and grows into systematic and demonstrative ignoring of law. Simple legal proceedings are not carried out: applicants are not interrogated concerning their claims, an examination is either not carried out at all, or carried out superficially and any results are often not disclosed.

The situation with mass violation of human rights by investigative agencies of the Investigative Committee of the Russian Federation in Orenburg Region is getting worse and is, increasingly, confirmed by decisions of the European Court of Human Rights, pointing out ineffective investigations into torture and degrading treatment.



This report was addressed in August to the Head of the Investigative Committee, Aleksandr Bastrykin, Prosecutor General Yuriy Chayka, Human Rights Ombudsman Vladimir Lukin, Chairman of Russian Presidential Council for Civil Society and Human Rights Mikhail Fedotov and also to the heads of the law enforcement agencies of Orenburg Region.

"We have repeatedly addressed to the head of the investigation department of SK of the Russian Federation of Orenburg Region, Sergey Kolotov, requesting him to influence the situation", - **the head of the regional division of the Committee against Torture, Sergey Babinets, says**, - "but no measures were taken. Apparently, it is impossible to change the situation without pressure being brought from higher-level oversight and supervisory bodies, that's why we sent the report to Bastrykin, in which we vividly show with evidence what is happening in the region with investigations of applications on torture.

Our experience shows that a person, beaten by a policeman, in 90 % of cases won't receive anything but a refusal to institute a criminal case from an investigator but it is far from certain that he will receive even this formal reply. To bring the guilty to task, it is necessary to struggle with a corporation which will do all in its power to defend a notorious "esprit de corps", rather than bring the guilty to task. A huge number of cases have been in the process of examination for years, and when cases are opened, only a small fraction of them will end up in court".



The Mari El
Republic

On February 19th the Penal Division of the Privolzhskiy district court considered a cassation appeal of convict Petr Zavyalov on a sentence in which he was found guilty for committing crimes provided for by clause c Part 2, Article 163 of the Criminal Code of the Russian Federation (Extortion with Violence) and clauses a, c Part 3, Article 286 of the Criminal Code of the Russian Federation (Exceeding Official Power with the Use of Violence and with the Infliction of Grave Consequences) and was sentenced to 7 years imprisonment. The Penal Division decided to uphold the sentence and it was implemented.



Petr Zavyalov

On July 6th, 2011 Nikolay Cherepanov applied to an Office of the Committee against Torture in the Mari El Republic and said that a month prior to an order for dismissal on the evening of May 26th, 2011 his son Aleksandr was found hanging in a dry house of troop unit 86288, located in the Mari El Republic. Numerous stab-wounds and cuts, binding marks on hands and burn marks on the face, head and neck were detected. Parents of the soldier could not believe that his son, Sasha, would commit suicide. Besides, several hours before the incident, Aleksandr had called his parents and said that his colleagues had threatened him and demanded money.

Upon the death of the military man, an investigator of the military investigation department of Kazanskiy permanent post opened a criminal case under the Article Incitement to Suicide, but the human rights activists sought, after Petr Zavyalov's actions, for it to be reclassified to more gross Articles of the Criminal Code of the Russian Federation – 163 and 286.



Aleksandr Cherepanov

Towards the end of the year, the human rights activists prepared a claim for compensation for non-pecuniary damage to the relatives of the deceased.

On March 11th a sentence against a former officer of UFSIN (Department of the Federal Penitentiary Service) Sergey Bakulin, found guilty of committing a crime, provided for by Part 1, Article 116 of the Criminal Code of the Russian Federation (Battery or Commission of Similar Violent Actions, which have caused Physical Pain) in relation to a minor, Sacha Kuznetsov was in the form of a fine in the amount of 20,000 roubles.

On July 20th, 2012 the mother of Sacha Kuznetsov called upon the legal assistance to the Office of the Committee against Torture of the Mari El Republic. In her application she noted that on March 12th, 2012, at about 1:00 p.m. in the premises of school 30 of Yoshkar-Ola the officer of UFSIN of Russia of the Mari El Republic illegally used violence against her ten-year-old son.

Employees of the Committee against Torture upon the application from Kuznetsova carried out a public investigation, results of which confirmed the said event.



the Kuznetsov family

Further, a court defined that Sasha Kuznetsov went to school on March 12th, 2010 and saw near a cloakroom, the father of a classmate, wearing a uniform of an officer of UFSIN. At that time there was no-one in the hall of the 3rd floor, as a lesson had already begun. Sasha understood that this man came in due to an argument with the classmate which

had occurred before. During the conversation the officer of UFSIN began to insult Sasha with swear-words. Then, he passed from words to deeds – he twisted Sasha’s ear and hit the back of his neck against the wall three times. The officer went away. At home, Sasha told to his parents about the incident and they went to an injury-care centre of Yoshkar-Ola, where the victim was examined by a doctor, who documented the bodily injuries.

After the sentence, the lawyers of the Committee against Torture, representing the affected party, filed a claim for compensation for non-pecuniary damage. On October 7th the court satisfied it and awarded the compensation in an amount of 70,000 roubles.

Dmitriy Egoshin, head of the Republic Office of the Committee against torture: “We are satisfied with the court decision and consider the size of the awarded compensation as just”.

In June the Ministry of Finance of the Russian Federation enforced a court decision of Yoshkar-Ola of the Mari El Republic in accordance with which compensation in an amount of 250,000 roubles for illegal acts of officers of MIA of Mari El was awarded to Ivan Kozlov.

On July 3rd, 2007 a citizen of Yoshkar-Ola Ivan Kozlov applied to the Office of the Committee against Torture in the Mari El Republic.



Ivan Kozlov

According to Ivan, on June 26th about 5:00 p.m., together with his sister he was called to a building of GIBDD (National Road Traffic Safety Inspectorate) to talk about a road traffic accident. They did not know what kind of DTP (Road Traffic Accident) it was but attended at the appointed time. Under the pretense of the necessity of an identification parade Ivan Kozlov was asked to go to Zarechniy Police Department UVD of Yoshkar-Ola, and only there did he discover what they wanted.

Ivan was in handcuffs when policemen started to beat him making him admit to killing a girl of his acquaintance. The young man said that he had recently undergone surgery on a knee joint, but the policemen hit his leg several times. The next day the young man was delivered to the prosecutor’s office, and only after that – to a

policlinic, where he fell unconscious. While in the hospital Ivan Kozlov discovered that the real murderer of the girl was found.

A preliminary investigation into this case was carried out over four years. A criminal case was dismissed several times and was reopened only after claims of the lawyers of the Committee against Torture.

On June 8th, 2012 the court handed down a sentence against four policemen – an operational officer of an operations and search unit of MIA of Mari El Aleksey Pershunin and officers of Zarechniy Police Department: senior operations officers of a criminal investigation department, Mikhail Dubnikov and Boris Belavin, an operations officer Aleksey Shestakov. They all were found guilty of committing crimes, provided for by clauses a, b Part 3, Article 286 of the Criminal Code of the Russian Federation (Exceeding Official Power with the use of Violence and Special Means). By order of the court, Pershunin and Dubnikov were sentenced to a year and a half imprisonment with serving of sentence in general population, Shestakov and Belavin were sentenced to a four year, suspended sentence.

“The story of restoration of violated rights of Ivan Kozlov has lasted almost six years. The guilty persons have been convicted, the compensation for non-pecuniary damage is paid and even the Minister of MIA of Mari El made a public apology. But, however, we think it is too soon to draw the line, as we are convinced that not everybody involved into this crime has been punished. Currently we continue in a lawsuit with the investigative agencies, which do not want to open a case against the administration of an operations shift of Zarechniy Police Department, which included the convicted police officers”, - a lawyer of the Office of the Committee against Torture in the Mari El Republic Dmitriy Yalikov commented.

For the first time

The administration of the prosecutor’s office of Yoshkar-Ola initially opened and then dismissed two cases of administrative offences against the head of the Office of the Committee against Torture, Dmitriy Egoshin. He was suspected for, allegedly, “violation of an order, specified

by the legislation, of collection, storage, use or distribution of information on persons (personal data)” and arbitrariness. Egoshin himself considers that both cases were opened under contrived pretext and it is an attempt by a deputy prosecutor of the city Aleksandr Pavlov to get even with the human rights activist for his repeated claims to bring Pavlov to task for failure to perform his obligations.



Dmitriy Egoshin

“Both cases of the administrative offence were dismissed in connection with the expiry of periods of limitations of bringing to trial, - says a lawyer of Inter-regional Human Rights Organisation Agora Sergey Petryakov, representing Egoshin. – As it was previously defined in a judgment of the Plenum of the Supreme Court of the Russian Federation, at the dismissal of the case on this basis a corresponding body due to a presumption of innocence cannot make conclusions about a person’s guilt. In such a way, the prosecutor’s office could not. In terms stipulated by the

legislation, prove the guilt of Dmitriy Egoshin, and he is considered innocent”.

Meanwhile at the beginning of September Egoshin received a call from the prosecutor’s office of Yoshkar-Ola. The prosecutors then admitted that they couldn’t find the evidence related these cases.

The head of the Republic Office of the Interregional Committee against Torture Dmitriy Egoshin:

“I think that all this story is a result of the fact that we repeatedly appealed to the prosecutor’s office to make it perform an effective prosecutor’s supervision of the cases of our applicants in accordance with legislation. We did not get any results and started a claim to bring things to the disciplinary responsibility of the deputy prosecutor of the city Mr. Pavlov. So, in connection with a campaign on detection of “foreign agents” our representative office was visited by a delegation of officers of the prosecutor’s office and the police to find any violation of the legislation. The black-humour of this situation is that the initiated administrative procedure was then dismissed by Aleksandr Pavlov”.

At the end of April 2013, officers of the prosecutor’s office of Yoshkar-Ola together with witnesses came to the office of the representative office of the Interregional Committee against Torture in Yoshkar-Ola and confiscated internal documents of the not-for-profit organisation. It was suspected that his organisation in January-February 2013 did not get written consent of four of the applicants on the processing of personal data.



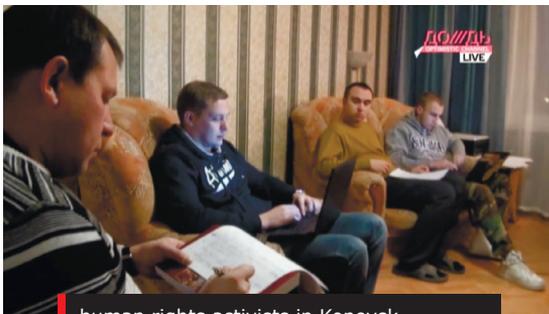
**Public Monitoring
Committees**

In 2013, the employee's representation of the Committee against Torture in regional Public Monitoring Committees (PMC) on Human Rights in places of forced imprisonment significantly increased. At the moment, nine human right activists have additional opportunities to investigate cases of torture in places of forced imprisonment.



Employees of the Committee against Torture at the awarding mandates members of the PMC of Nizhny Novgorod Region.

Four lawyers of the Committee against Torture and PMC members were fully engaged in a public investigation of events that took place in 2012 in the IK-6 GU FSIN (Correction camp-6 State Institution of Federal Service for the Execution of Sentences) of Russia in the Chelyabinsk region (Kopeysk town), as well as in the preparation of the report on the results of the investigation. The report was approved by the Standing Committee of the Russian Federation Presidential Council for Civil Society and Human Rights and was addressed to the



human rights activists in Kopeysk

President of the country, Vladimir Putin, and to the Russian Federal Penitentiary Service chief, Gennady Kornienko.

In June, vice-chairman of the PMC in Nizhny Novgorod Oleg Khabibrakhmanov participated in a public investigation of an incident that took place during search activities in colony 1 GU FSIN of Russia in Nizhny Novgorod Region (Sukhobezvodnoe village).

According to more than twenty respondents, during the searches OMON (Special Police Force) officers used violence without any legal foundation. Some convicts were taken out of their troops, escorted to the Punishment Isolation Cell, where OMON officers continued to beat them. The convicts were stripped naked, insulted, and, while being beaten, were forced to shout out loud: "I am scum," «I am a bastard," "I am a shithead".

PMC members, using photo and video cameras, recorded numerous bruises and abrasions on the bodies of the convicts. At the same time the convicts reported that they received no medical care. On the contrary, they were forced to write statements renouncing any medical examination.



participants of the conference of the Presidential Council on Human Rights

Later, when the incident came rose to a federal level, on June 21st, in colony 1 GU FSIN of Russia in Nizhny Novgorod Region (village Sukhobezvodnoe) there was a field meeting of the Russian Federation Presidential Council for Civil Society and Human Rights. In addition to the members of the Council there were front office members of Russian FSIN, GU FSIN of Russia in Nizhny Novgorod Region, representatives of the Prosecutor's Office and the Investigative Committee of the region, members of the Civic Chamber of Russia and human rights activists.

Despite some differences in the interpretation



The Chechen Republic

The experience of lawyers of the Committee against Torture as part of the Joint Mobile Group of human rights activists shows that Russia is ready to continue to pay higher and higher amounts of compensation awarded by the European Court of Human Rights, but is not ready to deal systematically with torture and other serious crimes related to violations of human rights in the regions.

Despite this, in 2013, the human rights activists continued their diligent, daily work on different levels to rectify this situation.

So, in July a meeting of the Russian Federation Presidential Council for Civil Society and Human Rights was held in Grozny, where member of the Council, Chairman of INGO Committee against Torture, Igor Kalyapin, again highlighted the old problem:

"My report caused quite a scandalous reaction as it was associated with torture and abductions in the Chechen Republic and the fact that the Investigative Committee in some cases does not want to investigate these crimes and in other cases the police resist it. The Chechen security forces behave with absolute impunity and, indeed, several units that are referred to as "Kadyrovtsy" who participate in these abductions and who ignore the crime investigators' notifications and consider the investigators as nothing, literally a waste of space."("Caucasian Knot").

At the end of his report Kalyapin once again expressed his willingness to solve problems together.

Igor Kalyapin: "In 2010, Ramzan Ahmadovich and I talked face to face, discussing in detail the problem of violations of the law by the police and their opposition to the investigations which the Investigative Committee was trying to highlight. As it seemed to me then, we eventually came to an understanding on all issues. Later Ramzan Ahmadovich organised a small meeting with the Prosecutor and the Minister of Internal Affairs of the Chechen Republic. At that time, RA said absolutely the right words in that no administrative official of the Chechen Republic can be above the law. Any government official can be brought before a criminal investigation if he is notified in accordance with the Law. These words were published and I know that many crime investigators of SK hung the text of Ramzan Ahmadovich's speech above their desks. But, unfortunately, the situation has not really changed at all. Moreover, I couldn't manage to meet Ramzan Ahmadovich again. I repeatedly addressed such requests to his assistant, Aset Malsagova, but to no avail.

Dear colleagues, neither I nor my comrades from the Joint Mobile Group are invisible. All our phone numbers are well-known and we are ready to give them to all those here present. I am always ready to go anywhere in Russia, to answer any questions in any case, to listen to any claims, if there are some, or to make suggestions if they are willing to be heard. Probably government officials and law-enforcement authorities are not inclined to meet with human rights activists, they criticise a lot, they are rarely heard congratulating, but, in my opinion, such meetings are necessary, and once again I announce in public - we are always ready to meet with them."

Unfortunately, again this call went unheard. At least there was no place for Igor Kalyapin in the local Human Rights Council, which was created in the Chechen Republic in September. In response to the Kalyapin's statement to give him a place on the local Human Rights Council, its chairman Timur Aliyev sent a refusal by fax: «The Council for Civil Society and Human Rights at the head of the Chechen Republic is currently fully represented, the membership is approved by the Decree of the Council of the Chechen Republic ... ».



the field meeting of the Presidential Council on Human Rights in Grozny (website of PCHR)

Решения Европейского суда по правам человека

Дела, находящиеся в производстве Комитета:

Дело «Михеев против России»

- решение о приемлемости жалобы «Михеев против России» от 7 июля 2006 года (*английский текст*)
- решение по существу жалобы «Михеев против России» от 26 октября 2006 года (*английский текст, русский текст*)

Дело «Маслова и Налбандов против России»

- решение о приемлемости жалобы «Маслова и Налбандов против России» от 14 декабря 2006 года (*английский текст*)
- решение по существу жалобы «Маслова и Налбандов против России» от 14 декабря 2008 года (*английский текст, русский текст, французский текст*)

Дело «Бузычкин против России»

Judgments of the European
Court of Human Rights

On April 11th the European Court of Human Rights (ECHR) delivered a judgment on the case of a resident of Nizhny Novgorod Region, Dmitriy Ochelkov. The court acknowledged that the Russian authorities were guilty of two torture incidents, as well as the lack of effective investigation into these crimes. But due to the expiry of the statute of limitations, none of the perpetrators have suffered any punishment.

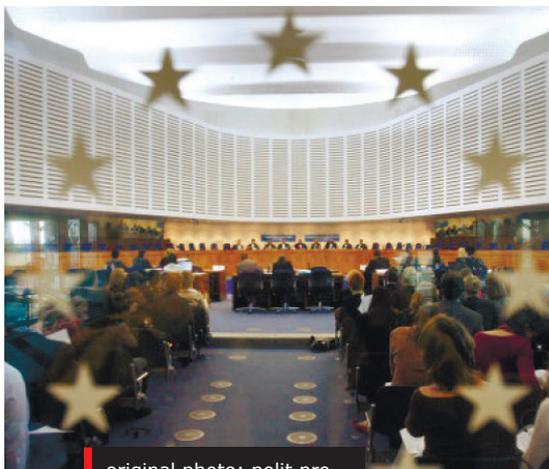
Unfortunately, the applicant did not see the justice - he died in September 2012. His relatives will get the awarded compensation for non-pecuniary damage in the amount of EUR 20,000.



Dmitriy Ochelkov

On April 18th ECHR issued a significant act on the case of abduction of the Chechen Republic resident Abdul-Yazit Ashabov in 2009.

The Court concluded that the abductors were representatives of the State. The Court found five violations of the European Convention and the family of the abducted was awarded EUR 60,000.



original photo: polit.pro

"This is an extremely important judgment of the Strasbourg Court - **says lawyer of the Interregional Committee against Torture and member of JMG, Anton Ryzhov.** - In my opinion, for the first time the ECHR has established the fact of an abduction by law enforcement officials which did not happen in the early 2000s, but in 2009, already in the "Kadyrov" Chechnya, where the investigation of such cases, in fact, is not conducted. "

On June 20th ECHR delivered a judgment on the case of Said-Salekh Ibragimov who was abducted in Grozny in 2009 by fighters of the so-called "oil regiment" police division. He had been kept in the building of the regiment for several days and then disappeared.



Said-Salekh Ibragimov

In their ruling the judges unanimously established that:

- The Russian government could not establish the eventual fate of Said-Salekh after he had been captured by "oil regiment". Based on the fact that for several years his fate has been unknown, the authorities had violated his right to life;
- The relevant authorities failed to conduct a proper investigation at the request of relatives on the abduction of Ibragimov;
- The Suffering of Raisa Turlueva regarding the lack of progress in the search for her son reached the level of inhumane treatment by the authorities;
- Said-Salekh was deprived of his liberty in violation of the guarantees contained in Article 5 of the Convention;
- Relatives were deprived of meaningful legal remedies in this case.

Basing on these facts the ECHR awarded Raisa Turlueva compensation in an amount of EUR 60,000.

On October 24th the ECHR delivered a judgment on the case of Aslan Dovletukayev, who was abducted as a result of the so-called "passport checks" carried out by unidentified gunmen on January 9, 2004 in the village Avtury, Shalin region, the Chechen Republic.



Aslan Dovletukayev

Later he was found dead with evidence of torture. ECHR adjudged there had been violations of fundamental human rights established by the European Convention, and ordered Russia to pay Aslan's relatives EUR 40,000.

On November 28th the ECHR delivered a judgment

"Once again, very leisurely European justice still outstrips the domestic version - **says one of the representatives of the Dovletukayev's family in ECHR, lawyer of the Committee Against Torture Anton Ryzhov.** - And in this we discern a certain political situation: the Russian authorities flatly refuse to investigate cases connected both with military actions in Chechnya and with cases of abductions and killings during peacetime. It has been almost 10 years since Aslan's death and the perpetrators have not been found. There is no change, unfortunately, in the situation with these kind of investigations in "Kadyrov" Chechnya. We can judge this, basing our evidence on those twenty cases in which assistance to victims of human rights has been provided by activists of the Joint Mobile Group."

on the case of Nizhny Novgorod resident Alexander Novoselov, who was abducted in 2004 by police officers. He was taken to the forest and was tortured to confess to the assassination attempt on a well-known businessman in Nizhny Novgorod (now - the mayor of Nizhny Novgorod) Oleg Sorokin.



Alexander Novoselov

Later all charges against Alexander were dismissed and everything that had happened to him was explained as "strategic experiment." However, in its statement ECHR adjudged that Novoselov was tortured by state representatives and the investigation of this fact by the prosecutor's office was "superficial" and "formalist". The European Court ordered Russia to pay Novoselov EUR 27,500.



**International
cooperation**

On January 24th the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT), running in accordance with the Council of Europe, published a report on the prison visits in the North Caucasus in spring of 2011.



COUNCIL
OF EUROPE

CONSEIL
DE L'EUROPE

The General Secretary of the Council of Europe, Thorbjorn Jagland, made a statement in which he welcomed the steps of the Russian authorities, aimed at transparency in the field of human rights. However, the ECPT's report

expressed serious concerns about the situation related to the illegal actions of regional "security forces" against arrested people and prisoners in the North Caucasus, as well as the investigation ineffectiveness of the facts of this kind of abuse. In this regard ECPT suggested a series of recommendations aimed at improving the situation.

The Head of the International Legal Protection division of the Committee against Torture, Olga Sadovskaya, commenting on the publication of the report, said: "We cannot but rejoice in the fact that Russia has kept the promise made at the meeting of the UN Committee against Torture in December last year and for the first time authorised the publication of the ECPT report because such reports are confidential and could be made public only with the permission of the country visited. All the more so, when the human rights situation in the North Caucasus is a quite meticulous topic."

On February 20th in Brussels a hearing was held on human rights in Russia. They were prepared by Subcommittee on Human Rights of the European Parliament.

The discussion was focused on issues of compliance with social and economic rights in Russia. They also exchanged views on the rights of citizens in the police and prisons.



Source: REUTERS

In October the lawyer of the Committee against Torture Oleg Khabibrakhmanov participated in a regular session of the OSCE, where at the plenary session, he made a presentation on the topic "The situation of human rights in the Chechen Republic."

In his speech, the representative of INGO Committee against Torture, Dmitriy Utukin, pointed out that the level of violence in law enforcement still remains high. "A special department of the Investigative Committee on investigations into crime committed by law enforcement officials cannot manage the volume of cases of abuse of power. Among the law enforcement officials, there is a strong opinion that torture is a kind of tool. Moreover, authorities often support their subordinates accused of torture. A criminal case makes headway without delays and red tape only when as a result of torture the victim dies or has become disabled," - **said Utukin.**

In November 29th in the press centre of the Central House of Artists within the frames of the International Book Fair of Intellectual Non-fiction Literature 15, there was a round-table discussion and presentation of the report "Torture in different persons," prepared by the French Association of Christians for the Abolition of Torture (ACAT) in collaboration with the Interregional Department "Committee Against Torture" and the Fund "Public Verdict".

The report's authors noted the consistent nature of torture in Russian law enforcement agencies and their widespread use in order to quickly obtain confessions of suspects and detainees. They also noted widespread torture

in prisons and correctional institutions by the administration in the form of disciplinary action or arbitrary "punitive procedures" by co-inmates who act in this manner on the silent agreement of the administration. Also the report's authors focus on the problem of torture in Chechnya itself, in isolation. The report concludes that the current practice was the result of flawed legislation and ineffective enforcement.

АСАТ в сотрудничестве с межрегиональной организацией "Комитет против пыток" и фондом "Общественный вердикт"



ПЫТКИ В РАЗНЫХ ЛИЦАХ

ИЗУЧЕНИЕ ПРИМЕНЕНИЯ ПЫТОК В РОССИИ

Ноябрь 2013

How to build teamwork? What was the material for research? What were the ultimate results? The chairman of the interregional public organisation «Committee Against Torture» Igor Kalyapin talked to "free press" on this topic.

Igor Kalyapin: "We work with a lot of organisations that are engaged in the practice of law in different European countries. And one of these partner organisations is Christian French Association against Torture. Our reports on the situation of torture in Russia were also directed to them, thus sharing information. Their representatives repeatedly came here, they have met a lot of torture victims, their families and so on.

It is my deep conviction that one of the main problems of torture in Russia is the lack of proper response from the Prosecutor's Office and the Investigative Committee. The report said despite the fact that torture is most often used in police stations and prisons, the Prosecutor's Office and the Investigative Committee have to carry the main responsibility. They may not carry it out themselves, but they do allow it to happen. And this impunity problem, the problem of being unable to find justice for the victims, is constantly raised in our reports. Our French colleagues heard this cry for help and they decided that some action is needed to encourage the authorities of our law enforcement agencies to pay attention to the problem. First of all, I repeat, it is not even the police and FSIN we are talking about but Prosecution and Investigative Committee" ("Svobodnaya Pressa").



On October 8th the Martin Ennals Fund and Geneva authorities announced the winner of the Martin Ennals Award. It was the Joint Mobile Group of human right activists working in Chechnya headed by Igor Kalyapin.

This prize (which is still informally called the "Nobel Prize for Human Rights") was awarded to human right activists who have demonstrated a deep commitment to human rights and who personally undergo enormous risk because of their activities. This award is designed to provide protection for these activists through their international recognition.

The Joint Mobile Group, Russia. After the murder of several human rights activists working in Chechnya, Igor Kalyapin formed the Joint Mobile Group. This organisation sends specialists or activists on short-term missions to Chechnya where they investigate and record human rights abuses. This data is later used to publicise such violations and to restore the rights of victims. Speaking about the importance of international attention, Igor Kalyapin said: " ... when we are closely watched by the international community, the authorities have more difficulty in doing something against us ... "

Member of the Board Committee against Torture, and one of the

founders of the Joint Mobile Group who traveled to Chechnya as a part of it in 2009, in an interview with Oleg Khabibrakhmanov on radio "Freedom" talked about what Martin Ennals Award means to the human rights activists:

Oleg Khabibrakhmanov:

"I am proud, because there is a feeling that the merits of Russian human rights activists who, despite the danger of working in Chechnya but remain there, are still recognized. I wish this recognition was not only paid abroad but also in Russia. Other countries and the international community pays much more attention to human rights issues and much more attention to Russian human rights than Russia itself "(radio" Svoboda").







**The Law on
Foreign Agents**

Газета.ру

On February 6th eleven non-commercial organisations (NCO) sent to the European Court on Human Rights an application against the Federal Law № 121-FL as of June 20th, 2012 Amending Laws Concerning Activities Involving the Acceptance of Payments from Physical Persons which are Carried Out by Payment Agents (hereinafter - the "Law on Foreign Agents").



According to applicant organisations, the Foreign Agents Registration Act violates their rights guaranteed by Article 11 (Freedom of Assembly and Association), Article 10 (Freedom of Expression), Article 14 (Prohibition of Discrimination) and Article 18 (Limitation on use of Restrictions on Rights) of the European Convention on Human Rights and Fundamental Freedoms.



On March 21st General Prosecutor of the Russian Federation was sent an appeal of the Presidential Council for Civil Society and Human Rights about motiveless massive checks NCOs by the prosecution authorities.

On April 11th, fifty eight representatives of Russian NCOs sent an open letter to Russian President Vladimir Putin:

«Dear Mr.President,

In particular, the appeal stated: «In accordance with the requirements of the Federal Law "On the Procuracy of the Russian Federation," the basis for conducting inspections is the availability of information about violations of any laws that require prosecutor's actions. Please inform us whether the prosecuting authorities received information implicating, directly, dozens if not hundreds of organisations under inspection in the implementation of extremist activity, or mass audits of not-for-profit organisations or is there a different explanation or reason? One gets the impression that the task is to find at least some NCOs violations: an expired fire extinguisher, trip reports, filing in the wrong folder, etc. As a result, the information will be collected and violators of the law will be found and punished.

We, the members of the Russian Presidential Council for Civil Society and Human Rights, are convinced that to fight extremism and the "nightmare" of lawful NCOs is not the same thing. We believe that appraisal of the activities of inspection authorities should not be based on the number of the conducted inspections and revealed insignificant infractions, but rather on the achieved results."

In an interview with German ARD TV and Radio on April 5th, 2013 you said: "The Russian Federation has 654 non-governmental organisations that receive, as it turns out, money from abroad. < ... > Only four months after the adoption of the law, the money donated from abroad to the accounts of these organisations came < ... > 28 billion, 300 million roubles that is almost a billion dollars. 855 million roubles came through diplomatic representation. These are organisations that are engaged in political activities. Our society should know who gets the money and for what purposes, shouldn't it?"

We also believe that society has a right to know what organisations get support, what amounts, and for what purposes, including from abroad. For these reasons, we, like other non-for-profit

О деятельности некоммерческих организаций

Информационный портал Министерства юстиции Российской Федерации

Отчеты некоммерческих организаций

Фильтр поиска

Наименование НКО	Вид отчета	Результат
Муниципальное учреждение культуры "Общество во имя жизни голубой Восток"	Сведения о деятельности	17.03.2014
Некоммерческая организация "Благотворительный фонд поддержки муниципального бюджета" (благотворительное учреждение "Издательство")	Сведения о деятельности	17.03.2014

organisations, place in the public domain on the website of the Ministry of Justice, the annual report on our activities, including full details of funds received from abroad. This data can be read by anyone.

But as the numbers mentioned in the interview are at least ten times higher than our understanding of the amount of foreign support for Russian NCOs, we also would like to know what kind of organisations have received this money.

We realise that you may have some other information from special sources. Taking into account the public interest in this issue, we kindly ask you to give orders to publish without delay the full list of these 654 NCOs with the amounts received by them for the last 4 months, and for what activities these funds have been received."

Unfortunately there was no response...

Meanwhile the Committee against Torture inspection that is held by Russian Ministry of Justice did not find any violations of national legislation, including the Law on foreign agents. On May 24th the Ministry of Justice inspection results became available to human rights activists.

"We were tortured with inspections past six months: the first time we were checked by Ministry of Justice 5 months ago, and when the prosecutor's check was over, literally, on the same day again people came from the ministry," - told The New Times Igor Kalyapin.

According to their words, the Ministry of Justice was acquainted with the Nizhny Novgorod prosecutor's caution. In the April document, prosecutors warned that «Committee Against Torture» has foreign funding and for the implementation of political activities the



organisation will be required to register as a "foreign agent." Political components that the prosecutor's office found in «Committee Against Torture» activities long before November, 2012 (prior to the entry into force of amendments to the law "On Noncommercial Organisations").

"I have a feeling that prosecutors are just doing some kind of job sheet. The Prosecutor's office

issued a warning to us but still cannot explain it. In their paper, it was written that we hold events that can be attributed to political activity, but my question is, what particular events are meant. I did not get an answer,"- said Kalyapin . He has already been waiting for the response from the prosecutor for a week - "probably it is a very complicated issue." But now, even if prosecutors explain what event they meant, the Committee against Torture has a ruling from the Ministry of Justice - the organisation does not violate the laws of the Russian Federation »(The New Times).

We would like to point out that the Prosecutor's Office also didn't give any response.

Igor Kalyapin: "The Inter-regional non-governmental organisation of the Committee against Torture and myself, from the very beginning, were strongly against the Law on foreign agents. I see a lot of harm in it and it is pointless. But the main thing is not even that. I am ready to obey nonsense written in this "law" when it comes to excessive reporting that nobody wants and that no one looks at. But I am never, under any circumstances, ready to call myself something I'm not - a foreign agent. I refuse the authority's (any) right to force me into criminal activity, I refuse to allow the authorities the right to incriminate me, moreover, to declare myself as somebody I am not. The Committee Against Torture under my leadership has always conducted its activities in the interests of Russia, the Russian people and other people living in my country. I am ready to be responsible for this refusal to fulfill this requirement that is illegal law and contrary to the Constitution of Russia. I will accept whatever punishment the court will hand down, I will not avoid it. But I have never been and will never be any "foreign agent". I have repeatedly expressed in public my position on this issue. For example, in an interview to "Kommersant" (for which, by the way, Nizhny Novgorod Ombudsman tried to initiate a criminal case against me). I have never given any reason to anyone, anywhere to suggest that it is possible. I will not execute the law, I will never call myself a foreign agent in my home country. Such inferences that the organisations which received a "presidential" grant (including the Committee against Torture), in contrast to the "Voices" are ready to compromise regarding the Law on foreign agents is no more than an attempt to split the human rights movement, and is a naive and foolish attempt at that."



Igor Kalyapin

Committee against Torture received a grant - financial support from the Russian President in the amount of 4 million roubles. According to the head of the organisation Kalyapin Igor, this is the first financial assistance from the Russian government in the 13-year history of the organisation. According to his words, in his application CAT requested funds for institutional activities of the organisation: payments to lawyers, conducting expert research, transport, treatment of applicants ("Kommersant").

Igor Kalyapin, on his facebook page, also commented on the news published in the

newspaper "Izvestia" and publicized in a number of media. It said, citing a source close to the administration of the President, that the omission of the Association "The Voice" in the list of recipients of the grant was the result of a presidential order that "of all disloyal to the government organisations, 'Voice' is the one that shows most reluctance to obey the current law on NCOs."

Calling it a lie and provocation, the chairman of the Committee against Torture once again explained his position on the so-called Law on NCOs.



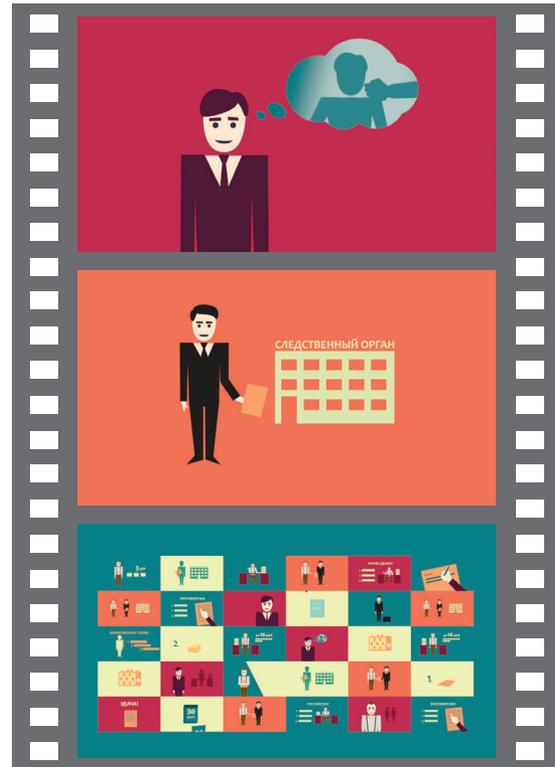
Public activity

On March 6th the Inter-regional non-governmental organisation of the Committee against Torture published on the Internet the first of three informative films about human rights.

In the video, "If a policeman came up to you" it shows how to behave when dealing with the police officer, as well as what to do if a person is subjected to illegal violence by law enforcement authorities.



On May 22nd the second movie was released "If you become a victim of police violence." The video explains what to do if the crime investigator finds no evidence of a crime in the police actions, and how to appeal a decision not to initiate a criminal case.



Press secretary of the Committee against Torture, Ivan Zhiltsov: "The main message of this movie is contained in the final sentence: "If the person does not respect and does not know his rights it is unlikely that somebody else will enforce them." Unfortunately, our society is still highly unenlightened about questions of law and many people do not know their rights, for example, that are set out in the law "On Police". The video does not contain ready recipes on how to protect yourselves from the possible use of illegal violence but I think the provisions of law that are shown in simple language and clear examples will help citizens when dealing with law enforcement officers. In addition, we hope that this video will discipline law enforcement officials. Maybe the police authorities will have desire to give their employees a seminar on the study of the law "On Police" or on the topic "The rights and freedoms of man and citizen."

On June 1st the Committee against Torture began a nationwide campaign "to law enforcement, remember the oath", timed to coincide with the International Day in Support of Victims of Torture, which is celebrated annually on June 26th.

As the organisers intended, information panels with quotations from sworn oaths for law enforcement officers from the police, the Investigative Committee and the Prosecutor's Office had to remind them and all the citizens of this vigilant and sacred oath to defend the Constitution and the rights and freedoms of people. In some regions, local authorities did not appreciate the idea of human rights activists to recall the oath and they somehow got scared and did not permit the action.

In the Republics of Bashkortostan and Mari El the prepaid layouts were forbidden at the last moment and in Yoshkar-Ola is was done under the pretext of placing on the stands of some urgent social advertising, the advertisers of Ufa, LLC "RG"Virtuos" honestly stated that distribution of such information boards was not allowed by the city administration, said spokesman Askar Fazlyev. He, in turn, offered to change the text of the layouts from "Law enforcement officer, remember your oath" to "Law enforcement officer, we trust you remember your oath", but in the end this text was also rejected.

Later Mr. Fazlyev commented in a strange way on the position of the journalist of "Kommersant": "Young people just came to me for consultation, and I gave them a personal, expert opinion that this is bright, but controversial, and after that the advertisers made their own decision."

The Mayor of the city Ufa Irek Yalalov disagreed with his subordinates and apparently found nothing controversial in the text of the oath of law enforcement officials. As a result, human rights activists, after many days besieging the city administration, took what they wanted,

and on June 20th the information boards were finally placed.

As for Yoshkar-Ola, the locations that were suddenly needed for social advertising, remained empty.

At the end of the action on June 26th the video was published on the Internet in which the citizens, affected by illegal actions of law enforcement officials could address them with a reminder of the need for them to remember their oath.

Also on June 26th street meetings were held in four cities. In Nizhny Novgorod, Ufa and Orenburg everything passed without incident, in Yoshkar-Ola street action and was not agreed in the regional Ministry of Justice, despite the fact that the notification was sent within the statutory period. Nevertheless, the event was held anyway.



Полицейский, помни о данной тобой присяге:

« Слянусь при осуществлении полномочий сотрудника органов внутренних дел уважать и

защищать права и свободы человека и гражданина,

свято соблюдать Конституцию Российской Федерации и федеральные законы »

(Присяга сотрудника органов внутренних дел РФ)

26 ИЮНЯ
Международный день в поддержку жертв пыток

NO TORTURE
ПРОТИВ ПЫТОК

Срембург,
ул. Квасковская,
д. 22, офис 810
www.pytkam.net



Прокурор, помни о данной тобой присяге:

« Посвящая себя служению Закону, торжественно клянусь

свято соблюдать Конституцию, законы

и международные обязательства Российской Федерации, не допуская малейшего от них отступления »

(Присяга прокурора (следователя) прокуратуры РФ)

26 ИЮНЯ
Международный день в поддержку жертв пыток

NO TORTURE
ПРОТИВ ПЫТОК

Срембург,
ул. Квасковская,
д. 22, офис 810
www.pytkam.net

Следователь, помни о данной тобой присяге:

« Посвящая себя служению России и Закону, торжественно клянусь

непримиримо бороться с любыми нарушениями закона,

кто бы их ни совершил, и добиваться высокой эффективности и беспристрастности предварительного расследования »

(Присяга сотрудника Следственного комитета РФ)

26 ИЮНЯ
Международный день в поддержку жертв пыток

NO TORTURE
ПРОТИВ ПЫТОК

Нижний Новгород,
ул. Грузинская, 75
www.pytkam.net



From August 19th to August 20th in Nizhny Novgorod INGO Committee against Torture organised training for practicing lawyers on the topic: "The practice of application of Articles 3, 5 and 6 of the European Convention and the national courts when applying to the ECHR». On November 7th similar training was held for the lawyers from Orenburg.



One of the training leaders, a PhD and legal assistant in the secretariat ECHR (2008 - 2011), Sergey Golubok said:

"I would like to encourage lawyers to try applying to the European Convention and the legal positions of ECHR, especially in the Russian courts and tell us what practical opportunities for that are available. I hope I was able to convey that message and lawyers will think of the European Convention not only as articles to use in the Strasbourg court, but also as an opportunity to win in the national court. I am sure that the regional court is "stronger" than the European one and in the first place you need to seek the truth in it. The regional court may set the person free or arrest him, and the European one can do neither one nor the other."

On August 29th a project presentation of the Interregional non-governmental organisation of the Committee against Torture took place under the name «Unveiled hall provides access to justice."

The project site was opened www.otkrytyzal.ru with an extensive electronic database and the ability to obtain all necessary information online. Also, the legal clinic started its work and everyone can get a free consultation from student-volunteers supervised by professional lawyers and teachers.



One of the means to increase legal literacy will be holding public lectures by professional lawyers. All the inhabitants of the city and region who wish to improve their knowledge in the field of protection of their rights will be invited. The Project programme also provides lectures and training for legal professionals and lawyers.

More than thirty human rights activists from across Russia took part in the seminar "Methods of public investigation of torture and other



cruel violations of fundamental human rights", organised by The Inter-regional non-governmental organisation of the Committee against Torture in Nizhny Novgorod on October 5th – 6th.

of the Committee and became the key to the success of the organisation.



During these two days, the participants got acquainted with the unique method for instigating a public inquiry, developed by human rights activists on the basis of ten years of experience of the organisation and its partners. As a part of the public inquiry, the Lawyers Committee conducted an independent investigation with the results used as admissible evidence in a formal investigation and then in a trial. A professional approach to solving legal problems on the protection of the rights and legitimate interests of citizens is a "business card" of the organisation. This approach was successfully implemented during the lifetime

"We hope that the participants will use our methodology for public investigation of human rights violations in their daily work on human rights, - **said one of the trainers, Committee against Torture lawyer, Anton Ryzhov.** - I think this will not be the last event. This time we were not able to invite everyone as there were too many applications, so there are some ideas on organisation of new training in Nizhny Novgorod and in other regions of Russia. In addition, there are plans to republish the manual on the methods of the public inquiry and the experience gained during the course will be used for further development and expansion of the book."



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The Committee against Torture is a Russian, not-for-profit organisation working in the field of human rights protection. The Committee now has the official status of an interregional public organisation. The Headquarters of the Committee against Torture is in Nizhny Novgorod but there are also representative offices currently in force in the Mari El Republic and the Republic of Bashkortostan. CAT also has an office in the Orenburg Region. Since 2009, works there is a coordinated by the Committee against Torture and the Joint Mobile Group of human rights activists (JMG) in the Chechen Republic; its employees are sent to Chechnya as volunteers to investigate human rights violations.

In 2000, the Committee was founded by several famous human rights activists, including the current head of the organisation, Igor Kalyapin, in Nizhny Novgorod, as a human rights organisation whose mission is the implementation of public control over the situation, concerning the problem of the widespread practice of torture and ill-treatment in Russia and to provide professional, legal and medical assistance to victims of torture. The main activity of the Committee for more than thirteen years has been:

- Legal work with complaints on torture, inhuman or degrading treatment carried out within the framework of a public inquiry on the treatment of the applicant;
- Representation in court and crime investigation offices;
- Assistance in obtaining compensation and, if necessary, conducting medical rehabilitation;
- Informative work on human rights with employees of law enforcement agencies and citizens.

Everything about our organisation and the latest news is on our official website
<http://www.pytkam.net>

Sign up for updates on our pages on social networks:

<http://www.facebook.com/KomitetProtivPytok>

<http://protiv-pytok.livejournal.com>

http://twitter.com/pytkam_net

http://vk.com/protiv_pytok

<http://www.youtube.com/ProtivPytok>

If you would like to help our organisation it can be done on our website under the link "Help Committee." In the field, enter the payment amount in roubles which you wish to donate to the activities of the Committee against Torture, and press "Pay".

Next, the system will offer you several options of online payment: through the terminal, an electronic purse, credit card, through the mobile operator, etc.

With your help we will be able to do more. Thank you.

