

Russian Federation: Lack of medical treatment after severe torture in detention

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The World Organisation Against Torture (OMCT) and Promo-LEX request your urgent intervention in the following situation in **the Russian Federation**.

Description of the situation:

The OMCT and Promo-LEX has been informed by reliable sources about torture and the severely deteriorating health condition of Mr. Vitalie Danu, a national of Moldova, detained in the preventive isolator No.5 (CM30 5) in the Volgograd region of the Russian Federation.

In August 2015, Mr. Vitalie Danu travelled to the Russian Federation to find work when police seized his car and allegedly found illegal drugs. Mr. Danu subsequently spent more than 2 years in pre-trial detention before he was sentenced to 9 years in prison in October 2017.

In pre-trial detention he was subject to torture and other ill-treatment. On 3 and 4 February 2016, three other cell mates physically tortured him until he lost consciousness. His lawyer who tried to visit him on the 4 and 5 February 2016 was refused access. A few days after the incident, he was forced to sign a document stating that he waived the service of a translator for his criminal case and another document that was a contract according to which he sold his car. The prison doctor who treated him shortly after found injuries on his

face, chest, abdomen, back and testicles. He was subsequently operated on his reproductive organ; one of his testicles was removed in the health care unit of the pre-trial detention center. Following his operation, he was diagnosed with Hepatitis C, chronic gastritis and hemorrhoids, osteochondrosis of the vertebral column, and lymphocytosis on his right foot. Mr. Danu's health condition further worsened and he underwent another operation for hernia in August 2017. He cannot walk without assistance and his trial dates have been postponed several times because he was unable to attend court hearings. Despite repeated complaints by his lawyer, Mr. Danu did not receive proper medical treatment to address his health conditions.

In February 2016, Mr. Danu's lawyer submitted a torture complaint upon which criminal proceedings were initiated against one of his cell mates. In the course of the investigation, prison authorities reported to the prosecutor that Mr. Danu's injuries were caused by a fall from his bunk bed. Mr. Danu, on the other hand, was never questioned by the prosecutor. Mr. Danu has not been informed about the outcome of the investigation. There has been no investigation against prison authorities who failed to protect Mr. Danu from torture and did not provide him with proper medical treatment.

The last time Mr. Danu's family has heard from him was in January 2018. There are since no news about his health condition.

Actions requested:

Please write to the authorities of the Russian Federation asking them to:

- i. Provide Mr. Vitalie Danu with access to an independent doctor in order to provide him with adequate medical treatment in accordance with the provisions of the UN Standard Minimum Rules for the Treatment of Prisoners;
- ii. Grant the right of communication with family members;
- iii. Conduct a thorough, impartial, and transparent criminal

investigation into the abovementioned acts of torture in order to identify those responsible, bring them before a competent and impartial tribunal, and apply to them the sanctions provided by the law;

iv. Transfer Mr. Vitalie Danu to the Republic of Moldova for the execution of the remainder of his sentence.

Addresses:

1. Vladimir Putin, President, Fax: + 7 495 606 5173; + 7 495 606 5173; 23, Ulitsa Ilyinka, 103132, Moscow, Russia;

2. Sergueï Lavrov, Minister of Foreign Affairs, Fax: Fax: (+7) 499 244 34 48; 32/34 Smolenskaya-Sennaya Square, Moscow 119200, email: ministry@mid.ru;

3. Ministry of Justice, 14 Zhitnaya Str., Moscow, Russia, Official municipal post-1, 119991; Tel: +7 (495) 994-93-55;

4. General Prosecutor Office of Russia. Bolshaya Dmitrovka, 15a GSP-3, Moscow 125993 RUSSIA. Tel: +7 (495) 987-56-56;

5. Permanent Representation of the Russian Federation to the Council of Europe, Ambassador Ivan Soltanovsky, 75, allée de la Robertsau, 67000 Strasbourg, France. Fax: (+33) (0) 3 88 24 19 74. Email: russia.coe@orange.fr;

6. Ms. Tatiana Moskalkova, High Commissioner for Human Rights in the Russian Federation, Myasnitskaya Ul. 47, 103084, Moscow, Russian Federation. Fax: +70 95 207; 39 77, e-mail: rusombuds@ropnet.ru;

7. H.E. Ambassador Alexey Borodavkin, Permanent Representative, Permanent Mission of the Russian Federation to the United Nations in Geneva, Avenue de la Paix 15, CH-1211, Geneva 20, Switzerland. Fax: +41 22 734 40 44, E-mail: mission.russian@vtxnet.ch;

8. Ambassador Ivan Soltanovsky, Permanent Representative of the Russian Federation to the Council of Europe, 75, allée de la Robertsau, 67000 Strasbourg, France. Fax: (+33) (0)3 88 24 19 74. Email: russia.coe@orange.fr;

9. Civic Chamber of the Russian Federation, 7/1, Miuskaya sq., Moscow, Russia, GSP-3, 125993; Tel.: (495) 221-83-58; Fax: (499)251-60-04;

10. Volgograd region, Preventive isolator No 5 (CM30-5) 404621
Volgograd region, Leninsk town, 12 Promyshlennaya St.

Please also write to the authorities of the Republic of Moldova asking them to issue a transfer request vis-à-vis the Russian Federation (according to the European Convention on the Transfer of Sentenced Persons) so that the remainder of Mr. Vitalie Danu's sentence can be executed in the Republic of Moldova.

Addresses:

1. Ministry of Justice of Moldova, 82, 31 August Str., MD-2012 Chisinau, fax: (+373 22) 23 47 97; secretariat@justice.gov.md;
2. Ministry of Foreign Affairs of Moldova, 80, 31 August Str., MD-2012 Chisinau; fax: (+373 22) 23 23 02; e-mail: secdep@mfa.md; Please also write to the diplomatic missions or embassies of the Russian Federation and the Republic of Moldova in your respective country.

For more information, please contact:

Promo-LEX, Nicoleta
nicoleta.hriplivii[at]promolex.md
OMCT, Nicole Bürli: nb[at]omct.org

Hriplivii:

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