

PUBLIC

AI Index: EUR 46/009/2008

15 February 2008

Further Information on UA 13/08 (EUR 46/002/2008, 18 January 2008) Health concern /unfair trial

RUSSIAN FEDERATION **Vasilii Georgievich Aleksanian (also spelled as Vasily Alexanyan), (m) aged 36**

Vasilii Aleksanian, who suffers from lymphatic cancer, tuberculosis and AIDS, was transferred from a detention facility to hospital on 8 February. His family and lawyers were not told where he was moved to. Although his lawyers were subsequently able to find out where he was being treated, neither they nor his relatives have been allowed to visit him.

Lawyer Vasilii Aleksanian, a former vice-president of the Russian oil company YUKOS, was detained on 6 April 2006 and has been kept in pre-trial detention in Moscow since then, awaiting trial for embezzlement and tax fraud. He and his lawyer claim that he did not receive appropriate medical treatment, including antiretroviral drugs, while in detention.

On 27 November 2007, the European Court ordered the Russian authorities to transfer him to a specialist hospital and to inform the Court about the treatment he has received so far.

Preliminary hearings in his case started on 30 January 2008 at the Simonovskii District Court in Moscow. On 4 February the court allowed a medical commission to examine Vasilii Aleksanian. The commission reportedly found he needed urgent in-patient treatment. On 6 February a judge at the Simonovskii Court decided to halt the hearing because of poor health of Vasilii Aleksanian but accepted the request of the prosecutor's office not to release Vasilii Aleksanian.

According to Vasilii Aleksanian's lawyers, he is being guarded in hospital by law enforcement officials, who are refusing to let his lawyers and family see him. The refusal to allow access to his lawyers is in violation of Russian law and international human rights standards. The Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment also states that detainees shall have the right to be visited by members of their family. The right to have access to relatives for detainees is also protected under international standards. The guards claim that the head of the pre-trial detention centre where Vasilii Aleksanian was held (known as Pre-Trial Detention Centre No. 1, or Matrosskaia Tishina), has to provide permission for this access. This permission has not been given so far. At the same time, the Federal Service for the implementation of punishment, who are in charge of the detention centre, announced it was up to the doctors to allow access to Vasilii Aleksanian.

There is no news on the health of Vasilii Aleksanian, nor on the kind of medical treatment he is receiving.

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

- noting that Vasilii Aleksanian has been transferred to a hospital;
- expressing concern for the health of Vasilii Aleksanian;
- calling on the authorities to comply with the European Court of Human Rights' ruling that all necessary action should be taken to safeguard the health of Vasilii Aleksanian, and to inform the Court about his treatment;
- urging the authorities, particularly at the pre-trial detention centre No.1 (Matrosskaia Tishina), to provide Vasilii Aleksanian with access to family and lawyers.

APPEALS TO:

Firket Tagiev
Director
Pre-trial detention centre No. 1
Ul. Matrosskaia Tishina, 18
107076 Moscow
Russian Federation

Salutation: Dear Director

Minister of Justice of the Russian Federation
Vladimir Vasilievich Ustinov
Ministry of Justice of the Russian Federation
Ul. Zhitnaia 14
119 991 Moscow GSP1
Russian Federation

Fax: + 7 495 955 57 79

Salutation: Dear Minister

COPIES TO:

Yurii Yakovlevich Chaika
Prosecutor General of the Russian Federation
Office of the Prosecutor General of the Russian Federation
Ul. Bolshaia Dmitrovka 15a
125 993 Moscow
Russian Federation

Fax: +7 495 692 1725 (fax may be switched off outside of office hours (three hours ahead of GMT))

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 28 March 2008.