



To: Health Professional Network  
From: Health and Human Rights Team  
Date: 16 April 2010

**Health Professional Action**  
**Denial of medical care for Rasul Kudaev**  
**Russian Federation**  
**(see also: EUR 46/019/2008, 15 May 2008)**

Amnesty International is seriously concerned about the health of Rasul Kudaev who, according to the latest reports from Memorial, a Russian human rights organization and his lawyer, is yet to receive a full medical examination by an independent doctor. Rasul Kudaev remains under trial accused of organizing terrorist attacks on government installations in Nalchik in 2005.

Rasul Kudaev's health deteriorated throughout 2008 and 2009 as a result of the lack of medical attention to his existing conditions and, allegedly, torture and ill-treatment while in detention. According to the reports, he suffers from chronic hepatitis, acute back pain, which was allegedly caused by ill-treatment while in detention, and problems with his stomach. The pre-trial detention centre (SIZO) claims that his hepatitis is in remission. According to reports, the medical records confirming the presence of hepatitis and other medical conditions were confiscated by the prosecution from his mother's house and have not yet been returned.

The reports claim that in December 2009 Rasul Kudaev said he was suffering severe back pain. It was reported that on the morning of his trial on 3 December 2009 Rasul Kudaev complained of feeling significantly worse: he had severe pains in the abdomen, and vomited blood and bile. Reportedly, the court did not react to this complaint and continued questioning witnesses, despite the fact that Rasul Kudaev had to be kept in a horizontal position during the hearing. Allegedly, only in the afternoon did a prison doctor arrive and examine Rasul Kudaev, describing him as "almost healthy", and stating that Rasul Kudaev could continue to participate in the hearing. However, later on the same day, doctors attached to the ambulance service examined Rasul Kudaev, and diagnosed him with an acute gastric ulcer and gastric haemorrhage. In spite of this diagnosis, Rasul Kudaev was not hospitalised. Reportedly, after having examined him again, SIZO staff argued that he did not need hospitalization: they did not provide any documentation that might support this conclusion and refused to provide medical help. However, Rasul Kudaev was subsequently given some treatment (details of which Amnesty International does not have).

Rasul Kudaev's family members say that they have been paying for all medical treatment for him, including the cost of medication and syringes. Also according to them, SIZO has a contract with a specific medical

centre and they have to pay for every medical examination undertaken. They have not been permitted to allow for an examination by Rasul Kudaev's own doctor.

Amnesty International remains concerned that Rasul Kudaev is in need of an independent medical examination and calls on the prison authorities to ensure that he receives full and immediate access to medical care according to the Standard Minimal Rules for the Treatment of Prisoners. Amnesty International is also calling on the prison authorities to cover the costs of such treatment as required by the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment (Principle 24).

### **Torture and ill-treatment**

Rasul Kudaev was held without charge in US custody at Guantánamo Bay, Cuba, between 2002 and 2004, before being released uncharged 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 offices 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. For more information, see UA 280/05 (EUR 46/041/2005, 27 October 2005), UA 215/07 (EUR 46/035/2007, 21 August 2007) and follow-ups.

### **Background**

Amnesty International regularly receives reports of torture or other ill-treatment in places of detention across the Russian Federation (including in prison colonies) and of the frequent failure of the authorities to investigate such allegations and to bring those found responsible to justice. In February 2007, the UN Committee against Torture expressed its concern regarding the inadequate health care provided to people in pre-trial detention centres and prison colonies.

### **Recommended action**

Please write to the Russian authorities below:

- explaining that you are a health professional concerned about human rights;
- expressing concern at reports that Rasul Kudaev is not receiving adequate medical treatment,
- urging the authorities to ensure that Rasul Kudaev receives medical evaluation and care, including access to an independent doctor as per the UN Standard Minimum Rules for the Treatment of Prisoners and the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment;
- urging the authorities to ensure that he receives full and immediate access to the necessary medical care, in accordance with provisions set out in the United Nations Standard Minimum Rules for the Treatment of Prisoners;
- calling on the authorities to cover the costs of such treatment as required by the United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment

### **Addresses**

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Please also send copies to diplomatic representatives of the Russian Federation accredited to your country.

If you receive no reply within six weeks of sending your letter, please send a follow-up letter seeking a response. Please send copies of any letters you receive to the International Secretariat, attention of Health and Human Rights Team, 1 Easton Street, London WC1X 0DW or e-mail: [health@amnesty.org](mailto:health@amnesty.org)