

PUBLIC

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UA 215/07

Medical concern

RUSSIAN FEDERATION

Rasul Kudaev (m), aged 29

Former Guantánamo detainee Rasul Kudaev, who has been held since 2005 at a pre-trial detention centre (SIZO) in the city of Nalchik in the Russian Republic of Kabardino-Balkaria, may have hepatitis and says he is not receiving any medical treatment. He has recently begun a hunger strike, which has exacerbated concerns for his deteriorating health.

After a visit to Rasul Kudaev on 28 July 2007, his lawyer told Amnesty International that his client's health was very poor. The lawyer reported that Rasul Kudaev's skin was a pale yellow, the whites of his eyes were also yellow and that he had complained of weakness and pain around his liver and in his lower back. According to Rasul Kudaev's mother, he has suffered for some time from disorders affecting his heart and liver. Rasul Kudaev himself believes that he has hepatitis. Prison doctors have reportedly examined Rasul Kudaev, but have failed to inform him of the outcomes of these investigations and have refused his requests for medical treatment. He is not even allowed to receive medication sent to the SIZO by his relatives. Rasul Kudaev's lawyer, in a letter to the Prosecutor General of the Russian Federation, has noted that his treatment violates Russian law and international human rights law and standards.

In addition, on 10 August, Rasul Kudaev has claimed that he and other inmates were beaten by masked men in the yard of the SIZO. Reportedly, Rasul Kudaev wished to file a complaint about his treatment, but then went on hunger strike following the failure of the authorities to properly follow the prison complaints process. Rasul Kudaev is thought to have begun the hunger strike on 10 August.

Rasul Kudaev was held without charge in US custody at Guantánamo Bay, Cuba, between 2002 and 2004, before being released and returned to Russia. On 23 October 2005 Rasul Kudaev was arrested on suspicion of organizing terrorist attacks on government installations in Nalchik on 13 October 2005. He was allegedly tortured following his arrest, when he was detained at the department of the Organized Crime Squad (UBOP) in Nalchik, before being transferred to the SIZO. Amnesty International has seen photographs, eyewitness testimony and official documents that provide evidence to support the allegations of torture. His case is a vivid illustration of the common practice by the Russian police of torturing or otherwise ill-treating detainees to extract confessions during an investigation and the failure of the authorities to investigate such incidents. For more information, see UA 280/05 (EUR 46/041/2005, 27 October 2005), and follow-up.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in **Russian, English** or your own language:

- expressing concern at reports that Rasul Kudaev's health is deteriorating and that he is not receiving the medical treatment he needs;
- urging that Rasul Kudaev receives all necessary medical care, including transfer to hospital if necessary, in accordance with provisions set out in the UN Standard Minimum Rules for the Treatment of Prisoners;
- urging the authorities to immediately investigate allegations of torture and other ill-treatment of detainees at the SIZO in Nalchik, especially concerning the reports of inmates being beaten on or around 10 August 2007.

APPEALS TO:

Yuri CHAIKA

Prosecutor General of the Russian Federation

Ul. B. Dimitrovka 15a

125993 Moscow, Russian Federation

Salutation: Dear Prosecutor General

Rashid NURGALIEV

Minister of Internal Affairs

Ul. Zhitnaia, 16

119049 Moscow, Russian Federation

Fax: +7 495 237 49 25

Salutation: Dear Minister

COPIES TO:

Vladimir LUKIN
Ombudsman for Human Rights
47 Ulitsa Miasnitskaia
107084 Moscow, Russian Federation
Fax: +7 495 207 7470
E-mail: press-sl@ropnet.ru

Oleg ZHARIKOV
Prosecutor of Kabardino-Balkaria
Ul. Kuliev 16
360000 Nalchik, Russian Federation
Fax:+7 8662 477 442 (say: fax please)

Vladimir USTINOV
Minister of Justice
Ul. Zhitnaia, 14
119991 Moscow, GSP-1, Russian Federation
Fax: + 7 495 955 5779

and to diplomatic representatives of the Russian Federation accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 2 October 2007.*****