

Web Action WA 05/06

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Title

Medical care for ex-Guantánamo prisoner, allegedly tortured in Russia

Summary for torture homepage

Former Guantánamo prisoner Rasul Kudaev suffers from serious health problems and has allegedly been subjected to beatings and electric shock treatment in detention in Russia. Russian authorities must provide adequate medical care and ensure an independent investigation into the allegations.

Read more about Rasul Kudaev and take action on his behalf.

Web clip

Listen to Fatimat Tekaeva, mother of Rasul Kudaev

<http://web.amnesty.org/library/Index/ENGEUR460612005?open&of=ENG-RUS>

Feature

In October 2005, former Guantánamo detainee Rasul Kudaev was arrested on suspicion of participation in an armed raid against government installations in Nalchik, Russia, although his family claimed he was not involved in the attack. He is believed still to be held in pre-trial detention in Piatigorsk, charged with terrorism-related offences.

Rasul Kudaev reportedly has a bullet in his spine and he reportedly suffers from disorders affecting his heart, liver and skull that allegedly developed during his detention by the US authorities in Guantánamo Bay. It is unclear whether Kudaev has had any access to his medication since October. His mother has allegedly succeeded on two occasions only in handing over his medication, but she appears not to know if he received it.

The state-appointed lawyer, Irina Komissarova, was replaced by another lawyer after she filed a complaint that Rasul Kudaev had been subjected to torture and other ill-treatment, including beatings and electric shocks, in detention in Russia. Rasul Kudaev was reportedly forced to sign a record of his interrogation after having been tortured and being no longer fully conscious. The family are said to be trying to find an independent lawyer who would be willing to represent him.

A recent report by Amnesty International reveals that so called "war on terror" detainees, whether or not they were ever charged or tried, often return home to face more stigma and abuse, such as harassment, arbitrary arrest and ill-treatment. According to another Russian ex-Guantánamo detainee, Airat Vakhitov, the Russian

security services now feel they have the "moral right" to arrest him and the other returned Guantánamo detainees at random.

Take action now!

Web action

Former Russian Guantánamo detainee Rasul Kudaev, who suffers from disorders affecting his heart and liver, has allegedly been tortured and otherwise ill-treated in detention in Nalchik, Russia. His state-appointed lawyer Irina Komissarova was removed from the case after she filed a complaint that Rasul Kudaev had been subjected to torture and other ill-treatment, and the family have been so far unable to find another lawyer.

Rasul Kudaev reportedly has a bullet in his spine and suffers from serious health problems, allegedly in part due to his time in US detention. He must be given immediate and all necessary medical care and access to his family and to a lawyer of his choice.

There must be an independent and impartial investigation into allegations that Rasul Kudaev and other detainees in Nalchik have been tortured, with those found responsible brought to justice in accordance with international standards.

Rasul Kudaev must be treated according to international standards relating to detention and criminal investigations. No statement extracted under duress or torture should be used as evidence in any proceedings.

Find out more about the case of Rasul Kudaev

Take action!

Write to Russian authorities:

- Urging that Rasul Kudaev be allowed access to an independent medical examination, and to his family, insisting that he receives all necessary medical care in accordance with the UN Standard Minimum Rules for the Treatment of Prisoners;
- Reminding the authorities of their obligation to respect international treaties, which prohibits torture and other ill-treatment and prevent statements extracted under duress or torture from ever be used as evidence in any legal proceedings against the victim;
- Calling on them to ensure that Rasul Kudaev is charged with a recognizably criminal offence and receives a full and fair trial or is released immediately, and that he has access to a lawyer of his choice.

Letter

Dear Mr xxxx,

I am deeply concerned at reports about Rasul Kudaev's treatment. He has been detained since October 2005 on suspicion of participation in an armed raid in and near the city of Nalchik and reportedly currently held in Piatigorsk.

There are reports that he has been beaten and tortured repeatedly during interrogation. Russian authorities are obliged to respect national and international law which prohibit torture and other ill-treatment. An independent and impartial investigation into allegations that Rasul Kudav and other detainees in Nalchik have been tortured must be promptly conducted, with those found responsible brought to justice in accordance with international standards. Under national and international law, no statement extracted under duress or torture can ever be used in criminal proceedings, except against a person accused of torture as evidence that the statement was made.

His state-appointed lawyer Irina Komissarova has been removed from the case after she filed a complaint that Rasul Kudaev had been tortured. Rasul Kudaev must be given free and competent legal assistance by a lawyer of his choice.

Rasul Kudaev reportedly suffers from serious health problems affecting his heart, liver and skull. He must be given immediate and all necessary medical care in accordance with UN Standard Minimum Rules for the Treatment of Prisoners. He should be allowed access to a doctor who can carry out an independent medical examination, and to his family.

And finally, I ask your government to ensure that Rasul Kudaev is charged with a recognizably criminal offence and receives a full and fair trial or is released immediately.

Thank you for your attention to this urgent matter.

Yours sincerely,
