

URGENT ACTION

PRISONER REQUIRES URGENT MEDICAL TREATMENT

Amur Khakulov is currently awaiting an appeal hearing against a 20 year prison sentence. He is in the pre-trial detention centre SIZO-1 in Nalchik, Kabardino-Balkaria Republic, south of Russia. He is suffering from a chronic kidney disease and is being denied appropriate medical treatment. His life is at risk.

Amur Abubovich Khakulov, a former orphanage inspector, was sentenced to 20 years in a high security penal colony following an unfair trial in connection with the 2005 armed attack on Nalchik. Amur Khakulov has been held in pre-trial detention centre SIZO-1 since his arrest in 2005. According to his family, he has developed chronic kidney disease while in detention. If this is not treated, it may result in death. Amur Khakulov's family is concerned that his creatinine level is constantly increasing (elevated levels signify impaired kidney function or kidney disease) and may lead to him falling into a coma. He also has very high blood pressure and very swollen feet.

The medical personnel in SIZO-1 have twice applied for Amur Khakulov to be placed under a restraining measure different from detention and that would allow access to appropriate medical treatment. Both requests have been refused. They also applied for Amur Kahkulov to be put on dialysis. However, this was also refused. According to Amur Khakulov's family, the medical board (consisting of senior regional health officials) ruled that dialysis could only be provided if one of his kidneys failed. Following requests from Amur Khakulov's wife, the head of SIZO-1's medical unit made an application for Amur Khakulov to receive free of charge the medication necessary for patients in such serious conditions. Without the approval of this application the medication would be prohibitively expensive for Amur Khakulov's family. The regional Ministry of Health eventually granted this request but Amur Khakulov will only start receiving the medication in January 2016. His family fears this may be too late.

Please write immediately in Russian or your own language to the Russian authorities:

- Expressing grave concern at reports that Amur Khakulov has no access to the necessary medical treatment he urgently requires, and that this puts his life at risk;
- Pointing out that the UN Standard Minimum Rules for the Treatment of Prisoners require that "sick prisoners who require specialist treatment ... be transferred to specialized institutions or to civil hospitals" (para. 22 [2]);
- Calling for Amur Khakulov to be released early on medical grounds if the immediate provision of the necessary medical treatment cannot be arranged.

PLEASE SEND APPEALS BEFORE 5 NOVEMBER 2015 TO:

Director of Federal Penitentiary Service

Gennady A. Kornienko
ul. Zhitnaya, 14
119991, Moscow, GSP-1
Russian Federation
Fax: +7 495 982 19 50

**Salutation: Dear Director of the
Federal Penitentiary Service**

Prosecutor General

Yurii Y. Chaika
Prosecutor General's Office
ul. B. Dmitrovka, d.15a
125993 Moscow GSP- 3
Russian Federation
Fax: +7 495 987 58 41
+7 495 692 17 25

Salutation: Dear Prosecutor General

And copies to:

Prosecutor of Kabardino-Balkaria

Oleg O. Zharikov
Office of the Prosecutor of KBR
Pr. Kulieva, 16
Nalchik 360030, Kabardino-Balkaria
Russian Federation
Fax: +7 8662 47 74 42 (say "FAX")
Email: prokkbr@mail.ru

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

On 23 December 2014, the Supreme Court of Kabardino-Balkaria delivered the verdict in the trial of 57 men accused of participating in the armed attack on Nalchik in October 2005. By that time most of the defendants had spent over nine years in detention. The trial started in April 2008 and lasted for over six years, and was riddled with numerous violations of fair trial principles, including consistent failure to address credible allegations of torture made by several defendants. The court found all 57 defendants guilty giving life sentence to five defendants, releasing three defendants as they had already served their sentences and giving the rest various terms of imprisonment - from 10 to 23 years - in high security penal colonies. Most of the defendants insist that they were not guilty and are appealing their sentences. Amnesty International has repeatedly raised concerns in connection with serious human rights violations in this case, including the use of torture and other ill-treatment and denial of necessary and urgent medical treatment to several co-defendants.

Initially, 59 men were standing trial but two of them died while the trial was ongoing. Another defendant, Sergei Kaziev, died on 21 August after almost three months on hunger strike in protest against his sentence and his detention conditions. Similarly to many of his co-defendants, Sergei Kaziev complained of torture and other ill-treatment during the investigation intended to extract "confessions". While in detention he developed cirrhosis and diabetes and in 2011, after repeated requests from his lawyers and following other detainees going on hunger strike in support, he was put under house arrest. Despite Sergei Kaziev's health being very poor, when he was finally sentenced to 14.5 years in prison he was immediately taken into custody. Sergei Kaziev's hunger strike was in demand for transfer to a penal colony where conditions would be less harsh than in SIZO-1.

Standards for the provision of medical care are set out in a number of international documents. In particular, Rule 22(2) of the UN Standard Minimum Rules for the Treatment of Prisoners provides for the transfer of sick prisoners who require specialist treatment to specialized institutions or civilian hospitals.

The importance of provision of medical care in places of detention is further reiterated in the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment. Principle 24 states that medical care and treatment shall be provided whenever necessary [to a detained or imprisoned person] free of charge. More detailed criteria were developed by the European Committee for the Prevention of Torture (CPT) in its 3rd General report. In particular, paragraph 38 states that "a prison health care service should be able to provide medical treatment and nursing care ... in conditions comparable to those enjoyed by patients in the outside community."

The European Prison Rules of the Council of Europe states in paragraph 40.5 that "All necessary medical, surgical and psychiatric services including those available in the community shall be provided to the prisoner for that purpose". Moreover, paragraph 46.1 states that "Sick prisoners who require specialist treatment shall be transferred to specialised institutions or to civil hospitals, when such treatment is not available in prison." Russian legislation contains a number of regulations describing standards of medical healthcare for prisoners and cases when prison sentences could be exchanged for other measure of restraint due to a prisoner's poor health.

The denial of medical care could be considered to be torture or other ill-treatment.

Name: Amur Abubovich Khakulov
Gender m/f: m