

Council of Europe anti-torture Committee publishes report on the Russian Federation

Strasbourg, 17.12.2013 – At the request of the Russian authorities, the Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has published today the report on its periodic visit to the Russian Federation, carried out in May and June 2012, together with the response of the Russian authorities. During the visit, the CPT's delegation visited places of deprivation of liberty in Moscow, Leningrad and Vladimir Regions, as well as in the Republics of Bashkortostan, Tatarstan and Udmurtia.

In Moscow and Saint Petersburg, most of the detained persons had no complaints about the manner in which they were treated by law enforcement officials; however, the CPT's delegation did receive some allegations of recent physical ill-treatment by members of law enforcement agencies. The delegation also received several accounts of recent physical ill-treatment in the Republic of Udmurtia, mainly referring to the time of initial interviews by operational officers. Numerous allegations of recent physical ill-treatment of persons, including juveniles, held by law enforcement officials were heard in the Republics of Bashkortostan and Tatarstan, as well as in the Vladimir Region. In a number of instances, the alleged ill-treatment was of such a severity as to amount to torture.

In its report on the previous periodic visit in 2008, the CPT indicated that, if police ill-treatment remained unchallenged, it could easily become an almost accepted feature of operating police practice. A little less than four years later, notwithstanding the efforts to reform Internal Affairs structures, the frequency and consistency of the allegations suggested that methods of severe ill-treatment/torture continue to be used on a frequent basis by police and other law enforcement officials, in particular outside Moscow city and Saint Petersburg.

The CPT has called upon the Russian authorities to strengthen action to prevent ill-treatment by the police and members of other agencies (including the Federal Drug Control Service and the Federal Security Service) and reiterated the importance of effective action by the investigating authorities when information indicative of possible ill-treatment comes to light. Concerning the formal safeguards against ill-treatment (in particular, notification of custody, access to a lawyer and access to a doctor), they still only became available from the moment of the first official interview by the investigator, i.e. several hours (and sometimes much longer) after the de facto apprehension and initial questioning by operational officers.

The CPT was also concerned by the fact that holding cells in police divisions were still frequently used for overnight stays (on occasion, for up to 48 hours). As observed on all the previous visits to the Russian Federation, none of such holding cells was suitable for holding persons for longer than a few hours. By contrast, most of the temporary detention centres (IVS) visited offered decent conditions of detention.

Turning to prisons, the CPT's delegation received no allegations of ill-treatment of prisoners by staff at Federal-purpose pre-trial establishment (SIZO) No. 3 in Saint Petersburg and SIZO No. 1 in Kazan. In addition, no credible allegations of ill-treatment were heard at SIZO No. 4 in Moscow or at SIZO No. 1 ("Kresty") in Saint Petersburg. As regards SIZO No. 1 in Ufa, most of the inmates interviewed made no complaints about staff attitudes. In contrast, at Closed-Type Prison No. 2 ("Vladimirskiy Tsentral") in Vladimir, the delegation received several consistent allegations of physical ill-treatment of inmates by staff. As for Strict-Regime Colony No. 1 in Yagul, many inmates interviewed stressed that there had been a clear improvement as regards the attitude of staff towards them since the CPT's previous visit to that establishment, in 2008. However, the delegation did hear a number of graphic and consistent accounts of deliberate and routine physical ill-treatment of newly admitted sentenced prisoners, as well as several credible allegations of physical ill-treatment by staff, including senior officials, of inmates on disciplinary segregation.

The CPT has acknowledged that for many years, the Russian authorities had made continued attempts to combat overcrowding and improve material conditions in pre-trial establishments. Encouraging results were observed during the 2012 visit and the Committee recommended that the Russian authorities pursue their efforts in this regard. The Committee was also pleased to note that steps were being taken to move away from the system of large-capacity dormitories/cells found in current establishments for sentenced prisoners towards a system of smaller living units. In this context, the CPT reiterated its long-standing recommendation that the Russian authorities formally amend the legislation in order to align the minimum standard of living space for sentenced prisoners with that for remand prisoners. The Committee has also called upon the Russian authorities to ensure that efforts aimed at reducing overcrowding and improving material conditions in SIZOs and establishments for sentenced prisoners go hand-in-hand with the introduction of programmes of structured out-of-cell activities.

As concerns prison health-care services, the delegation was informed of a pilot project, the main feature of which was that prison health-care staff were no longer administratively dependent on the directors of the establishments in which they were working. In this context, the Committee has reiterated that a greater involvement of the Ministry of Health in the provision of health-care services in prison would help to ensure optimal health care for prisoners.

In their response, the Russian authorities refer to various issues raised in the CPT's report and provide detailed updates on the legislative and organisational reforms of the law enforcement agencies, the investigative authorities and the prison system (including on the implementation of plans to construct new pre-trial establishments/units, relocate SIZO No. 1 in Ufa and on the improvement of prison health-care services). They also inform the Committee of steps taken to prevent further ill-treatment of prisoners and persons in police custody.

The CPT's visit report and the responses of the Russian authorities are available in English on the Committee's website: www.cpt.coe.int.