

REPORT

By the Civic Assistance Committee

**On the situation of Chechen Republic and Republic of Ingushetia residents
in the Russian penal system, September 2011 to August 2014**



September 2014, Moscow

The Civic Assistance Committee (Grazhdanskoe Sodeistvie) of Moscow and Secours Catholique - Caritas France, with the support of the European Commission



With material from the project
“Protecting the rights of the residents of the Chechen and Ingush Republics who are serving the sentence in the penal system institutions and who are under investigation in institutions of confinement”
by the Civic Assistance Committee

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Abbreviations in the text:

In alphabetical order

Committee/CAC: Civic Assistance Committee (*Komitet «Grazhdanskoe Sodeistvie»*)

CR: Chechen Republic

FKU: Federal prison (*Federal'noe kaznnoe uchrezhdenie*)

FSB: Federal Security Service (*Federal'naya sluzhba bezopasnosti*)

FSIN: Federal Penitentiary Service (*Federal'naya sluzhba ispolnenie nakazaniia*)

IK: Correctional colony (*Ispravitel'naya koloniya*)

IU: Carceral institution (*Ispravitel'noe uchrezhdenie*)

LIU: Medical correctional institution (*Lechebnoe ispravitel'noe uchrezhdenie*)

PIU: Psychiatric Inpatient Unit

PMC: Public Monitoring Commission (ONK, *Obshchestvennaya nabliudatel'naya komissiya*)

RI: Republic of Ingushetia

SIZO: pre-trial detention center —also called “investigative isolator” (*Sledstvennii izoliator*)

UIK RF: Penal Code of the Russian Federation (*Ugolovno-ispolnitel'nii kodeks*)

UIS: Penal system (*Ugolovno-ispolnitel'naiia sistema*)

UK RF: Criminal Code of the Russian Federation (*Ugolovnii kodeks*)

Note:

The Russian penitentiary system classifies in-prison punitive measures in several types. These sites are typically located in a separate prison building. Several are mentioned in this report:

EPKT: Solitary penal ward (*Edinoe pomeshchenie kamernogo tipa*)—up to one year

PKT: Penal ward (*Pomeshchenie kamernogo tipa*)—up to two months

ShIZO: Disciplinary isolation (*Shtrafnoi izoliator*)—up to fifteen days

SUS/SUON: Strict detention conditions (*strogie usloviia sodержaniia/otbyvaniia nakazaniia*)

Introduction

On the situation of the Chechen Republic and Republic of Ingushetia residents in the RF penal system, September 2011 to August 2014

The present report is intended to comprehensively examine adherence to the rights of Chechen Republic and Republic of Ingushetia residents in carceral facilities of the Russian Federation, and to draw attention to the most urgent problems in the implementation of their rights.

The goal of the report is to provide information to the public detailing the carceral punishment of Chechen Republic and Republic of Ingushetia (henceforth, CR and RI) residents, during the reporting period of September 2011 to August 2014. It aims to describe measures taken to prevent torture of and discrimination against CR and RI residents in carceral facilities, the legal defense of victims, and problems—which preexist or arose during the reporting period—of compliance with Russian law or international acts.

This report has its origins in the work of the Civic Assistance Committee concerning the protection of the rights of CR and RI residents in the penal system. From September 2011 to August 2014, Committee staff received and verified accounts of abuses of the rights of CR and RI residents in the Russian penal system, and identified and analysed the reasons for ineffectual investigation into violations of the rights of prisoners of this type. Lawyers on the project have led public investigations into allegations from relatives and the convicts themselves, representing their legal interests to the national authorities and to the European Court of Human Rights. Thanks to the Committee's project, convicted CR and RI residents and their relatives have been able to make an impact on discriminatory policy that has arisen in several Russian facilities, by publicising cases of cruel, degrading, and unconstitutional treatment.

Accounts collected in the course of the work of the Civic Assistance Committee have been used in preparing this report, as has information provided by Russian human rights and non-governmental organisations and the Public Monitoring Commissions (ONK) of several regions; data made public by governmental agencies; and information published in the mass media.

To protect their safety, the names of some prisoners have been changed.

1. The matter at hand

Why was our pilot project, which forms the basis of this report, devoted specifically to CR and RI residents? Without a doubt, violations of the rights of CR and RI residents in the carceral system are a constituent problem of a broader problem of prisoners' rights in Russia.

That said, CR and RI residents serving penal sentences under incarceration have especially often reported violations of their rights to the Civic Assistance Committee and other human rights organisations. In part, this relates to the fact that from our time working with the victims of the two Chechen wars, we have especially close relations with the residents of these two subjects of the Russian Federation. This has made it possible for us to form a comprehensive picture of the violations that characterise the Russian carceral system for this particular population.



However, the situation in detention of this population has its own peculiarities:

- First, many participants in the two Chechen wars have wound up incarcerated. They have been and continue to be subject to the most hostile treatment.
- Second, as a result of general lack of understanding of the needs of convicts who profess Islam, they have been discriminated against on religious and ethnic grounds.

Human rights organisations that focus their activities on the defence of prisoners' rights note that a large number of people who took part in the war in the CR work in the carceral system. Many of them are xenophobic, and conduct themselves extremely negatively toward those whom they took—and continue to take—as their enemies. Military operations incurred psychological trauma on participants from both sides on the conflict, and all received a powerful charge of aggression. Psychological rehabilitation of participants in the conflicts either did not take place at all, or was not carried out at an adequate level—this is in itself a serious problem. Its consequences are clearly visible in peacetime. The juxtaposition in the carceral system of former potential adversaries, one subordinate to the other, creates a situation of potential threats of violence toward convicted Chechens and (the ethnically close) Ingush.

A look at the cases in progress with the Civic Assistance Committee and other human rights organisations shows that, most often of all, CR and RI residents speak out about torture and abusive treatment by correctional agency employees. Human rights organisations note an increase in the number of such complaints in the last few years, and know of cases of abusive treatment with tragic consequences.

An additional difficulty for CR and RI residents serving penal sentences is in the fact that they are always taken to carceral facilities located thousands of kilometres away from their homes. In fact, in all of the CR there is one small correctional colony (IK-2) in Chernokozovo, to which Chechen convicts are rarely assigned. In the RI there are no correctional colonies at all. Relatives of the convicted often do not have the means to travel to meet them where they are incarcerated, which completely deprives them of their right to private life.

Regular violations of the right of Muslim prisoners to practice their faith is of particular concern. Employees of the carceral system, prosecutors, and courts fail to understand the essence of this issue, and reject grievances on this matter.

Medical service in the FSIN system in general is inadequate, but cases have been noted of obvious discrimination, when the complaints of poor health of CR and RI residents have been repeatedly ignored, leading to irreversible consequences and the deaths of prisoners in custody.

Courts refuse to release critically-ill imprisoned CR and RI residents from custody or from sentencing at the time of a serious illness, despite the fact that medical evaluations confirm that they have illnesses that prescribe release. The individuals continue to be kept in conditions unsuited to their needs, and without the minimum indispensable care.

Carceral authorities are not equipped to manage people with physical disabilities. In practice, these prisoners suffer from serious difficulties, and are practically deprived of access to regular exercise, bathing, social activities, etc.; they find themselves without assistance e.g. to perform indispensable hygienic procedures, as their movement within the prison depends on third parties.

One of the ways pressure is exerted on CR and RI residents in the carceral system is by transfer to disciplinary isolation (ShIZO), penal wards (PKT), and others, on contrived pretences. Under such conditions, the medical examination prior to internment in isolation is a formality, and convicts are interned regardless of their physical health, sometimes spending years in critical condition in isolation, without rights to meetings, phone calls, transfers, etc. At times, their health is irretrievably harmed.

Controlling and supervisory agencies maintain established standards when considering grievances to the authorities from CR and RI residents of torture, abusive treatment on ethnic grounds, isolation measures, measures of containment under incarceration¹: they request information and documents from the institution, evaluate these documents, and prepare a response, which as a rule denies that a violation took place. This establishes the conditions for such behaviour to take place with impunity. Under these circumstances, the mechanism of state protection of the rights of prisoners is ineffective. Prisoners who filed complaints about abuse of their rights subsequently refuse to uphold their grievances, for fear of reprisals, the initiation of new penal cases against them, etc. It must be noted that these fears are justified, insofar as no one can assure the safety of these prisoners.

¹i.e., transfer to disciplinary isolation (ShIZO), penal wards (PKT), solitary penal wards (EPKT), and others.

In recent years, the institution of Public Monitoring Commissions (ONK) has been developed. In close co-operation with them, the Committee has conducted work for public control and defense of the rights of CR and RI residents under investigation or serving sentences.

2. Legal considerations

governing the detention of CR and RI residents in carceral establishments

Upon its accession to the Council of Europe, Russia took on obligations, consequent to international human rights and citizenship legislation as well as specialised international rules on the treatment of convicts under various types of sentences. Therefore, the legal status of prisoners from CR and RI—like that of all other prisoners—is first of all governed by the European Prison Rules, the European Convention for the Protection of Human Rights and Fundamental Freedoms, and our national legislative and normative acts: The Constitution of the Russian Federation, the Penal Code of the Russian Federation (UIK RF), the Federal Law (FZ-103 of 15 July 1995) on the Custody of Persons Suspected and Accused of Committing a Crime, internal procedure rules of pre-trial detention centres (SIZOs) and carceral facilities, and others.

European Prison Rules

Freedom of thought, conscience, and religion:

29.1. Prisoners' freedom of thought, conscience, and religion shall be respected.

29.2. The prison regime shall be organised so far as is practicable to allow prisoners to practise their religion and follow their beliefs, to attend services or meetings led by approved representatives of such religion or beliefs, to receive visits in private from such representatives of their religion or beliefs and to have in their possession books or literature relating to their religion or beliefs.

29.3. Prisoners may not be compelled to practise a religion or belief, to attend religious services or meetings, to take part in religious practices or to accept a visit from a representative of any religion or belief.

Constitution of the Russian Federation

The Constitution forbids discrimination of any form whatsoever on the basis of nationality, and guarantees equality irrespective of nationality, language, ancestry, religion, and so forth.

Chapter 2, article 19:

1. All people shall be equal before the law and court. 2. The State shall guarantee the equality of rights and freedoms of man and citizen, regardless of sex, race, nationality, language, origin, property and official status, place of residence, religion, convictions, membership of public associations, and also of other circumstances. All forms of limitations of human rights on social, racial, national, linguistic or religious grounds shall be banned. 3. Man and woman shall enjoy equal rights and freedoms and have equal possibilities to exercise them.

Chapter 2, article 26:

1. Everyone shall have the right to determine and indicate his nationality. No one may be forced to determine and indicate his or her nationality. 2. Everyone shall have the right to use his or her native language, to a free choice of the language of communication, upbringing, education and creative work.

Chapter 2, article 29:

2. The propaganda or agitation instigating social, racial, national or religious hatred and strife shall not be allowed. The propaganda of social, racial, national, religious or linguistic supremacy shall be banned.

Chapter 1, article 14:

1. The Russian Federation is a secular state. No religion may be established as a state or obligatory one. 2. Religious associations shall be separated from the State and shall be equal before the law.

Federal law “On the Custody of Persons Suspected and Accused of Committing a Crime”

(15.07.1995 No. FZ-103)

Chapter 1, Article 4: Principles of detention.

Detention shall take place in accordance with principles of legality and justice, the presumption of innocence, the equality of all citizens before the law, humanism, respect for human dignity; in accordance with the Constitution of the Russian Federation, principles and norms of international law as well as international agreements of the Russian Federation, and must not include torture or other acts with the goal of causing physical or mental suffering to those suspected or accused of committing a crime and being held in custody (henceforth: suspects and accused).
(in the amended version of 8 Dec 2003 No. 161-FZ)²

Penal Code of the Russian Federation (UIK RF)

Article 14, Guarantee of freedom of conscience and religious freedom of convicts:

1. Convicts are guaranteed freedom of conscience and religious profession. They have the right to practice any religion, or the right not to practice any religion, to freely choose, maintain, and disseminate religious beliefs, and to act in accordance with them.
2. Exercising the right to freedom of conscience and religious freedom is unrestricted, although it must not contravene the rules of order of the penitentiary establishment, nor infringe on the rights of other individuals.³

Thus, national law prescribes specific principles of freedom of conscience and religion, forbids discrimination on grounds of nationality, and pledges the equality of all, irrespective of nationality, language, ancestry, religion, and so forth.

However, all of these principles lack specific content; and particularly do not include guidelines on the specifics of the right of Muslims to freely practice their faith. In practice, this allows agents of the law to arbitrarily and restrictively interpret the legal provisions, which inevitably leads to violations of the right to religious freedom.

While the European Convention for the Protection of Human Rights and Fundamental Freedoms specifies that the right to “freedom of thought, conscience, and religion” is not absolute, any abrogation must be legally overseen, in service of a legitimate aim, proportional, and essential to democratic society.

In accord with the Convention and with the proceedings of the European Court of Human Rights, the right to freedom of religion induces a positive responsibility on the part of the state to guarantee or contribute to the realisation of this right, and not pose obstacles to its fulfillment.

² Unofficial translation

³ Unofficial translation

3. Statistical information

From year to year, the Committee continues to document incidence of torture, abusive treatment, and violations of the right to religious practice of CR and RI residents in the carceral system, and has registered an increase in complaints over the course of the reporting period. Torture and abusive treatment on xenophobic grounds or out of nationalist enmity remain systematic problems.



The Committee, of course, cannot compile complete Russia-wide statistics on the number of complaints of rights violations by CR and RI residents in the carceral system, the number of criminal cases initiated, or the number of employees in the carceral system convicted or prosecuted for responsibility in crimes or rights violations committed against CR or RI residents.

First of all, this is because the Committee and its partners in providing legal assistance to victims of torture do not work in all Russian regions in which Chechen and Ingush prisoners are held. Second, many grievances of torture do not reach the Committee, for a great variety of reasons.

Official statistics from the Prosecutor General, the Investigative Committee of the Russian Federation, the Federal Penitentiary Service (FSIN), and courts accessible to the public do not distinguish resolved cases from the general volume of grievances, audits, preliminary investigations, and legal findings of torture and abusive treatment of Chechens and Ingush.

On Pravo.Ru,⁴ only general statistics are available, concerning the number of criminal cases initiated against penal system (UIS) employees from 2009-2011. The corresponding statistics from 2012-2014 are not publicly available.

In 2011, 425 UIS employees (372 in 2010; 287 in 2009) were implicated in 416 initiated criminal cases (356 in 2010; 270 in 2009). Of these, 261 related to corruption (192 in 2010; 110 in 2009). One hundred twenty one criminal cases were taken to court (141 in 2010; 109 in 2009). According to these statistics, the main corruption-related offenses perpetrated by UIS employees are crimes under the following articles: Criminal Code (UK RF) article 285 (abuse of official authority): 35 individuals (31 in 2010); article 286 (overreaching official authority): 44 individuals (39 in 2010); article 290 (receiving bribes): 103 individuals (92 in 2010).

⁴ Pravo.Ru (<http://pravo.ru/news/view/70858/>). In Russian)

Information on the incidence of convictions implicating UIS employees (like those implicating employees of other Russian government departments, by the way) is only divulged according to number of convictions by Criminal Code article. However, this does not allow us to evaluate how many UIS employees were convicted in the use of torture or physical or psychological violence.

The prohibition of torture is found in Chapter 2, Article 21 of the Constitution of the Russian Federation. However, this concept is not sufficiently developed in Russian legislation. The concept of torture is the subject of Article 117 of the Criminal Code (UK RF), a note to which defines torture as “the infliction of physical or psychological suffering, in the goal of compelling a confession or other actions in contradiction to a person’s will, or in the goal of punishment, or any other goal.” A prohibition of abuse, and torture in particular, carried out by individuals in their official capacity, of a convict or any other person subject to them, is missing as a separate component of Russian criminal legislation.

In more than 120 cases supervised by the Civic Assistance Committee through 2011-2014, in which attempts were made to investigate the facts and punish the perpetrators, no one has been held responsible.

Incidents of torture over which criminal cases were initiated and for which UIS employees were held responsible, as a rule, are classified under Criminal Code Article 286 (overreaching official authority). This makes it impossible to adequately evaluate the degree of severity and the extent in use of torture, insofar as Article 286 includes in its scope actions of staff such as smuggling prohibited items (mobile phones, alcohol, drugs, etc.) into carceral establishments, just as it does the use of physical violence leading to grievous injury.



Nonetheless, the Committee's statistics can convey some general information about the correlation between the number of grievances made to the authorities on behalf of prisoners from CR and RI, the number of recognised violations or criminal cases initiated, and the number of FSIN employees held responsible.

For example, in the period from September 2011 to August 2014, the Committee received about 800 grievances, the majority of which concerned violence on the part of employees of the penal system. In most cases, among other violations, there were grievances about violations of the right

to free religious practice. Statements regarding these grievances were submitted to overseeing, controlling, and investigative authorities. Only in one case were criminal cases initiated and investigation conducted (the Elgaev case). In the other cases, despite the grievances to courts and other authorities, victims were unable to hold the perpetrators responsible.

The vast majority of complaints came from Kemerovo, Sverdlovsk, Vladimir, Kirov, Bryansk, Saratov, and Omsk oblasts; the Republic of Mordovia; Krasnoyarsk krai; and Khabarovsk krai. It is meanwhile essential to take into account that there are a number of prisons, colonies, and pre-trial detention centres from which grievances of torture do not come at all, which does not always signify an absence of violence; rather, it tells of the absolute closed nature of these establishments, and the severe suppression of any possibility of making rights violations known from inside.

4. Systemic violations of the rights of imprisoned CR and RI residents

Torture, abusive treatment, and violence due to racial and religious intolerance

The Civic Assistance Committee continues to receive information about occurrence of torture and cruel, inhumane, and debasing treatment or punishment of imprisoned convicts. The dynamic of violence against CR and RI residents in the Russian carceral system is not in decline; the number of such cases is not decreasing. As a rule, the use of violence is connected to the general situation of intolerance toward North Caucasians, the desire to break or suppress the will, or to degrade a person. (See Appendix)

During the extent of the project's duration, monitoring of human rights violations against CR and RI residents in carceral establishments was conducted. A telephone hotline was set up for this purpose, allowing direct monitoring of these incidents and prompt responses to them.

The working experience of human rights organisations shows that there are no effective mechanisms in existence in Russia to investigate convicts' grievances of torture or abusive treatment. Human rights organisations do not know of a single incident in which investigative agencies and prosecutors all by themselves initiated a preliminary investigation of a prisoner's grievance, even in the presence of evidence pointing to torture and abusive treatment. Investigation into the practice of torture against CR and RI residents is not an exception to this rule.

Iusup A. Tepishev (IK-5, IK-63, Sverdlovsk oblast)

He is a Chechen Republic native, who was under investigation in Grozny, did not participate in military activities or in armed gangs, and sentenced for the first time.

He was placed in IK-5, in the city of Nizhny Tagil, 5 January 2014, where the administration of the colony demanded that he sign a statement renouncing "thieving traditions" and pledging to comply with the requirement of Penal Code (UIK RF) Article 106 (participation in unpaid labour). Tepishev refused to sign the statement, upon which he was placed in a "boksik"⁵ for three days. Then, he was moved to a dog cage, and held there for 24 hours. From 10 to 20 January 2014, Tepishev was placed in disciplinary isolation (ShIZO), bound in handcuffs that hung from the grill of the cell door. In Tepishev's own words, he was seen in this position daily by administrative staff and doctors making rounds, none of whom ever asked any questions. Iusup was freed from the grill only at meal times and for the night, so that he could sleep on the floor—he even slept handcuffed.

In addition to this torture, prison staff took him outdoors naked, threw him in the snow, and poured water on him. They also put him chest- or back-down against the cold asphalt, where employees sat on him, saying he would soon fall ill with tuberculosis and die. But the most terrible of all for him was being bound in raised handcuffs in the "boksik," attached to bars through which an electric current was fed.⁶

On the Committee's initiative, lawyers and members of the Public Monitoring Commission (ONK) of Sverdlovsk oblast visited Tepishev, received his written declaration, and addressed a demand to

⁵ A small prison cell, with floorspace of about one square metre.

⁶ Reported by *Human Rights Activists of the Urals*: (in Russian) <http://pravoural.ru/2014/01/31/beznakazannost-tyuremshhikov-uzhasaet-ili-kak-lomali-chechenca/>

the authorities that the situation be investigated and those culpable be held responsible. The inquiries conducted did not establish the facts of the violations of Tepishev's rights. The prisoner himself was afterward moved to the infamous Sverdlovsk IK-63 prison.⁷

In the beginning of August 2014, members of the Public Monitoring Commission received word that Tepishev was beaten, resulting in serious trauma—a spinal fracture—and went to him for an interview. At the current time, Tepishev has been intimidated, and denies the fact of the beating, explaining the infliction of severe trauma as the result of a fall in the bath.

M. Kh. Elgaev (IK-2, Kalmykia Republic)

M. Kh. Elgaev and other North Causasian natives in IK-2 were subjected to constant insulting and dehumanising treatment on nationalist grounds, and were impeded in the practice of religious rites. Within a week of his first submission with grievances about prison staff behaviour, Elgaev was badly beaten by IK-2 employees.

In February 2012, Committee staff working on Elgaev's behalf made a submission to the Prosecutor General of the RF, which led to an inquiry that revealed violations resulting in a criminal case under UK RF Article 286 (overreaching official authority), section 3, clause "a." A Committee lawyer took part in the criminal case as the victim's attorney.

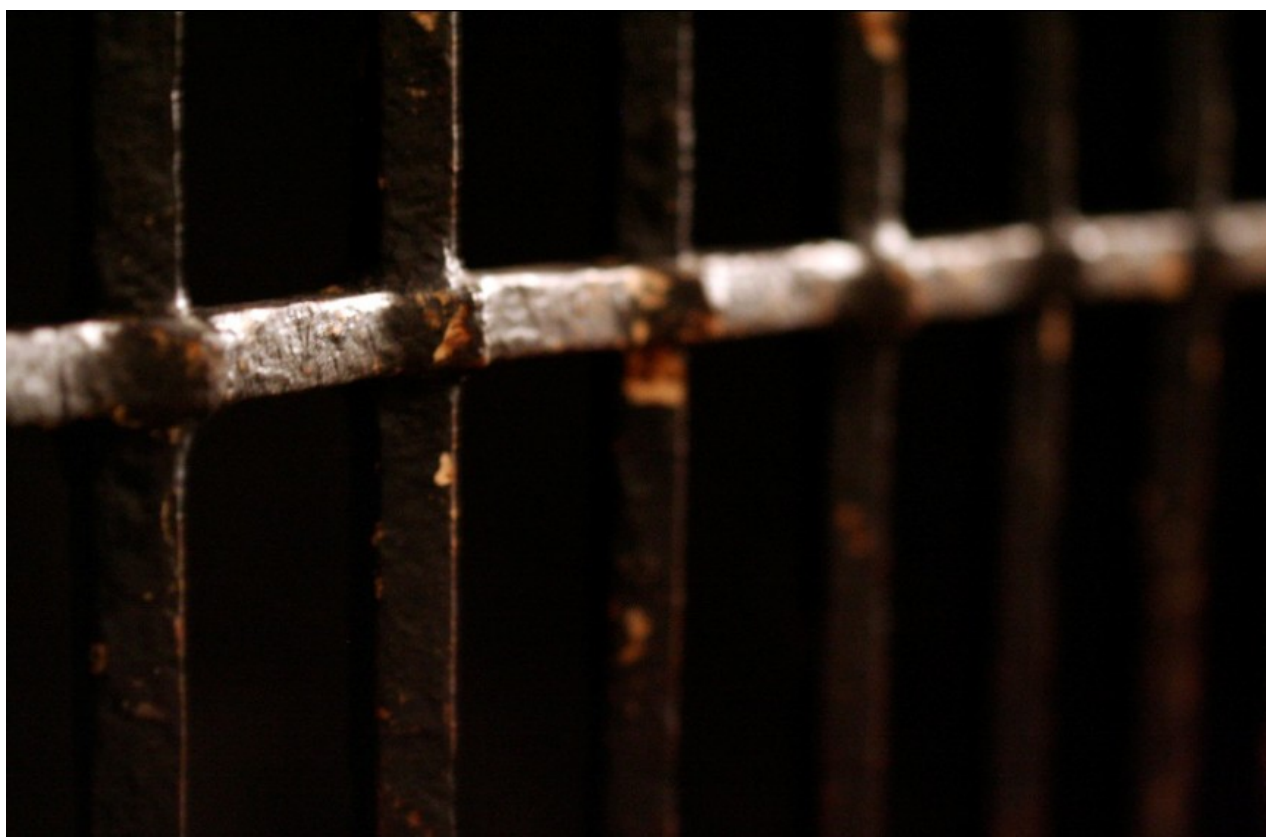
In July 2013, the Yashkulsky district court (Kalmykia Republic) pronounced an acquittal of an IK-2 employee, which the prosecutor and the Committee's lawyer both appealed. In August 2013, a submission was made on behalf of the Committee to the Prosecutor General of the RF regarding the IK-2 administration's pressure on Elgaev, intended to force him to abandon his appeal against the verdict that acquitted the IK-2 employee—pressure that included interference with his practice of religious rites. The lawyer made a motion to put Elgaev under state protection, which was rejected. In September 2013, the Kalmykia Republic Supreme Court overturned the acquittal of the IK-2 employee, and referred the criminal case to a new trial.

In April 2014, the district court once again pronounced an acquittal, which was appealed. In June 2014, special forces entered the colony, and convicts were beaten, including Elgaev. In July, the Kalmykia Republic Supreme Court upheld the IK-2 employee's acquittal. Committee lawyer Illarion Vasil'ev is preparing a submission to the European Court of Human Rights.

⁷ See "'To break at any cost': Revelations from the prisoners of IK-63." (in Russian): <http://www.ng-ural.ru/node/3716>

Fabrication of criminal cases

Convicted CR and RI residents form a special subset of Russian prisoners, in terms of the number of them who wound up on the defendants' bench as a result of the post-war "fight against terrorism," and were subsequently subjected to torture and sent to Russian prisons on fabricated charges. Since these convictions are often under particularly serious Criminal Code (UK RF) Articles, they receive prolonged sentences—of about twenty years on average. These prisoners, labelled terrorists, militants, extremists, and so on (as reported both by the claimants themselves, and by observing monitors and human rights organisations), can expect exceedingly hostile reception from prison staff as well as their fellow prisoners. Moreover, prisoners of this category are *a priori* considered especially dangerous criminals, prone to violating the detention regime and to escape.



The Committee has encountered instances, in its work, of people already serving sentences being drawn into new criminal convictions, where torture is used to "beat out" stories and confessions. The victim of torture is not randomly chosen, but rather as a rule is a Chechen or Ingush who has already been convicted under a particularly stiff statute. These actions have two particularly obvious intentions: to extend the isolation of a "dangerous criminal" from society, and to close a cold case.

Kh. S. M., born 1982 (IK-3, Vladimir oblast)

He was convicted in 2012 by the Supreme Court of the Chechen Republic to 25 years' imprisonment. In November 2013, M. went to the hospital in IK-3, where he was severely beaten, and transferred to Psychiatric Inpatient Unit No. 1 (henceforth PIU-1). On 24 December 2013, M. was removed from the ward to the dining hall, where there were six convicts (PIU-1 orderlies), who began to deliver blows with their fists and feet to M.'s body and head. They then stripped him naked, bound his arms and legs with sheets, and put a bag on his head. The PIU-1 senior orderly (superintendent)—also a convict—then demanded that he sign two statements of guilt. M. refused,

and the orderlies continued beating and torturing him: they cut off his breathing with the plastic bag, they held electric wires to parts of his body—including hands, feet, and genitals—and turned on the current. This burned the prisoner's body and organs, and these burns are recorded on his medical record. Unable to bear any more, M. signed the statements of guilt that his torturers had prepared.

In late December 2013, M. was visited by an investigator, whom M. informed of the beatings and torture. However, this visit was only to verify whether the convict would uphold the statements of guilt he had signed. Because M. had made grievances, he was subject over the course of several days in January 2014 to severe beatings and torture with electrical current, with the goal of securing his commitment to uphold his statements of guilt. The convict also reported that he was given unknown intramuscular injections, after which his health deteriorated for a long period of time, and he was unable to control his bodily fluids.

On 18 March 2014 a lawyer visited M. in the colony, took the convict's statement about the crimes, and photographically documented his bodily injuries. After the lawyer's departure, M. was subjected anew to torture by electricity, and under physical coercion was forced to sign a consent to treatment in a psychiatric ward. In the final third of March 2014, prosecutorial staff and Vladimir oblast FSIN administrators conducted an investigation of the statement attesting to violence committed against M. prepared by the lawyer, but the beatings did not end. Orderlies once again assaulted the convict, so that he would deny the circumstances described in his grievances, and once again sign a statement of guilt for the investigator.

On 31 March, under the threat of physical violence, M. was forced to recopy the text of his statement of guilt—in the presence of the investigator and the colony's deputy director of security and operations (BiOR)—and submit it to the investigator. The lawyer's request to the investigative authorities that a criminal case be opened into M.'s torture was rejected. The rejection was appealed to the supervising authorities, and the initial rejection was annulled, referring the case anew to an investigative inquiry. Committee lawyer Valerii Shukhardin is preparing a submission to the European Court of Human Rights.

R. M. Ozniev (IK-6, Vladimir oblast)

He was sentenced by the Moscow municipal court to 17 years' imprisonment, and insists that the case was fabricated. In November 2011, Ozniev arrived to serve a sentence in Vladimir oblast IK-6, where immediately on arrival he was subjected to torture and abuse, not allowed to eat or sleep, and forced in these circumstances to sign four statements of guilt; he complied.

In December 2011, Ozniev was tortured again, under insistence that he tell of other crimes he had committed. Since he did not come out with concrete incriminations, Ozniev was forced to think up crimes that did not really take place: ostensibly, he killed a police officer in Grozny in late June 2004. In reality, Ozniev was not in Grozny at this time, and evidence attests to this.

In IK-6, he was held apart from other prisoners, in a quarantine section, and was not permitted to seek medical care or write any messages or grievances. The injuries inflicted on him were not recorded. Ozniev made attempts to lodge complaints against IK-6 employees' actions, but his grievances were censored and not properly forwarded, and Ozniev was threatened with reprisals if he should attempt to lodge further complaints to the authorities. In March 2012, on the basis of one of the statements of guilt he signed at IK-6, Ozniev was transferred to pre-trial detention centre SIZO-2 in Piatigorsk, where criminal accusations against him were not proven out. He was then transferred to Lefortovo SIZO-2 in Moscow, for unknown reasons. While in transport and while being held in the SIZOs, Ozniev was covered. Despite the difficulties of the situation, Ozniev sent messages and grievances about beatings and unlawful treatment by FSB agents and

prison administrators on a monthly basis to various state authorities, but never received a response. Since January 2013, several appeals have been launched against decisions not to initiate criminal charges against prison and FSB employees.

I. I. D. (IK-14, Novosibirsk oblast)

He is a Chechen Republic native, sentenced to fourteen and a half years' imprisonment, sent to Siberia to serve the sentence. Throughout the period of his sentence, D. has systematically been assigned to isolation on spurious grounds, such that 48 separate punishments have been carried out against him (assignments to ShIZO, PKT, and EPKT).

On the Committee's initiative, D. was visited by a lawyer, whom D. told of being subjected to persecution on the grounds of nationality—besides which, prison colony employees threaten to plant drugs on him or to initiate a criminal case under Criminal Code (UK RF) Article 321 (disruption of correctional services' duties). In September 2013, D. was transferred to (Medical correctional institution) LIU-8 for testing on suspicion of tuberculosis, at which point drugs were planted in his bag. The case went to trial, but D.'s guilt was not established. At present, D. is under ongoing threats, which present real dangers to his life and health.

A. Dulaev. (IK-14, Novosibirsk oblast)

He is a Chechen Republic native, sentenced to 13 years' imprisonment. Two years ago, he was placed in Novosibirsk oblast FSIN federal prison (FKU) IK-14. He was repeatedly placed in isolation (ShIZO, PKT, and EPKT) on spurious grounds. At present, he is under SUS (strict detention conditions). His sentence will end in less than a year, but staff have recently threatened to plant drugs on him and have the sentence increased. Dulaev continues to receive threats, which he takes seriously as posing threats to his life and health.

Z. Kodzoev (Kodzoyev) (IK-17, Republic of Mordovia)

In the course of serving his sentence, while being treated for diseased teeth, drugs were planted on Z. Kodzoev, who was subsequently subject to a new criminal case and convicted, on 8 August 2012. On the Committee's initiative, a lawyer worked on the case at trial and later at the appeal court, fighting the sentence. In late 2013, the prison administration addressed the court with the proposal of tightening Kodzoev's strict detention conditions. The court ruled that Kodzoev's detention terms be changed to three years' on strict conditions. The Committee's lawyer appealed the ruling, but the appeal was dismissed by the Republic of Mordovia Supreme Court.

In 2013, a grievance was filed with the European Court of Human Rights on Kodzoev's behalf (No. 42101/13, Kodzoyev v. Russia), prepared by Committee lawyer Illarion Vasil'ev.

Timur Kh. Tangiev (Chechen Republic SIZO)

He was sentenced in 2004 by the Chechen Republic Supreme Court to 22 years' imprisonment. He was serving his sentence in Vladimir oblast FSIN federal prison IK-6. On 11 December 2012, the European Court of Human Rights ruled in Tangiev's case that Articles 3, 6, and 13 of the European Convention on Human Rights had been violated, which overturned the guilty verdict initially brought made against him. The ECHR case and Timur Tangiev's further defence in national courts was conducted by the well-known NGO Russian Justice Initiative (SRJI).

Tangiev filed a request for appeal to the Presidium of the Supreme Court of the Russian Federation "on account of new circumstances." In November 2013, an FSB agent visited Tangiev, and insisted that he withdraw from the review of his criminal case at the Supreme Court. Upon this, he informed Tangiev that the latter's two older children, living in Grozny, were being watched: the agent showed Tangiev a video clip of his children leaving home and walking to school. He also told Tangiev that in connection with the Supreme Court review, "problems" could

crop up in the prison while he serves out his sentence. Timur Tangiev subsequently turned to the Civic Assistance Committee.

In a hearing on 25 December 2013, the Presidium of the RF Supreme Court decreed the annulment of the court verdicts in Tangiev's criminal cases and referred his criminal charges to a new trial in the Chechen Republic Supreme Court. However, despite the annulment of the verdicts, Tangiev was held prisoner for a further month in Vladimir oblast IK-6. According to the administration, the information did not reach them that Tangiev's convictions had been overturned. FSB agents continued to pay visits to Tangiev, demanding under threats that he sign a statements of guilt—in regard to his original conviction as well as other crimes.

In February 2014, Tangiev was transferred to Chechen Republic pre-trial detention centre SIZO-1, in Grozny, while his criminal case was under adjudication by jury in the CR Supreme Court. On 3 October 2014, the Court once again found Tangiev guilty, and sentenced him to 21 years' imprisonment; this verdict was appealed. During the entire time he was held in SIZO-1 in Grozny, Tangiev reported physical and psychological pressure on the part of SIZO staff and FSB agents.

Medical problems

Grievances of inadequate medical care make up a substantial portion of the communication we receive from prisoners. They report refusal or improper delivery of medical assistance; health professionals refusing to document injuries from beatings; transfers into isolation without medical checkups; and lack of access to medication, doctors, necessary medical specialists, etc.



A principal cause of most problems with medical care in prisons is medical professionals' dependence on and subordination to the administrators of carceral establishments; prisoners' access to medical care is often regulated by prison administrators rather than by medical guidelines or doctors' recommendations. Carceral administrators employ refusal of medical treatment as a means to exert pressure, and to demean and torture prisoners. When administrators have decided, for example, to place a prisoner in ShIZO, he will be transferred regardless of the state of his health: medical staff will examine and classify the prisoner in such a way as to enable his transfer into ShIZO.

In the vast majority of cases of prisoners addressing grievances to prosecutors, to the FSIN, or to the courts over refusal of medical care, they receive a standard answer: "the facts have not been confirmed." Authorities reliably declare that medical care has been dispensed in full and as necessary, and that the prisoner's health is adequate.

R. S. A. (IK-14, Novosibirsk oblast)

He was imprisoned with a disability, having had one leg amputated. He was tortured in Novosibirsk oblast IK-3, with the goal of extracting a confession, and his prosthesis was broken. Medical complications began with his residual limb: it became swollen and began to produce bloody, purulent discharge. The convict was repeatedly penalised with transfers to solitary penal wards (EPKT). Despite doctors' declarations that he could not be held in EPKT conditions, he was time and time again transferred into disciplinary detention conditions.

Under EPKT holding conditions (the sleeping platform in the cell is folded away from 5:00 to 21:00), A. was forced to spend entire days standing on one leg, unable to sit, as the sitting platform was too high for him to reach. He was unable to change the dressing on his residual limb on his own. After examination by a surgeon, who ordered urgent hospitalisation, A. was not hospitalised, and was not provided with necessary treatment.

He was visited and questioned in 2013-14 by Committee lawyers. He reported inhumane treatment and unmotivated application of disciplinary measures. Enquiries and reports were submitted to the authorities, and Committee lawyer Valerii Shukhardin submitted a grievance to the European Court of Human Rights over the convict's inhumane detention conditions and the refusal to provide him with adequate medical care. His grievance was accepted by the ECHR, but was denied accelerated adjudication under the Court's priority policy.

A. A. B. (IK-2, Stavropol krai)

He is a Republic of Ingushetia native. In the colony he was subjected to insults and various types of dehumanising treatment on the basis of nationality from the colony's deputy director, who openly voiced his contempt of Ingush, Chechens, and Dagestanis, and set employees and other prisoners against them, leading to demeaning and insulting treatment on the basis of nationality. Because of the enmity directed against him, B. was repeatedly transferred to ShIZO, including for 89 days in May-February 2014.

B. suffers from several illnesses (Stage 3 HIV infection, viral hepatitis C), for which he is deprived of essential treatment. Upon transfers to ShIZO, he was not examined by a doctor: rather, he was addressed from a distance of some ten metres and recorded as being in satisfactory health, with his illness posing no inhibition to his transfer into ShIZO. Being held in isolation ward conditions substantially undermines prisoners' health, even in the absence of underlying problems like B.'s. His body temperature runs high (37.4 - 37.6°C), and he is unable to sleep well. When he met with our lawyer, he looked very tired and emaciated. His relatives send medicine to him in prison, which is not permitted to reach him. As the medical staff themselves tell it, "The head doctor here is a lowlife." This head doctor assumes the decision of who to treat, and how. Convicts are afraid to make grievances, because of the colony's deputy director's close relationship with the prosecutor: they know that violations will not be established, and that they will be the ones to bear consequences.

K. M. Burkaev, born 1983 (LIU-5, Republic of Buryatia)

He is persecuted on the ground of nationality, and frequently placed in ShIZO and PKT, which seriously worsens his health, and negates the effect of the health care he is provided with.

A Civic Assistance Committee lawyer worked on Burkaev's defence, and repeatedly submitted requests for his client's medical information and for official documents about the state of his client's health, but did not receive a meaningful response to any of these requests. The lawyer has also travelled to Buryatia to visit Burkaev.

In October 2012, Burkaev informed us that a doctor had concluded that his right lung was undergoing collapse—an opening of 2 to 3 centimetres had developed. Multiple drug resistance also developed. Despite this, Burkaev was once again transferred to ShIZO for 15 days, for a "local zone violation." Doctors unhesitatingly provided certification that his health was suitable to be held in the cold in the strict ShIZO detention conditions, even while he was running a temperature of 38°C. In November a medical commission visited the LIU, and Burkaev was certified as disabled. Subsequent to this, in 2014, the colony administration requested a change in Burkaev's detention conditions to a strict imprisonment term (which would nullify the effect of his certification of disability), but this was rejected in District court. In July 2014, the Republic of Buryatia Supreme Court refused an appeal by the prosecution against the District Court decision. Burkaev was represented in this trial by a lawyer invited by the Committee.

Burkaev continues to be held in ShIZO, and necessary medical care is not being provided. Committee lawyer Illarion Vasil'ev is preparing a grievance to the European Court of Human Rights.

I. L.-A. Kaimov, born 1985 (IK-4, Mari El Republic)

He was sentenced to 16 years' imprisonment, and suffers from tuberculosis, for which he is not provided with adequate medical care; he is also regularly placed in SUS/ShIZO/PKT. In August 2013, a Committee lawyer visited him in IK-4. Kaimov reported that he was held in a damp cell, which seriously exacerbated his ill health (causing relapses of tuberculosis), and nullified the effect of the treatment he was receiving. In April 2014, Committee staff communicated to prosecutors and to Mari El Republic FSIN about Kaimov's improper detention conditions in PKT, and the denial of the medical care he needed. The prosecutor's office sent a request for review to the UFSIN, which responded by attaching a document stating that Kaimov himself had turned down the treatment (of chemotherapy).

Prisoners with disabilities and release under illness

Carceral establishments are not equipped with even the basics to detain the seriously ill, wheelchair users and people with other physical disabilities, and they lack specialised staff to care for these prisoners. While detained, they experience ongoing hardships in everyday life and in getting around the prison; they are often unable to take part in exercise, unable to bathe, unable to access the infirmary or library, and so forth. They are often unable to independently take care of their bodily hygiene, and forced to resort to enlisting the help of third parties for a fee (e.g. in cigarettes or tea).



The legal provision for the seriously ill to be released from pre-trial detention centres and carceral establishments is not respected in practice. The state is unable to provide appropriate detention conditions and to care for seriously-ill prisoners, along with which its policy is punitive: individuals with serious illnesses are very rarely released—many of them do not survive to the judicial review of their cases, while some of them die soon after the day of their release. That is, practically only the dying are released, and not from humanitarian concern or respect for the law, but to limit additional complexities for the carceral establishment, by absolving it of responsibility for documenting deaths and burying the deceased.

The Committee and other human rights organisations are increasingly frequently faced with grievances that carceral establishment employees impede seriously-ill prisoners' right to release: by reducing their recorded state of illness, adding negative remarks to the prisoner's record, imposing disciplinary measures on arbitrary grounds, and so on. On the basis of opposition from the prosecutor's office to the release, courts refuse to fulfill the release order, in disregard of the law, common sense, and the facts in the case—citing a lack of evidence that the prisoner "is on the path to rehabilitation."

Lechi M. Dzhanelaliev (IK-5, Republic of Mordovia)

Upon being detained in 2005, he received a serious gunshot wound, rendering him unable to move independently: of his four extremities, he can only use one arm. Dzhanelaliev was sentenced to twelve years' imprisonment under conditions of a strict detention regime. In March 2008, a special prisoner medical examination commission (consisting of eight members) diagnosed him as suffering from illnesses classified for release from detention, in accordance with clause 23 of the Resolution of the Russian Federation of 6 February 2004. He was referred for release by the commission.

Lechi Dzhanelaliev was brought back to the Chechen Republic, and placed in SIZO-1 in Grozny. But V. A. Agarkov, judge of the Georgiyevsk Municipal Court, did not agree with the doctors' opinion. His ruling reads: "Despite the fact that Dzhanelaliev 'suffers from illnesses that fall under the *Schedule of illnesses precluding incarceration*,' his life at the present time is not in danger, and he is fit to serve his sentence in the colony's specialised medical facilities..." In late June 2008, Lechi Dzhanelaliev was once again sent to Mordovia. The doctors' order that he should be released due to the state of his health was ignored.

Committee lawyers repeatedly sent requests to the courts regarding Dzhanelaliev's release due to severe illness, and the change in conditions of his detention regime, though the courts refused on the grounds of his participation in illegal armed groups, and the attribution of "liability to escape." In July 2014, a new order to release Dzhanelaliev from imprisonment was handed down in connection with his illness: the case is currently before the courts. On the Committee's initiative, a grievance is being submitted to the European Court of Human Rights by lawyer Illarion Vasil'ev.

T. I. T. (IK-2, Stavropol krai)

He is a native of the Republic of Ingushetia. He suffers from several chronic illnesses: stage 4 HIV infection, pulmonary tuberculosis, and viral hepatitis C. In 2012, T. ran a constant temperature of 39-40°C. As he told his lawyer, he was burning all over, and was given injections. This continued for two months, and in November 2012, a special commission of doctors declared that T.'s illnesses fell under the schedule of illnesses precluding incarceration.

The administration supported T.'s request for release from incarceration due to serious illness, but the court refused his release, and the appeal court upheld the refusal.

R. T. El'biev (IK-4 Vladimir oblast)

During the preliminary investigation, he was subjected to physical violence in the goal of extracting a confession to having committed the crime. El'biev was beaten with plastic bottles full of water to the head, suffocated, kicked, and attacked with fingers to his eyes. He was then sentenced to fourteen years and ten months' imprisonment.

As a result of the use of torture against him, El'biev was diagnosed with significant nerve damage to the peripheral nervous system, suffered vision loss, and went on to have a stroke, as a result of which the right side of his body was paralysed. At the beginning of his detention, El'biev was certified with "type two" disability, which was re-classified while he was incarcerated to the less-severe "type three," despite the fact that his health had actually significantly deteriorated.

For three years (2011-2013), El'biev had a helper, unbeknownst to the prison administration, who took care of and helped him around the prison (helping him use the toilet, wash, change his clothes, go outside for exercise, prepare food and eat, etc.). When the prison administration learned about this "helper," they immediately moved him to a new section. The prison administration is hostile toward the claimant, refuses him necessary help, and turns the other prisoners against him, so that no one should help him, or even speak with him.

The colony is not fitted with handrails or ramps; the showers do not have hoses; mirrors, faucets, and sinks are placed too high, outside the reach of a wheelchair user. Under these circumstances, seriously-ill prisoners are only able to bathe, clean their laundry, change underwear and bed linens something like once every few months, when they can find a willing volunteer among the other convicts to help with bathing and laundry. Appeals by Committee staff on El'biev's behalf to controlling and supervising authorities were received and considered; inquiries were made, but in conclusion, violations to El'biev's rights were not found.

On the Committee's initiative, lawyer Nadezhda Radnaeva delivered a grievance to the European Court of Human Rights, requesting that a violation of Articles 3 and 13 of the Convention be established in respect to El'biev and his illness. In August 2014, it was announced that in accordance with ECHR Court Rule 41, the case would be granted priority for accelerated review.

Carceral establishments

According to Article 73 of the Russian Federation Penal Code (UIK RF), convicts are to serve their sentences within the territory of the subject of the Russian Federation in which they lived or were convicted. Exceptions may exist in cases of convicts' ill-health, or to protect their personal safety; alternatively, with the prisoners' consent, they can be sent to serve a sentence in an appropriate carceral establishment in another Russian federal subject.

The majority of CR and RI residents convicted and imprisoned are serving sentences in other federal subjects of Russia, insofar as there is currently a single penal colony in Chechnya, and there are none at all in Ingushetia.



In 2005, changes were made to UIK RF Article 73, according to which the FSIN is empowered to determine where those convicted under certain articles are to be held. Among these articles are those pertaining to participation in illegal armed groups, “banditism,” endangering the lives of police officers, and other articles under which CR and RI residents, as a rule, are frequently convicted.

In 2007, additional changes to Article 73 were made. Accordingly: “in the absence of correctional establishments in the subject of the Russian Federation where the convict is resident or was sentenced, or where it is not possible to accommodate convicts in the available correctional institutions, in coordination with the higher penal system authorities, convicts will be sent to correctional institutions located on the territory of another subject of the Russian Federation, in which appropriate conditions exist for their incarceration.”

Prior to the introduction of these amendments, in cases where it was impossible to place convicts in a facility in the RF subject where they last lived or were convicted, they were placed in the nearest federal subject. Since 2007, convicts can be sent to any other part of Russia. This innovation legitimized the practice of sending prisoners (including those from CR and RI) to regions at a significant geographical remove from their place of residence—such as to Siberia or the Far East—which significantly affects the possibility of regular meetings with relatives, who may lack the material means to travel to far-flung regions.

Experience shows that petitions from relatives and from the convicts themselves concerning transfers to carceral institutions located closer to their family's place of residence are not fulfilled in the vast majority of cases. Attempts to appeal these refusals in court are equally ineffective.

A. O. Al'murziev (prison, Krasnoyarsk krai)

In 2006, he was convicted by the Republic of North Ossetia-Alania Supreme Court. He was sent to serve his sentence at the other end of the country, in Kamchatka krai. His detention regime was subsequently changed to a stricter imprisonment term, and he was transferred to a prison in Krasnoyarsk krai.

B. Gadaev (IK-22, IK-27, IK-6, Primorsky krai)

He was sentenced in 2007 in the Chechen Republic to nineteen years' imprisonment; all his relatives live in Chechnya, but he was sent to serve his sentence in IK-22 in Primorsky krai. During the whole period of his incarceration, he has been unable to exercise his right to meetings with relatives.

M. Baibaturov (released at the end of his sentence)

He was sentenced in 2006 by the Surgut municipal court (in Khanty-Mansi Autonomous okrug-Yugra) to nine years' imprisonment. He served seven years of this sentence in FSIN federal prison IK-14 of Khanty-Mansi Autonomous okrug-Yugra (KhMAO). More recently, M. Baibaturov was transferred by unknown people (presumably FSB agents), who proposed that he fill out contrived statements of guilt for a range of crimes under FSB investigation, threatening reprisals if he should refuse to comply.

In mid-January 2013, Baibaturov was transferred to federal prison IK-5 in Sverdlovsk oblast. The transfer was implemented on an order of the KhMAO FSIN director, which reads: "*in connection with the convict Baibaturov's situation of conflict with the other convicts broadly writ, and in particular with one, whose life and health are considered to be in danger from the convict Baibaturov under his continued presence on the grounds of FKU IK-14 of KhMAO, the transfer is considered advisable.*" However, Baibaturov himself maintains that there was no conflict whatsoever, and that the transfer was implemented to enable further psychological and physical manipulation.

In Baibaturov's first days in FKU IK-5 UFSIN of Sverdlovsk oblast, he was already being subjected to psychological and physical coercion. He was beaten by prison administrative staff, repeatedly placed in ShIZO, which deprived him of the right to meet with relatives, either in person or through other means of communication. On several occasions, his wife, who lived with their children in Surgut (in KhMAO, hundreds of kilometres away), went to Baibaturov for an authorised meeting, only to be informed on arrival that he had just been disciplined with transfer into ShIZO. His wife turned to the Committee, but the problem remained unresolved for some time. Food brought to Baibaturov—with the family's last funds or on borrowed money—was left to spoil. After his wife went home, a new meeting would eventually be set, and the process would repeat anew.

In July 2013, Baibaturov was once again transferred, to further serve his sentence in the EPKT of FKU IK-63 UFSIN of Sverdlovsk oblast, ostensibly to protect his own safety. However, on Baibaturov's arrival in IK-63, he was beaten up by "convict-activists" on the instructions of administration staff, with the goal of having him relinquish access to a lawyer, who would represent his interests in court and defend his safety while incarcerated.

On the Committee's initiative, lawyer Valerii Shukhardin submitted a grievance to the European Court of Human Rights concerning the violations of Baibaturov's rights to pursue his personal and familial life, as guaranteed by Article 8 of the European Convention on Human Rights.

Disciplinary practices (transfers to isolation)

The grievances made by prisoners to human rights organisations show that transfers to PKT, EPTK, ShIZO, and SUON are often used on spurious pretexts, and that they serve in practice as a way for administrators to pressure and intimidate prisoners they find undesirable.



The transfer of a prisoner into ShIZO is one of the severest punishments, carrying two particular negative consequences: the denial of scheduled visits (when they fall within the period of ShIZO restriction), and the elimination of the possibility of conditional early release or the substitution of a lighter imprisonment regime. Convicts are characterised as “not showing that they are on the path to rehabilitation,” and courts refuse to ease their sentences.

Even though the law specifies the grounds and process for the imposition of disciplinary practices, prison administrators often impose them on CR and RI natives on spurious grounds, thanks to the broad powers of discretion and unrestricted authority they exercise in this area.

R. S. I., born 1978 (IK-2, Stavropol krai)

He is a native of the Republic of Ingushetia. The deputy director of the prison colony (initials E. N. G.) expresses contempt for I. on the grounds of nationality, and has fabricated violations of discipline, provoked conflicts, and ethnic hatred. In the period since February 2014, I. was confined to ShIZO for 79 days. As a sign of protest, he repeatedly refused to eat, going on hunger strike, although he was unable to thereby instigate an impartial investigation into the facts of his supposed violations.

Human rights organisations have documented cases where on the arrival day of relatives visiting from Chechnya or Ingushetia, prison administrators transfer prisoners into ShIZO, where they do not have the right to receive visitors, place telephone calls, receive parcels, etc., and accordingly are unable to forewarn their relatives that the visit will not take place. As a rule, relatives, in turn,

do not have the means to wait (e.g. living in a hotel) until their loved ones are released from ShIZO, which generally takes 15 days; relatives are thus forced to return home. Besides, rescheduling a visit to another day is virtually impossible, as the visiting schedule has usually been drawn up and filled in advance.

One of the most widespread violations of proper practice in the transfer of prisoners to ShIZO, PKT, and EPKT occurs with the medical examinations of prisoners before transfer, which is reduced to a mere formality, certifying their fitness to be held in conditions of isolation. Despite the injunction of 9 August 2011 of the Ministry of Justice, which established the procedure for medical examinations before transferring prisoners into isolation divisions, violations persist unabated, due to the fact that medical staff are subordinated to prison administrators, and do not enjoy sufficient autonomy to make a complete and objective account of the state of prisoners' health.

G. B. Lorsanov (IK-17, Republic of Mordovia)

He is a native of the Chechen Republic, sentenced by the Volgograd oblast court in 2000 to 24 years' imprisonment. According to relatives' accounts, administration staff express their intolerance of Muslims, and speak openly of their hatred of Chechens. They repeatedly placed Lorsanov in isolation on fabricated grounds. During his incarceration period, Lorsanov was placed in ShIZO 32 times, in PKT three times, and in EPKT twice.

Lorsanov is ill: he suffers from chronic arthritis in his knees, and chronic viral hepatitis C. Upon his transfers into isolation, doctors always provide certification that Lorsanov can safely be held in conditions of isolation, without an actual examination, and without reporting on his actual state of well-being. Committee staff have addressed concerns to the authorities, which have led to audits that are mere formalities—the response has always been that disciplinary measures were fairly imposed, and that the convict's state of health poses no restriction to isolation.

Article 115 of the Penal Code of the Russian Federation stipulates that prisoners may be held in ShIZO for 15 days (24-hour periods). In practice, prisoners are often held in ShIZO for months: without their having left the cell, new violations are attributed to them, and a new ShIZO punishment is drawn up, whereupon the prisoner is identified as a repeat offender of the terms of detention, transferred to PKT or EPKT, and may have his detention regime changed to a stricter classification, which comprises more severe restrictions to the prisoner's rights.

The official oversight mechanism of prisoners' grievances over transfers to isolation (ShIZO, PKT, EPKT) is analogous to the official oversight of declarations of torture and assault. Controlling and supervising authorities request documents and information from the prison colony, evaluate them, and prepare a response, stating that the allegations were not proven out.

B. Gadaev (IK-22, IK-27, IK-6, Primorsky krai)

He was sentenced in 2007 in the Chechen Republic to 19 years' imprisonment, and sent to serve his sentence in IK-22 in Primorsky krai. Throughout the duration of his sentence so far, Gadaev has repeatedly been subject to disciplinary measures on spurious grounds, in the form of transfers to ShIZO and PKT. On his arrival in IK-22, he was immediately placed in ShIZO for 15 days, at the end of which he was transferred to PKT for six months.

At the end of his sequential punishments, Gadaev was moved back to the CR to take part in a new investigation and criminal trial. It concluded with his conviction, and on top of the existing punishment of 19 years' imprisonment, he was given another two years. He was once again sent away to serve his sentence, to IK-27 in Primorsky krai.

Upon his arrival in the colony, he was placed on SUON for 72 hours, then moved to ShIZO for 15 days, to PKT for six months, and a year in EPKT. On 13 January 2012, a court granted a request from the prison director, ruling that Gadaev be transferred to a strict detention regime for three years, as a “repeat offender” of the terms of his detention. This verdict was appealed by a Committee lawyer, but ultimately upheld.

As Gadaev himself tells, and as the lawyers’ analysis of the documentation of disciplinary measures confirms, the punishments were all groundless in nature: the convict is being persecuted on the grounds of nationality. From the beginning of his detention to today, Gadaev has not once had a meeting with family, since the disciplinary measures imposed on him restrict several of his rights, including his right to meetings.

A. Kharikhanov (IK-27, Primorsky krai)

He previously served his sentence in IK-41 of Keremovo oblast, and was transferred in 2012 for further detention in Primorsky krai IK-27, where the director of the institution immediately made it clear that here, all Chechens are maintained in PKT and EPKT. Kharikhanov told him that he had never violated his terms of detention, and that in IK-41, he had never been placed in ShIZO. He was told, in response, that they would get to know his case, and find grounds to impose disciplinary consequences.

In February 2012, Kharikhanov was placed in ShIZO, then transferred to SUON, without having a reason provided, then placed in PKT for six months. In 2013, he was placed in EPKT for a one-year term. On behalf of the Committee, a lawyer visited Kharikhanov in IK-27. The prisoner recounted that he is prevented from exercising his right to telephone calls and to conduct correspondence with his relatives in the Chechen language—his relatives do not speak or understand Russian well. He told of persecution from the staff on the basis of nationality, and of how almost all the prison colony staff had fought in the Chechen war, and consider him as an enemy in the prison.

On the Committee’s instructions and on Kharikhanov’s behalf, a lawyer submitted a grievance about inappropriate detention conditions, and appealing the disciplinary measures imposed on Kharikhanov. In court, the illegality of the disciplinary measures was not proven. Kharikhanov was identified as a repeat offender of his detention regime, and changed to stricter detention conditions for three years. At present, he is being held in a prison in Chelyabinsk oblast.

A. O. Al’murziev (Prison, Krasnoyarsk krai)

He was detained in 2006 and sentenced by the Supreme Court of North Ossetia-Alania. He was sent to serve his sentence at the other end of the continent—in Kamchatka krai. Al’murziev was disciplined repeatedly on spurious pretexts, with transfers to ShIZO, PKT, and EPKT. According to his declarations, he was systematically assaulted, insulted for his nationality, and impeded in the normal practice of religious rites.

As a sign of protest against these illegal practices, and with the goal of attracting the attention of supervising and controlling authorities, Al’murziev repeatedly cut his own arms, and went on hunger strike. In February 2012, Al’murziev and other prisoners went on hunger strike and sewed shut their own mouths. In January 2013, he was transferred to a prison in Krasnoyarsk krai. In April 2013, a Civic Assistance Committee lawyer visited Al’murziev in prison. According to the information gleaned in this interview—confirmed by other sources—Chechen prisoners from across the country are frequently dropped off in this federal prison: the reason for this is unknown.

I. A. Tataev, born 1975 (IK-26, Volgograd oblast)

He was sentenced to 17 years' imprisonment. Throughout his time serving this sentence, he has regularly been placed in ShIZO/PKT/SUS/EPKT. The state of Tataev's health is seriously impaired by his constant subjection to isolation conditions.

In May 2013, appeals on Tataev's behalf were sent to the Public Monitoring Commission (ONK) and the FSIN authorities. The FSIN replied with a refusal to provide information about Tataev, on the pretext of a lack of authorisation to represent his interests. On the Committee's initiative, a lawyer was provided to Tataev's defense. In October 2013, a court granted a request by the prison administration, and changed Tataev's detention conditions to a stricter level for a three-year period. The court noted that Tataev had 38 outstanding penalties to serve (that is, ShIZO/SUS/EPKT terms to be served sequentially without interruption), and is listed as an escape risk and a danger to the prison staff (during a beating in 2007, when his mouth was being bound with a gag, Tataev had the audacity to bite the guard's finger: he was then kicked in the eyes, resulting in a ruptured tear duct).

The appeal court allowed the verdict to stand, and Tataev was sent to serve the sentence in a prison in Balashov, in Saratov oblast. According to the prisoner himself, his detention conditions and treatment by staff are more humane than in Volgograd oblast IK-26. The remaining problem is the impossibility of conversing with relatives in Chechen, his native language, which the prison authorities forbid—and his mother and wife do not speak Russian.

Akhmed Vakhaevich Kataev, born 1980 (IK-6, Kirov oblast)

He is a Chechen Republic native, sentenced by the CR Supreme Court to 17 years' imprisonment, to be served in a prison colony under strict detention conditions. While Akhmed and his comrade were reading the Koran in the barracks, prison staff entered, seized the scriptures, tore and trampled them. Akhmed wrote about the incident and posted his account on the internet. The prison employees subsequently apologised to the prisoners, and the affair went quiet. After some time, a new director began running the colony, who decided to punish these prisoners as a warning to others. The second prisoner involved in the incident had been released in the meantime, and Akhmed was punished with one year in EPKT.

At the end of his term in EPKT, the prison administration filed a request in court to have his detention conditions tightened. The trial court granted the administration's request, and a Committee lawyer prepared an appeal. The appeal court upheld the decision as legal and justified. The Committee lawyer's appeal referred to the fact that proving the prisoner to be a repeat offender is an obligatory condition for a transfer to a stricter regime. However neither court examined this document. The Presidium of the oblast court granted the appeal, referring the case back to a new examination in trial court. However, Kataev, the prisoner, reported that the new detention conditions were in fact better, and requested that the hearing be discontinued.

Religious practice

At the present time, correctional institutions are not sensitive to the religious beliefs and needs of Muslims. Prison colony staff perceive Islam as hostile, linking it with radical Islamist movements, and taking all Muslims as radical Islamists. This situation arises as a result of prison staff's poor or nonexistent education in human rights and the varieties of religious practices.



A basic lack of understanding of Muslims' needs leads to violations of their rights to religious practice, and fosters a situation of conflict and tension, which as a rule, negatively impacts prisoners. Muslims are typically zealous about their religious obligations, insofar as their religion considers failure to fulfill ritual obligations as a sin and a violation of religious law, subject to inescapable punishment.

The following fundamental problems are endemic violations of the rights to religious freedom of Muslim prisoners in carceral establishments:

- inability to pray five times a day and participate in collective Friday prayer
- inability to perform ablution and keep compliance with ritual cleanliness
- problems with the use and keeping of religious objects
- problems with dietary rules

Prayer five times a day

This practice requires the completion of five daily cycles of prayer; the established daily schedule in carceral establishments does not always enable Muslims to maintain this prayer cycle. Where the prison director wishes it, such a daily routine is possible. The Committee knows of a positive example in Adygea, where Friday collective prayers are conducted, with the attendance of an imam who leads the prayer.

Ablution

To perform ritual symbolic ablution, preceding prayer, access is needed to a place to wash, and to a clean place to conduct prayer. As a rule, such access is not possible in prison establishments.

Religious objects

The prayer rug is an obligatory religious object for Muslims, because prayer, even when collective, is understood as individual in nature for each Muslim, with the prayer rug serving to symbolically delineate the prayer space from the surrounding world. Above all, the Koran and other religious scriptures are crucial religious objects for Muslims. In practice, they are sometimes interpreted by agents of the prison authorities as extremist literature. For some, prayer beads are an essential religious object, especially to the Sufis of Chechnya and Ingushetia.

Upon transfer to isolation (ShIZO, PKT, EPKT), rules of internal prison order only allow prisoners to bring religious items worn as underclothes or able to fit into a pocket. Precise norms or directives about what Islamic religious objects can or cannot be brought along do not exist, which can lead to serious problems for religious practice and enable violations of the right to free religious practice.

Prisoners are thus often prevented from taking along their prayer rugs into ShIZO, on the grounds that they do not fit in a pocket. Prayer beads are not always permitted in ShIZO, and prison staff sometime forbid relatives from sending prayer beads to prisoners, on the basis that they are not mentioned on the list of permitted items.

Dietary rules

As a rule, prison establishments do not allow special rations for Muslims, who, for the most part observe a prohibition on consuming pork. Under these circumstances, Muslims are forced to abstain from meals that include pork, which leads to malnutrition and attendant negative consequences. During the holy month of Ramadan, Muslims keep a fast, only eating before sunrise and after sunset. However, during this time in prison establishments, lights are out for sleep, and it is forbidden to eat. Imprisoned Muslims are kept hungry, which poses a real threat to the health and life of many.

A. Kharikhanov, Magomed Dovlaev, Khalid Umarov (IK-41, Keremovo oblast)

On 28 September 2011, several hundred agents of the security forces arrived at the prison colony, some twenty of whom were masked and armed with stun guns. They searched the detention quarters, confiscating some prisoners' personal effects, and began to beat them. As a result of these beatings, Magomed Dovlaev's jaw was broken, after which he was sent to SIZO-1 in Keremovo oblast, together with Khalid Umarov. They provided medical aid to Dovlaev, although his bodily injuries were not recorded.

According to the prisoners, at the time of the search, a Koran in one of the quarters was torn into several pieces, and two or three of its pages were torn out. Boot prints were found on the Koran. News of the incident quickly spread through the colony. As a sign of protest, 24 Muslim prisoners cut their forearms. Non-lethal weapons had been used on 32 prisoners at the time of the search.

After getting word of these events, Committee staff promptly contacted the director of IK-41, as well as the prosecutor, asking that an investigation be conducted into the legality of the security forces' actions. A commission visited the colony on 29 September, the following day, consisting of the FSIN director, a human rights commissioner, Public Monitoring Commissioners (ONK), and the Keremovo oblast prosecutor. The commission toured the colony, and took private comments, but did not receive prisoners' grievances and declarations, and determined that

violations had not taken place. On 30 September, 74 convicts went on hunger strike to protest the affront to their religious beliefs.

In the aim of resolving the developing situation, the mufti of the Muslim Spiritual Directorate was invited to IK-41: he persuaded the prisoners to stop the hunger strike. After the discussion with the mufti, prisoners were led to the prison yard, where they were severely beaten by Special Forces (Spetsnaz) agents with non-lethal weapons (batons and stun-guns). Besides the fact that the investigation did not find violations to prisoners' rights, A. Kharikhanov was charged under three Criminal Code (UK RF) articles: no. 212 (rioting); 282 (inciting religious or ethnic conflict or enmity); and 321 (disruption of correctional services' duties). A lawyer invited by the Committee to defend Kharikhanov's rights fought to have the charges dropped against him. However, Kharikhanov was subsequently transferred to further serve his sentence in Primorsky krai, where he was repeatedly and groundlessly subjected to additional disciplinary measures, and transferred to a stricter detention regime.

Convicts Umarov and Dovlaev were convicted under UK RF article 321, and sent to serve further sentences in EPKT in IK-29. Thus, those responsible for desecrating the Koran and beating up prisoners did not find themselves on the defendants' bench—their victims did instead.

In January 2012, the Committee received communications about how Khalid Umarov had his Koran and prayer rug confiscated, on the grounds that only underclothes and pocket items can be brought into EPKT as religious objects. This prevented Umarov from fulfilling his religious obligations, and led to conflicts with prison staff. When Umarov's aunt tried to send him prayer beads, prison staff refused to accept them, on the grounds that they are not on the list of permitted religious objects.

In April 2012, Svetlana Gannushkina, chair of the Committee, and project coordinator Nikolai Zboroshenko met with FSIN representatives and the mufti for Keremovo oblast, visited IK-41 and had discussions with prisoners. In the course of these exchanges, prisoners confirmed that they had personally seen the desecrated and broken Koran on the ground. Prisoners were afraid, and worried that prior threats would be fulfilled—that new criminal cases would be brought against them for making grievances about prison employees' behaviour.

Sh. Z. Viskhanov (IK-6, Vladimir oblast)

He is a native of the Chechen Republic, sentenced to 16 years' imprisonment, to be served under strict conditions. He is incarcerated in a colony where it is impossible to keep namaz (prayer five times daily), as the administration does not allow praying between lights-out and the wake-up call. Penalties have been imposed on him for his failure to respond to prison staff while he is in the middle of praying. When in ShIZO, he has been prevented from performing namaz at night; while in ShIZO, PKT, and EPKT, he has been prevented from keeping a plastic bottle of water for ritual ablution. He has also been forbidden to keep a Koran, a prayer rug, or prayer beads. Food for Muslim prisoners is not kept apart from regular prison food, and since most food is made with pork or pig fat, he is forced to abstain from meals. He eats only bread, tea, and occasionally fish, in small quantities. When fasting, and unable to eat during the daytime, prison staff take away his food at night. He is sometimes able to hide away a piece of bread to eat at night, and constantly suffers from hunger.

R. A. Khamzatkhonov (IK-6, Vladimir oblast)

He is a native of the Chechen Republic, and was sentenced to 13 years' imprisonment. He is in a situation of conflict with the prison establishment staff, because of the fact that while praying, he does not stand and greet the prison guards. Consequently, he is frequently disciplined (in the form of violation reports). He is unable to fulfill namaz, as the hours of the prayer room do not correspond to the prayer times. Ablution in wintertime is also a problem, as there is no washstand

in his detachment, only in another building, accessed through the yard, which he is forbidden to cross.

T. Kh. Tangiev (SIZO, Chechen Republic)

He is a native of the Chechen Republic, sentenced to 22 years' imprisonment. He previously served his sentence in FSIN federal prison IK-6 of Vladimir oblast. He turned to the Civic Assistance Committee in July 2013. In a meeting with a lawyer, he explained that he was being significantly impeded in his practice of Muslim religious rites. As he told, the prison colony has a prayer room, where the administration has posted a schedule, but it does not include times for namaz. He is therefore unable to use the prayer room; Friday collective prayer is also forbidden. Religious appurtenances—such as prayer rugs, skullcaps, and leather socks for praying—were confiscated, as not being essential religious objects. Despite the Muslim abstention from pork, all food in the institution is either made with pork or with the addition of pig fat, leading to serious dietary problems.

Tangiev also told that one of the institution's deputy directors, on his morning rounds, makes a special tour of the detachments where Muslim prisoners are held, and if they do not rise to greet him, interrupting their prayers, he levies a punishment in the form of a transfer to ShIZO. Tangiev said that he had been able to have meetings with relatives no more than once a year, due to the prison's extreme distance from his and his family's residence, and due to their impoverishment—they have to real possibility of travelling to pay him a visit.

He filed a petition with the FSIN for transfer to further serve his sentence in a prison colony closer to his former place of residence, place of arrest, and to his family's place of residence in Chechnya—or to the location of his sentencing—, but he received constant refusals of such requests.

Recommendations

Eliminating torture

Impunity for prison staff involved in torturing prisoners is the most serious problem in need of elimination. Most cases of torture, violence, humiliating and degrading treatment, and murders of prisoners—including, of course, CR and RI natives—have not been investigated; those guilty have not been found or have escaped responsibility. The investigation can be closed and resumed an unlimited number of times.

Experience shows that penitentiary system employees having served in the military, especially in the “Chechen” wars, are notorious for special cruelty towards not only CR and RI natives, but towards other prisoners as well. A universal FSIN staff competency and professional aptitude test is necessary. Those who served in military “hot spots” should not be admitted to work in FSIN agencies or law enforcement. In view of their need of rehabilitation, and the inability of some to recover, they should fill positions involving interpersonal responsibility only upon being appropriately certified by independent psychologists.

Humanising the penal system

The policy concept of revitalising the penitentiary system (2010–2020) refers to the goal of humanising detention conditions and eliminating repressive forms of incarceration, in favor of educational work and re-socialisation as its goal (see <http://www.index.org.ru/nevol/2010-23/12-konzep.html>)

Members of human rights organisations and Public Monitoring Commissions (ONK) report that the declared goals of reform are not being accompanied by effective practical mechanisms. The Russian penal system is still oriented towards exercising strict control over prisoners and formal adherence to established rules, without taking into account convicts’ needs, instead of improving and developing social, psychological and educational work with convicts.



There is an urgent need to humanise the penal system and the law enforcement system in general. Human rights societies have repeatedly proposed humanisation measures, including:

- wider use of alternative punishments that do not involve isolation from society (fines, correctional work, etc.);
- introducing the institution of probation (suspended sentencing or temporary surveillance of the convict);
- development of a socialisation system and assistance to strengthen family ties: sending convicts to serve their sentences in the regions nearest their relatives’ places of residence, increasing the number of visits, etc.

Training carceral system employees

There is a need to organise educational, legal and other workshops to build up the professional, legal, and cultural knowledge of carceral system employees. It would be useful to organise these workshops with the participation and help of NGOs.

Employees should regularly attend training devoted to studying the European Convention for the Protection of Human Rights and Fundamental Freedoms, as well as other international agreements and treaties governing treatment of prisoners. It would be most effective to involve specialists from governmental human rights institutions and NGO experts to teach international standards and human rights to carceral system employees. Such practices exist, but they should be expanded.

It is necessary to inform all employees of the penal system of ECHR findings of violations of Russian prisoners' rights. It is also necessary to implement general ECHR rulings that oblige Russia to take certain measures to change the penal system.

Legislating freedom of religious practice

There is a need for legally-enshrined norms governing the procedure and conditions of serving a prison sentence, which would guarantee freedom of religious practice and respect for the ethnic traditions of prisoners.



To eliminate contradictory opinions on what literature is considered extremist, carceral establishment administrators should cooperate with Muslim clergy, consulting them on the religious nature of literature. Scholars—of religion in particular—should be invited to participate in these consultations.

Changes must be made to the rules of order of carceral establishments to widen the list of necessary religious objects, to include those that pertain to Muslim rites. It is necessary to amend the daily routine in carceral establishments for persons professing Islam, to permit them to visit a prayer room for a five-times-daily prayer, and to pray after lights-out and before the wake-up call. Muslims should be provided with an opportunity for collective Friday prayer. Muslim prisoners

should be allowed to eat after lights-out during their sacred month of Ramadan. Dishes for Muslims should be made part of regular rations, accounting for their particular needs, such as by replacing pork with beef or poultry.

Conclusion

In conclusion, we would like once again to recall to mind the large-scale campaign of isolating Chechens from society by fabricating criminal cases, which took place during military actions in the Chechen Republic. In 2005, this matter was raised by Chechen ex-president Alu Alkhanov—now serving as deputy Minister of Justice. According to an Interfax report of 6 April 2005, Alkhanov said that he was going to present Russian law enforcement agencies with a request to review all criminal cases against Chechen residents, in which they were convicted for possession of weapons or drugs. “The court is considering the case of ‘*oborotni v pogonakh*’ (‘police werewolves’) who planted weapons, drugs, ammunition on law-abiding citizens and sent them to prisons on fabricated charges guided by high-ranking officials,” he said in a meeting with journalists in Grozny. Alkhanov said he considers it “necessary to ask for a thorough review of all the cases against Chechens who were detained and afterwards convicted on these grounds in all parts of Russia.” He noted that “for years, Chechens in Moscow and some other cities had to go out with the pockets shut on all their clothes.”

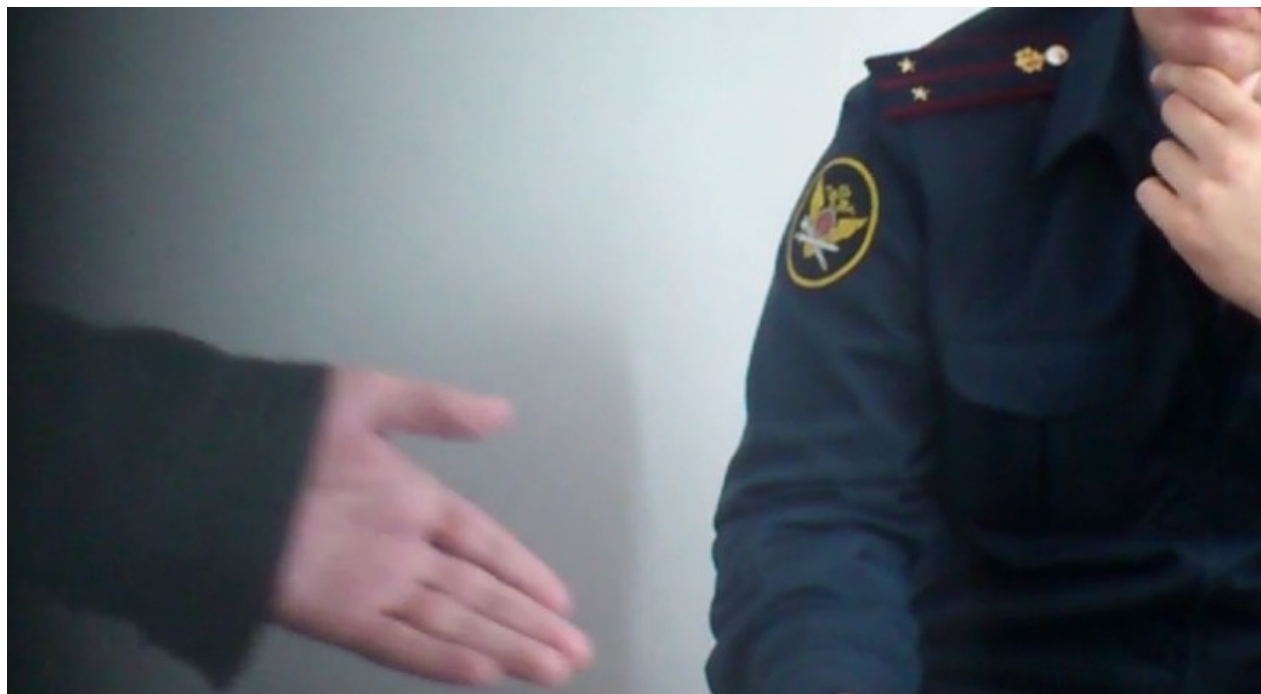
The same year, the former Chechen president expressed his gratitude to human rights activists: “I affirm that both state officials and human rights organisations should strive so that not a single citizen is held responsible for crimes he did not commit,” he said. “I sincerely thank Svetlana Gannushkina, who, although she is a Russian woman, is doing more to protect the rights of Chechens and residents of the Republic than anyone else,” Alkhanov said, adding that he had already privately extended his thanks to Gannushkina.

Ramzan Kadyrov expressed the same intention to seek a review of cases dating back to that period. However, for reasons perhaps clear enough, national leaders did not support it. This is why many innocent residents of the Chechen Republic remain incarcerated, serving long sentences for crimes they did not commit. It is especially difficult for these convicts to endure their imprisonment. The environment surrounding them is alien to them, and they often fall victim to persecution by prison employees and other convicts.

This is the most important reason that the Committee and our staff started the work of analysing the situation of Chechen Republic and the Republic of Ingushetia residents under incarceration. It is our strong conviction that this work should be continued and expanded.

Appendix: Conversation between a prisoner and a prison colony detachment director

Digitised secret videorecording



Prisoner:

Chief, tell us, so that we can understand... we don't violate anything, we do the exercises while half of the prison doesn't, we come to the canteen. They told us to buy plastic windows—we bought them, they told us to buy washstands—we did, shelves—we bought, a section wall—we bought. I don't even have plastic windows at home. We've spent at least a hundred thousand rubles on the renovation. And we're continuing with it. We were told they wouldn't lock us up in ShIZO, but they still do. When I'm summoned, I come, and I don't even know there are papers about me. Though the law says you should familiarize me with these papers, if there are any. Explain to us, tell us—what can we do?

They invited us, Chechens, for an interview for Kadyrov. So that we would tell how good our life is here. And if we don't give the interview, we'll be beaten, placed in ShIZO, PKT, EPKT, etc. Transfer us to a [stricter] prison regime or find something forbidden in our stuff. We can't lie and make things up that don't exist. We wouldn't have to wait long for the consequences. I myself have been here 10 years already, I don't violate the routine, I live calmly. What am I to do?

Yesterday I went to the colony head and asked him: "Why am I put in ShIZO?" And he said that you'd written a paper, and he gave it to me to read, saying that I refused to write an explanatory note. But in fact none of it happened. How come? My mother borrows money from all the neighbors to come to visit me, I ask her not to come but to send me the money for treatment. She doesn't come, she sends the money. And I spend it on construction materials. I renovate the whole colony. We're buying cement, 5 tonnes of it, sand... What else should we do? Tell us, how we can live like this??

I've got certificates from the doctor that I shouldn't be exposed to cold, but anyway they drive me out to these exercises along with all the others and place me in a cold penal ward for several days. They threaten that if I write a single complaint they'll deprive me of meetings with my mother. Every month they demand more and more materials. I can't anymore, neither me, nor my family have any more money. And look at the pedophiles. They live normally. No one disturbs them, no one punishes them. Half the people in the colony have the same articles as I do, but no one messes with them. While we, Chechens, are constantly punished, no matter what.

Listening very attentively, with understanding and even some pity, the detachment director turned up the music (evidently fearing that the conversation might be overheard) and started explaining:

Detachment director:

In short, I'm telling you as it is. I hope it won't spread beyond this room. As for the papers concerning the latest violation... I had a talk with my superiors, and got instructions from above to prepare these reports to impose penalty on you.

Articles 209 and 222 of the Criminal Code and all the other articles referring to organised crime groups and people of Caucasian nationality... They have to be considered repeat offenders, they have to be placed in PKT or on SUON. I understand you perfectly, but so do you understand me. I personally do not have and never had any pretenses toward you. All the penalties come from the main authorities, from glorious Moscow. I myself am shocked that it takes place!

Prisoner:

So what do you think, is it fair?

Detachment director:

Of course not!

Prisoner:

While I was in the third detachment, I did renovations there. Then I was transferred to another detachment, and renovated it too. Then I was transferred to a third one, and did renovations again! I can't do any more, I don't have any more strength! In nine years I've had only one meeting with relatives. On one hand I hear—I don't have any pretenses toward you, on the other—they put me to PKT, ShIZO again.

They promised that if I did the renovation, I would be transferred to lighter conditions. But instead, they write reports and put me on SUON again. We Chechens don't smoke, don't drink, don't do drugs, while it all exists here, don't live according to the "law of the underworld," we are just living and serving our sentences. But it's us who get transferred to SUON, PKT, EPKT, ShIZO for nothing, with no violations, only because we are Chechens.

Tell me, maybe you can put in a word for us? You know better than anyone else how we live here, what we do. Just so that they don't punish us.

Detachment director:

Yes, no one knows better than I do—it's all clear, but I can't do anything.