

URGENT ACTION

PRISONER MUST REMAIN HOSPITALISED POST-SURGERY
24-year old detainee Ibragim Yangulbaev is gravely ill and was being denied essential post-surgery health care in pre-trial detention until 28 July when he was hospitalised. He must be allowed to stay in hospital until full recovery.

On 11 July, in critical condition and experiencing extreme abdominal pain, 24-year old detainee **Ibragim Yangulbaev** was taken to Zavodskoy Court in Grozny, the Chechen Republic, where his criminal case was being heard. An ambulance was called to the court, whereupon Ibragim Yangulbaev was diagnosed with "acute appendicitis" and told immediate hospitalisation was essential. The judge filed an appeal to support his hospitalisation but the court bailiffs refused to comply with the order and transferred him back to pre-trial detention centre 1 (SIZO), where he has been held on charges of "incitement of hatred or enmity" (Article 282 of the Russian Criminal Code) since May 2017.

Several hours later, Ibragim Yangulbaev was taken to hospital where he underwent emergency surgery. The doctors stated that a delay of one more day could have cost Ibragim Yangulbaev his life, as he had developed an abscessed gangrenous appendicitis, attributed to the failure to grant him adequate and timely medical care. The doctors also warned that Ibragim Yangulbaev could have further complications following what was a complex operation. Despite the doctors' advice, on 20 July Ibragim Yangulbaev was taken back to his cell where he was denied access to his prescribed antibiotics, intravenous drip and special diet, all of which doctors said he required to recover. He was also severely dehydrated as tap water in the SIZO is not potable and he was not provided with drinking water. The only care he received was the changing of his bandages.

On 27 July, the independent Russian newspaper *Novaya Gazeta* reported on Ibragim Yangulbaev's critical health condition. Shortly after the article was published, Russian Ombudswoman Tatiana Moskalkova contacted the head of the Penitentiary Service of Chechnya, and on the night of 28 July Ibragim Yangulbaev was returned to hospital. Tatiana Moskalkova was assured that he would stay in hospital until his full recovery. However, it was reported that Ibragim Yangulbaev was told that he would be kept there only until 30 July, after which he would be taken back to the SIZO. At the time of writing, he remains hospitalised. Amnesty International is concerned that the SIZO is not equipped to provide essential care for Ibragim Yangulbaev's condition. The UN Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) require that "sick prisoners who require specialist treatment ... be transferred to specialised institutions or to civil hospitals" (para. 27 [1]).

Please write immediately in Russian or your own language:

- Urging the Russian authorities to ensure that Ibragim Yangulbaev has access to timely and adequate health care, in line with what his doctors prescribed, and remains in an external specialised hospital until he has fully recovered;
- Urging the Russian authorities to ensure that Ibragim Yangulbaev's right to fair trial is not violated.

PLEASE SEND APPEALS BEFORE 12 AUGUST 2018 TO:

Head of UFSIN for the Chechen Republic

Anzor Akhmetovich Iriskhanov
 ul.Kunta-Khadzhi Kishieva, 1
 364037 Grozny, Republic of Chechnya
 Russian Federation
 Email: ufsinchechnya@mail.ru
Salutation: Dear Prosecutor

Prosecutor of the Chechen Republic

Sharpudi Muaidovich Abdul-Kadyrov
 ul.Idrisova, 42,
 Grozny, Republic of Chechnya
 Russian Federation
 Fax: +7 8712 22-33-56
 Email: procurat-chech@mail.ru
Salutation: Dear Prosecutor

And copies to:

Human Rights Ombudsperson of the Russian Federation
 Tatiana Moskalkova
 ul. Miasnitskaia, 47
 107084, Moscow
 Russian Federation
 Fax: +7 495 607 7470 / +7 495 607 3977

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

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

**AMNESTY
 INTERNATIONAL**



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ADDITIONAL INFORMATION

Ibragim Yangulbaev first relayed complaints about severe abdominal pains on 2 July, to the head of the medical unit in SIZO. However, his complaint was ignored and his condition deteriorated in the following days. An ambulance was eventually called and doctors diagnosed him with appendicitis and recommended immediate hospitalisation. The SIZO authorities and the head of the SIZO rejected this recommendation, claiming that Ibragim Yangulbaev was “simulating”.

Ibragim Yangulbaev is accused under Article 282 of the Russian Criminal Code (“incitement of hatred or enmity”) towards the Russian military, for publishing photographs of civilians killed during the first and second Chechen wars on his profile page on social network *Vkontakte*. The prosecution however has yet to provide any credible evidence of guilt. Instead, at every hearing, the prosecutor has, reportedly, accused Ibragim Yangulbaev of criticism of the Chechen authorities and claimed that Ibragim Yangulbaev called for protest actions in Chechnya like those conducted by the Russian opposition leader Alexey Navalny.

In Chechnya, Chechen authorities have created an atmosphere of fear where impunity is rife. Any critical comment or action that could be perceived as criticism of the Chechen leadership could cost a person his or her freedom and sometimes his or her life. In addition, according to *Novaya Gazeta*, Chechen leadership has issued an unofficial order to treat more severely those accused of terrorism-related offenses, extremism, drug possession and dangerous driving leading to death.

Ongoing inadequate provision of healthcare in places of detention in Russia has been repeatedly raised by national and international NGOs, and by intergovernmental bodies, including at the most recent 64th session of the UN Committee Against Torture. The European Court of Human Rights (ECtHR) has ruled on several occasions that governments have an obligation to ensure that “detainees are held in conditions which are compatible with respect for human dignity” and that “their health and well-being are adequately secured, through, among other things, requisite medical assistance” (*Kudła v. Poland*, § 94). The Court also ruled that depending on the circumstances of the case a lack of appropriate medical care for persons in detention can fall under the State’s responsibility under Article 3 (“Torture”) of the European Convention on Human Rights.

Name: Ibragim Yangulbaev

Gender m

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