

RUSSIAN FEDERATION Viktor Fyodorovich Andreyev

Viktor Andreyev, who has been held for three years in the Moscow pre-trial detention centre "Matrosskaya Tishina", is according to his lawyer being deliberately denied medical treatment although he is reportedly near death due to tuberculosis.

Viktor Andreyev was arrested three years ago while serving in the Russian army in Chechnya, for the murder of his commanding officer, who had allegedly repeatedly abused and tortured him and other conscripts. Viktor Andreyev attempted to desert twice during the conflict, and was allegedly subjected to torture and ill-treatment each time he was returned to the army. According to his lawyer, the Russian military justice authorities want to avoid bringing the case to court to avoid a precedent-setting verdict of manslaughter in self-defence, rather than murder.

Viktor Andreyev has reportedly not been allowed a visit by members of his family or a lawyer of his choice during his time in detention.

BACKGROUND INFORMATION

Principle 2 of the UN Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment states that "a proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention or imprisonment, and thereafter medical care and treatment shall be provided whenever necessary".

Prompt access to a defence lawyer of one's choice is recognised as an essential safeguard in international standards. This is outlined in Principles 15, 17 and 18 of the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (Body of Principles) and Principle 7 of the UN Basic Principles on the Role of Lawyers.

Many observers believe that the Russian army today is a prison-like, GULAG-style institution, where soldiers are treated much like prisoners. Torture methods such as "torture by hunger", rape, beatings, and other humiliating and degrading punishments continue to be practised in the army.

The Organization of Soldiers' Mothers of St Petersburg submitted a report on torture in the armed forces to the United Nations (UN) Committee against Torture in October 1996, which stated that in 1996 alone they had been approached by 601 servicemen who had deserted their army units because they were subjected to torture and ill-treatment there. The report also states that "221 of these 601 soldiers were tortured; 34 were forcibly drafted to the army and 30 applied to the Soldiers' Mothers because they were either sent or feared to be sent to Chechnya (...) 57 servicemen were released from serving in the army by a court's decision based on their poor state of health as a result of torture".

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Russian, English or your own language:

- expressing serious concern about Viktor Andreyev's health condition and at the allegations that medical treatment is being denied him;
- urging that he be granted all necessary medical care or, if proper medical care is not available in "Matrosskaya Tishina", that Viktor Andreyev should be transferred to an environment where proper care can be received;

- urging the authorities to provide Viktor Andreyev immediate access to a lawyer of his choice;
- urging that he be allowed to receive visits by members of his family.

APPEALS TO: (Please note: Faxes are usually turned off out of office hours)

Chairman of the Military collegiate at the Supreme Court, N. Petukhov
Rossiskaya Federatsiya, 121069 g. Moskva, ul. Povarskaya d.15
Verkhovniy Sud, Predsedatelyu Voennoy kollegii
Generalu-polkovniku Petukhovu, N.

Telegrams: Generalu-polkovniku Petukhovu, Verkhovniy Sud, Moskva, Rossiya

Faxes: + 7 095 293 5584

Salutation: Dear Chairman

Chief Military Procurator of the Russian Federation, Yu. Dyomin
Rossiyskaya Federatsiya, g. Moskva 103160, pereulok Khul'zunova, 14
Prokuratura Rossiyskoy Federatsii, Glavnomu voyennomu prokuroru
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Telegrams: Glavnomu voyennomu prokuroru Dyominu, Moskva, Rossiya

Faxes: + 7 095 247 5019 (mark fax 'dlya glavno')

Salutation: Dear Chief Military Procurator

COPIES TO:

Foreign Minister of the Russian Federation, Ye. Primakov
Rossiskaya Federatsiya
g. Moskva 121200, Smolenskaya-Sennaya pl. 32/34
Ministerstvo inostrannykh del RF
Ministru Primakovu Ye.

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 August 1998.