

No one shall be subject to torture or inhuman or degrading treatment or punishment

"Convention for the Protection of Human Rights and Fundamental Freedoms". Article 3 - torture

**Monitoring
of torture in criminal-executive system
of the Chelyabinsk region**

*A Report by the group of independent observers
under the supervision of N.Shchur*

**Chelyabinsk
2013**

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The Report presents the results of a 28 month long monitoring of torture misuse in the criminal-executive (UIS) system of the Chelyabinsk region. The conducted monitoring had a goal of researching the reasons for misuse of torture by the personnel of the UIS facilities, systematization of its types, illustrated with examples from the practical work of a group of independent members of the Chelyabinsk region's SC.

During the monitoring there have been worked out some suggestions to prevent torture which are also presented in the current Report. The Report is illustrated with documents, photo- and video materials and is a product of copyright of the Ural Democratic Foundation.

A short version.

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Introduction

An absolute prohibition of torture, inhuman, degrading treatment or punishment is a fundamental human right which has no limits or exceptions.

A discussion about whatever is more important: monitoring of the situation or activities directed to change it -- had no impact on us, because we believe that a situation can be changed only when it is well known what exactly needs to be changed, when the situation is well known itself. And it is only for monitoring which can give such information.

Then, it seems that after performing a monitoring, having explored the problem in its dynamics, it is possible to focus just on working out and implementation of measures of solving the found problem. But then, how do we know that the measures taken are effective? That is why monitoring should not be stopped at further stages either.

These are the reasons why we started to monitor misuse of torture in the UIS facilities of the Chelyabinsk region.

Why are we interested in torture and not living conditions, for example?

That is because torture cause all other of inmates' difficulties: impossibility to keep social interconnections, lack of opportunities for education and teaching a profession, the low level of living conditions, etc. Not even mentioning such things of great importance as destruction of personality by consistent humiliation of human dignity which makes it impossible to serve one's sentence with decency just as to come back to worthy life upon release.

We were also interested in the reasons of misuse of torture, because it is impossible to influence an event if its reasons remain concealed. When starting our work, we had a basis of our previous experience of cooperating with the penal system, we had an idea of such reasons, and the current monitoring of torture misuse fully verified our assumptions.

The second reason why we chose to focus on torture is that those people who performed the monitoring and the organizations which they represent possess a rich experience of previous activities in the sphere of penitentiary relationships. Thus, we have started the current work not on "from the scratch.

The third reason is that degree of trust to us both from the inmates and their relatives which made it possible to perform a fuller and more objective monitoring.

And the last reason is that possessing the mandates of SC members we had an opportunity of limitless visits to all kinds of UIS facilities, to attend all premises where torture could have been performed. We also had a right not only to talk to any inmate but also to fix the marks of torture if any were left, to accept appeals, complaints and evidence of torture directly from inmates themselves.

All of this affords us to work successfully throughout the whole period of performing the monitoring.

Chapter I. Methods of research implemented during the monitoring

We used following methods in our work:

- I. Study of legal framework.
- II. Gathering information on torture directly from meetings with inmates (and relatives) and from their written complaints.
- III. Direct examination of premises of those penal facilities which are liable to torture misuse.
- IV. Analysis of documents

I. Study of legal framework

Within the limits of the current monitoring we've studied a complex of normative legal documents, both Russian and international.

Here are the most important of them:

1. Universal Declaration of Human Rights.
2. Convention for the Protection of Human Rights and Fundamental Freedoms and Protocols.
3. Constitution of the Russian Federation.
4. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
5. Criminal-executive Code of the Russian Federation.
6. Criminal Procedure Code of the Russian Federation.
7. Russian Federal Law N 76-FZ of June 10, 2008, "About public oversight of observation of human rights in places of deprivation of freedom and assistance to inmates of places of deprivation of freedom."
8. Russian Federal Law N 5473-I of July 21, 1993, "About facilities and organs executing criminal punishments such as deprivation of freedom".
9. FZ "About detention in custody of suspects and charged with crime».
10. UN's minimal standards of treatment of inmates.
11. European penitentiary rules.
12. Rules of internal regime of children colonies of the UIS of the Russian Federal Ministry of Justice.
13. Rules of internal regime of correctional institutions of the UIS of the Russian Federal Ministry of Justice.
14. Rules of internal regime of SIZOs of the UIS of the Russian Federal Ministry of Justice.
15. Order N 83 of the Ministry of Justice "About establishment of and Instruction for supervision of inmates who are kept in correctional colonies" of March 7, 2000, and the Instruction for supervision of inmates who are kept in correctional colonies.
16. Order N 268-dsp of August 25, 2006, of the Ministry of Justice "About establishment of Instruction of organization and regulation of search and examination in correctional institutions of UIS, at the secure territories, vehicle" and the of organization and regulation of search and examination in correctional institutions of UIS, at the secure territories, vehicle.
17. Regulations for visiting the facilities of UIS by the members of SCs.
18. Comparative table of RF Constitutional statements and norms of the UPK, made by judge S.A. Pashin.
19. Report "Problems of correspondence of the Russian Federal criminal-procedural legislation and the its application and the European standards." Written by S.A. Nasonov.

All laws have been studied in most recent edition and Conventions all together with Protocols.

Study of laws, Codes, Conventions and other documents showed that there was no disagreement between international and Russian standards dealing with prohibition of torture. But the practice of their implementation which exists in Chelyabinsk facilities (and having learnt the experience of SCs' work in other regions we can tell that it goes not only for the Chelyabinsk region) is not compelling not only with international legislature, but also the domestic ones. Moreover, it often breaks internal penal system's documents and should cause criminal responsibility of those who are responsible.

But the practice of trial courts show that such responsibility comes rather rarely and unfortunately not in such a degree if a civil citizen would be guilty. We'll give two most bright examples of the cases of the explored period.

Thus, for killing of 4 inmates a group of employees of IK-1 of Kopeisk has been sentenced, but the colony's administration got only suspended sentences.

To illustrate, here is an article by the information agency "UralPressInform"

«UralPressInform»

Russian Supreme Court softened the sentence to Vladimir Zhidkov and 11 of his subordinates

31.01.2012 - 17:17 The Supreme Court has changed sentences to 12 of 18 employees of the Chelyabinsk UIS system who have been charged for the killing of 4 inmates and beating of 8 arrested in the colony of strict regime in Kopeisk

The ex-Head of the regional GUFSSIN Lt.Gen. Vladimir Zhidkov received 4 years of suspension instead of 5 which were sentenced him earlier by the Chelyabinsk regional court. He is charged for concealing severe crime.

The Head of the GUFSSIN Security Dept. Evgeny Afanasjev, the Head of the Operative Dept. Andrei Shilin, and the Head of the IK-1 Vadim Valeev have also received 4 years of suspension instead of previous 5. Besides, they've been released from accusation in organizing false denunciation (Art. 306 of the Criminal Code).

The authorized operations officer of IK-1 Pakhtula Atuev received 10 years of deprivation of freedom instead of 12; the deputy of the director of IK-1 Evgeny Gorodov, the attendant inspector Maxim Tokarev, the head of the operative dept. Denis Simakov, the head of the security dept. Alexander Zyrianov, empl;oyees Evgeny Kondratyuk and Dmitry Golodnov -- 9.5 years instead of 10; the junior inspector Andrei Malshakov -- 8.5 years instead of 9.

The sentence hasn't been changed for the junior inspector Rustam Gumerov (5 years of suspension), the deputy of the director of IK-1 Raisa Mukhametova (4 years of suspension), the assistant of the operative attendant Alexander Selyutin (5 years of suspension), junior inspector Sergei Orlov (5 years of suspension), the head of transit-reconsignment point Mikhail Berlovich (5 years of suspension), and employeed Alexander Biryukov (5 years of suspension).

As said earlier, on May 31, 2008, in the room of the transit-reconsignment point, the colony's employees have beaten 12 inmates who had arrived to serve their sentences. As a result, 4 of them died: Sergei Polyaev, 24, Anatoly Aivased, 37, Vyacheslav Sakhabaev, 20, and Evgeny Mamukov, 26.

The Head of the Chelyabinsk GUFSSIN Vladimir Zhidkov together with E.Afanasjev, A.Shilin, and V.Valeev tried to conceal the crime. The total amount of 18 employees of the regional GUFSSIN have been sentences. The UralPressInform agency received this information from Dmitry Kolbasin, the Head of the information dept. of the interregional human rights association "Agora".

Evgenia Alexandrova

4 years after the killing of inmates in IK-1, the same year when those who are guilty in this killing got their sentences, a new killing happens in IK-2 of Chelyabinsk. It took 2 years to take this case to court. The jury's verdict and the court's sentence have been announced. But it is even more strange than in the case of IK-1.



The jury declared FSIN employees not guilty in the case of a killing in IK-2

The jury of the Chelyabinsk regional court have announced their verdict on the case about the killing of an inmate Fyodor Rodenko in IK-2 in 2010. The senior orderly Oleg Gordeev accused in killing of his cellmate is claimed not guilty, the colony's employees including the ex-director Dmitry Bashinsky are claimed deserving an indulgence. The information comes from Elena Verigo, the Head of the press-service. This March, the criminal case was investigated in court by the jury, according to the convicts' appeal. In June, 2010, 3 of IK's employees were arrested during the investigation of the death of inmate F.Rodenko in a single cell of a ShIZO in IK-2. At first, the administration claimed that no wounds had been found on the body of an inmate. The pre-investigation inspection had finally found them and also found out that the inmate was strangled. After that the regional Attorney Alexander Voitovich demanded from GUF SIN to take all the necessary measures to guarantee the inmates' right for personal safety.

Several people were charged: IK-2 ex-Director D.Bashinsky (accused in organization of misfeasance added with violent use); employees Denis Zaporozhets, Evgeny Shvetsov, Nil Zaripov (accused in misfeasance added with use of violence and special measures); inmate Oleg Gordeev (accused in aiding in misfeasance added with use of violence and special measures, beating and killing with the goal of concealing another crime).

"The jury claimed it wasn't proved that it was Gordeev who entered the cell with the beaten inmate and strangled him, -- says E.Verigo -- But they named him guilty in aiding employees in use of violence towards Rodenko: he prepared the cell where the inmate had later been beaten, provided soundproofing with mats, prepared strangles, put on a trouser leg onto Rodenko's head and later participated in carrying Rodenko to a "glass"-cell."

The jury also named one of the employees guilty for the use of violence towards another inmate. They concluded that an inspector put the naked complainant into a room where the floor was covered with chlorinate water where the latter stayed for 31 hours. Other 2 employees are named not guilty because of the lack of body of crime. They were accused for pouring hot water in that inmate.

The ex-Director Bashinsky is announced not guilty in organizing the beating of an inmate. The jury only agreed that he had exterminated the records from a video-camera in the ShIZO. "Besides, the jury decided that the employees deserve indulgence" -- says E.Verigo.

After the jury's verdict was announced, the sentence appeared to be even less strict.

Employees of IK-2 who have killed an inmate received real sentences

The Chelyabinsk regional court announced a sentence in the case of killing inmate F.Rodenko of IK-2 in 2010. Ex-Director D.Bashinsky is claimed not guilty in anything, his subordinated D.Zaporozhets, E.Shvetsov, and N.Zaripov are sentenced to 1 to 4.5 years of deprivation of freedom. This colony's inmate O.Gordeev is claimed not guilty of killing but he is charged for 5.5. years of strict regime aiding in misfeasance -- says the reporter of Chelyabinsk.ru from court. .

The judge based his sentence on jury's verdict which announces the employees not guilty of almost all accusations and also deserving an indulgence. As a result, there was found nothing criminal in Bashinsky's actions of neither organizing the beating of Rodenko, nor of concealing a crime. The jury only found provable his efforts in exterminating the records of the video camera in a ShIZO.

Bashinsky's subordinates guards Shetsov and Zaripov are claimed not guilty in misfeasance towards inmate Kalieve, but guilty of beating Rudenko. The judge sentenced them to 4 years of colonies with no right to employ for state service for 2.5 years and with deprivation of rank.

The guards direct superior D.Zaporozhets is guilty of 2 crimes: misfeasance with violent use which caused severe consequences (items "a" and "b" of Part3 of Article 286 of the Criminal Code). He lost his rank of a lieutenant.

The last convict O.Gordeev is claimed guilty of aiding in misfeasance. He is sentenced to 5.5 years of colonies, counting previously served years. . His guilt of killing Rodenko is not proved -- a separate case had been started upon this matter.

The sentence might be appealed against. The jury's verdict -- not.

As we have written before, on June 2, 2010, IK's director Bashinsky and 3 inspectors (Zaporozhets, Shvetsov, Zaripov) and an inmate beat inmate Rodenko who had broken the regime regulations. Rodenko had been hung up to a cell's bars parallel to the floor, beaten up and left hung for 24 hours. being afraid that other inmates would find out about his aiding in torture, inmate Gordeev later entered a camera and strangled Rodenko..

II. Gathering information on torture directly from meetings with inmates (and relatives) and from their written complaints is the most effective method of research.

To make a conclusion about misuse of torture in a facility, it is necessary to get your own impression about it. Tee most full information about a facility is a basic of successful work in observance of human rights in that facility.

Human rights organizations that have been working with penal system for many years don't have any problems in getting information about colonies or investigatory isolators: their representatives have visited all of them and not once, besides they get regular mail from inmates.

There is also another way to get information which we have used during our monitoring. We mean meetings with inmates not directly at the monitored facility, but at other PDF. I.e., if during a regular inspection of an IVS (which is under the jurisdiction of GUV D, not UIS) you ask an inmate there whether personnel violates his rights, 99% of inmates will tell you that everything is fine (because he'd be afraid of the reaction of policemen). BUT it is usual that personnel of IVS (same policemen) are absolutely indifferent to inmates' talks about other facilities (belonging to UIS). It is very often that persons under investigation (who are mostly kept in IVS) have got enough experience of staying both in IVS and SIZO (which belong to UIS) and have shared it with their cellmates. If you ask such inmates questions about which SIZO or colony he'd come from, which exact cell, what are the peculiarities of those facilities -- he can tell you lots of interesting things: about food, medicine, secret bunkers, torture cells, payment rates for getting a date, employment and just calm life without beating, etc. All of this data should be checked, of course, but as practice shows, they are mostly true. Thus, we got information about so called "rubber cells" in SIZOs, torture cells in IK-18, extortion in IK-6, inhuman conditions in "collectors" (rooms for accommodation of just arrived) in SIZO-1 and SIZO-3. All of these data was verified in complaints of inmates and relatives and during our personal visits to named facilities.

We have received a total amount of about 4000 complaints from inmates during the monitoring period. The majority was received at the end of 2012 during the events in the Kopeisk colony IK-6.

We mostly received complaints directly during our visits. In exceptional cases -- via mail, but not from colonies: it is almost unreal for a complaint about living conditions to leave the territory of a colony. That is why inmates appealed to SC members to help them in forwarding their complaints to various addresses. Thus, in November-December, 2012, during the IK-6 events, our group of inspectors received 3 353 (three thousand three hundred and fifty three) complaints in closed envelopes addressed to the SC, and also more than a dozen openly.

Those complaints that had no envelopes were mostly forwarded to the special dept. of the facility in order to be registered and later forwarded to named addresses; the rest of them addressed to the director of colony was forwarded directly into the hands of D.S.Mekhanov -- the director of IK-6 at that time.

Those complaints that were in closed envelopes and addressed to the SC were read in the office of UDF and later forwarded to corresponding state organs if we found that the questions discussed in them were not under the jurisdiction of SC.

Thus, within only 2 months ,we have received from IK-6 and forwarded:

- to the Chelyabinsk procuracy 2 869 appeals,
- to RF Ombudsman192 appeals,

- to the General Attorney118 appeals,
- to SK RF106 appeals,
- to the Governor of the Chelyabinsk region19 appeals,
- to the deputy of the State Duma V.K.Gartung18 appeals,
- to the European Committee for prevention of torture14 appeals,
- to the Investigation Dept. of SK RF of the Chelyabinsk region12 appeals,
- to GUF SIN of the Chelyabinsk region3 appeals,
- to RF FSIN1 appeal,
- to the Ombudsman of the Chelyabinsk region1 appeal.

Inmates complain about systematical extortion of money and material supplies by the colonies' employees (they name sums, materials, names of employees and inmates whom they use for forwarding supplies); about torture and beating by employees (naming their names, describing methods of torture); about slave labor (describing working conditions, salary rates); about inactivity of procuracy and Investigating committee; about the impossibility to send correspondence out of the facility, especially complaints about living conditions.

Inmates also complain about employees who take revenge on them for resisting the violation of their rights, etc.

The inspection of part of inmates' complaints by SC members on site proved the validity of all claims in IK-6.

Apart from written complaints about torture there is another quite important source of information -- inmates' stories video recorded according to their written permission (as demanded by law), and often even by their request. We received got dozens of such video records where you can find inmates' evidence of torture in IK-6, forwarded them to investigation organs with all the demanded written procedures (in order for the evidence not to fall into oblivion), posted them in the Internet and attracted the attention of many journalists to cover them in mass media. The quantity of views constantly grows.

While analyzing this source of information about torture we came to a conclusion that the complaints received directly from inmates and relatives (both oral and written) and later checked on site are the most informative and reliable source.

What are the disadvantages of this source? It seems that over emotionality and subjectivity of this method are its disadvantages. But to our opinion, they can't be estimated like that, because subjectivity is eliminated by the large quantity of survey and checking of evidenced facts, and the emotionality only proves the importance of gained materials. But as for the real disadvantage of personal meetings and complaints is their nonsustainability. As times goes by, details (names, dates) can be forgotten -- but still, this is not the main thing. What is more important, inmates and relatives themselves are constantly pressed by organs or interested persons. The complainants always threatened morally or physically, relatives are blackmailed with penalties for their convicted relatives or making their living conditions worse, or sometimes are bribed. That is why it is so important to document complaints as soon as possible, to record all of the evidence. We and our colleagues from other SCs often get letters from inmates with the following warning: "If I change my evidence written in a complain, it would mean that I've been threatened by the administration".

III. Direct examination of premises is a very valuable source of information about torturous conditions of keeping inmates or, moreover, of misuse of torture in certain premises

Here are some examples.

Inmate of IK-6 Dmitrievsky Artem Andreevich, born in 1985, sent several complaints about torturous conditions. There was a video camera installed in his cell and focused to the toilet place. SC members saw that camera and also documented wounds on inmate's body and paid their special attention in the Act of Inspection to the fact that the inmate had been kept in a ShIZO for more than a year (the law allows only 15 days). We forwarded his complaints to RF Ombudsman and to the UN special rapporteur on torture. Finally, Dmitrievsky was transferred to a different

colony, to a EKPT (according to the law), and despite the fact that a EKPT cell is meant to be of more severe regime, the inmate appeared to be now kept in more safe conditions. (**Appendix1 -- materials on Dmitrievsky's case**)

On August 9, 2012, during their visit to IK-6, SC members N. Shchur, T.Shchur, D.Latypova received doubtless proof of misuse of so called "torture on a frame". Inmate V.G. Obukhov told how he'd been scotch-taped to an iron frame in the ShIZO's medical cabinet in order to torture him for getting an agreement to ask relatives for "humanitarian help", etc. Obukhov gave a detailed story about how exactly inmates are taped up to the frame, which parts of it could still be sticky of scotch. SC inspectors immediately went to the cabinet together with representatives of the facility's administration and an employee of the GUFSSIN's dept. for human rights A.A. Kadnikov and videotaped (and documented in an Act of Inspection) sticky remains on the iron frame exactly in those places which Obukhov had named. The video record was posted in the Internet, the inquiry attached to the Act was sent to procuracy, the Act - to the administration of IK-6 and to GUFSSIN (**Act of Inspection, Inquiry**) GUFSSIN's reaction was to unmount the frame and install a Rabitz type steel-wire instead. Later on the facts of torture on a frame were proved by many inmates after the conflict in November, 2012, and also in the case of killing inmate F.Rodenko in IK-2 in 20110. (**see p.1 of the current Chapter**).

Another example of finding torture misuse during an examination of premises is uncovering torture cells in IK-18 on July 12, 2011. Not long before the visit to IK-18, from different sources SC members received information about secret rooms for hiding those inmates whom they wouldn't like to show to various commissions and also those who complain and are defiant. SC observers also received information of how to trace those cells. During the inspection, they found the cells. They appeared to be absolutely inappropriate for keeping people. But the director of colony assured SC members that those so called "spare ShIZO cells" hadn't been used for 2 years already and at that moment were a subject to dismantling. Indeed, there were inmates working in some of the cells, and there was no electricity in the others. Having temporarily left the "spare block", SC members began personal meeting, where inmate Yanochka said that had been kept in the spare block just a day before, described his cell in details up to the writings on the walls. Together with Yanochka and the director of colony SC observers returned to the spare block and found there the cell absolutely matching the description, and several other cells with evidence of recent presence of people (moist soap, fresh toothpaste, smell, etc.). Everything was documented in the Act of Inspection (**App.2.1**), inmate Yanochka was included into the Safety Registry (**see Chapter III of the current Monitoring**). Later on, the torture block really was dismantled, except for 2 cells which met the standards and were included into the list of obligatory checking during SC inspections.

So called "rubber cells" in SIZOs (special premises for placing inmates who are being in the state of a nervous break-down) were also found after an inmate's complain during the personal meeting in IK-24 of Ozersk. Proof of torturous conditions was received during an examination of premises in SIZO-4 of Zlatoust where SC members headed to after the meeting in Ozersk to check that inmate's information.

Here are extracts from the Act of Inspection of SIZO-4 of 12.12.2011.:
"Cell #8 -- rubber walls, no windows. Exists according to Order N204-DSP of 03.12.05. by the Ministry of Justice, App. 45 -- but doesn't meet the standards of that Order... "

"SC's conclusions:

Aside from disciplinary cells which can easily be called torturous themselves, there are special rubber cells (fully covered with rubber inside). Staying inside is a torture, it suppresses inmate's mind and is harmful for his physical health. Information about such cells is sent to the Ombudsman and to procuracy..."

That inmate who told us about rubber cells received a copy of the Act in order to send a complaint about torture to EHRAC.

The issue of rubber cells was discussed at the Round table dedicated to penal medicine organized by the Ombudsman and the Chelyabinsk Committee for free pardon. Rubber cells were found in all SIZOs of the region and all of them don't fit the standards. At current time, all of them

are closed or dismantled and are not being used. SC observers check this thoroughly during each visit.

During direct examination of ShIZO premises there were also found secret blocks for keeping of special inmates. This method helped us again to prove torturous living conditions. Thus, in every ShIZO we found a special block with a masked entrance. In the Chelyabinsk region it is usually numbered 12. Usually inmates of special status are kept there (criminal authorities, or simply unlikable inmates for meeting with observers). Such blocks are equipped in different ways: sometimes they are very comfortable (i.e. with soft furniture) or otherwise truly torturous -- depending on what inmates they are used for. Thus, ShIZO's block #12 of IK-6 was marked by SC as inappropriate for living: frost-dew on the walls, extremely uncomfortable sitting and sleeping places (very narrow), isolation from all other premises, lack of radio. The block was found by SC members D.Latypova and V.Prikhodkina in January, 2011. Inmate N.Arnyudaev was kept in it, and he was transferred from that cell after persistent SC's demands. The inmate evidenced about 6 months of living in block #12, all recorded on video. <http://youtu.be/F6mopMR-HC0>

IV. Analysis of documents -- a resource of validation of the facts of torture misused.

The most valuable feature of this resource is that a document can become a basis for legal activities and once a fact is documented it can't be changed like it often happens with the evidence of an inmate or relative who get frightened or bribed by persons or organs interested in concealing a crime.

A doubtless disadvantage of a document is that it is really hard to find direct proof of tortures been misused in it. That is why it is usually indirect evidence what you can get from a document. One can find such indirect evidence in officially documented injuries, doctor's journal, lists of inmates in ShIZO, medical cards. SC members can get access to the latter only after getting a written permission from an inmate, but all of the rest documents should be shown to them without limits. From our experience, there are no problems of getting inmate's permission except the cases when an inmate has already died. Thus, we couldn't receive a medical card of inmate Korovkin who died in LIU-3 of IK-6. LIU's administration said that since a corpse can't sign a permission, we can't look at his card. Nevertheless, Prikhodkina and Latypova learned from the journal of traumas of FKU IK-6 that inmate Korovkin was injured on 01.06.12. and 04.06. 2012. (record #19).

A document of legal proof for both national and European court is an Act of inspection made by SC after visits. Such Act is signed not only by SC members who conducted an inspection, but also by the representatives of a facility who also receive their copy of an Act. That's why it's important that events should be reflected in an Act as detailed as possible and corresponding appendixes are applied to the Act (extracts from personal files, mentioned journals, video- and photo materials, etc.).

Chapter II

Misuse of torture in the criminal-executive system of the Chelyabinsk region: types, reasons, examples, conclusions

The UN Convention Against Torture gives the following definition of torture:
«any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.»
(Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. PART I. Article 1.)

At the same time, Article 3 of the European Convention on Human Rights guarantees one of the major values of the democratic society: it prohibits torture and inhuman or degrading treatment and punishment, regardless of circumstances or victim's behavior.

We took these statements as a guidance for conducting the current monitoring.

1. Time, place and objects of research

The monitoring took place in 23 UIS facilities of deprivation of freedom in the Chelyabinsk region: SIZOs, correctional and children colonies, prison of Verkhneuralsk.

Beginning of monitoring: November 1, 2010.

End of monitoring: April 30, 2013.

There have been conducted a total of 86 visits to GUF SIN facilities of the Chelyabinsk region.

Table of visits to Chelyabinsk GUF SIN facilities by a group of independent inspectors

	Name of the facility	Total amount of visits for the monitoring period	Date of inspection	Comments
1.	FKU SIZO-1 454006, Chelyabinsk, ul. Rossijskaya, 53-a	8	01.09.2011 27.06.2012 23.10.2012 26.12.2012 25.01.2012 09.01.2013	<p>Complaints from inmate S.V. L-n: reception and sending out of complaints are not registered. rejection on providing of qualified medical help.</p> <p>Cells need repair. Most of cells lack wooden floors, windows, privacy of latrine, natural light; «cell for people who have suffered from a nervous break-down» doesn't fit any standards.</p> <p>Insanitary conditions in the shop and the room for reception of deliveries and parcels</p> <p>Almost all cells need repair, installation of a shower. Not enough light, lack of forced ventilation, no organized distribution of drinking water. No natural light neither in cells nor in the walking yards. Wherever there is some natural light, it's obviously not enough. Electric light is also not enough.</p> <p>Cells need repair. Several premises are very humid: there is water dropping from the ceiling in the basement corridors. A part of windows in the cells for women is covered with iron blinds.</p> <p>Lack of medical personnel; lack of</p>

			05.03.2013	natural light at the post of duty for under-age inmates; the complexion of under-age inmates is muddy and unhealthy. It is urgently needed to solve a question with cells for under-aged.
			18.03.2013	Humidity, walls of cells are moist, it's dropping from the ceilings, mosquitoes are flying, running rats, some cells don't have natural light, blankets have holes. A letter from the Head of GUF SIN with a report about partial improvement of situation.
2.	FKU SIZO-2 455016, Chelyabinskaya oblast, Magnitogorsk, ul.Tankistov, 16	1	12.07.2011	Bad forced ventilation, humidity, stuffiness, lack of space in disciplinary cells; inmates are not taken out to calls; legal information inside cells is limited only by inmates' responsibilities.
3.	FKU SIZO-3 454038, Chelyabinsk, ul.Artilleriiskaja, 66A	11	01.02.2011	Cells are over crowded; cells need repair; cigarettes are being broken (each one is broken) and all food products too (all tins are being open, products are cut in pieces).
			23.09.2011	Inmates are being beaten up (we traced injuries on some inmates); no glass in cells; a carpet for praying was taken away.
			29.09.2011	Cells are over crowded; no sheets for beds; HIV and hepatitis C positive inmates are not getting additional nutrition; fungus on walls; water bucket of 14 liters for 14 persons a day; cells are humid and stuff, no privacy for latrine; no qualified medical help.
			14.06.2012	Only 4 pictures of relatives allowed; personnel is rude; troubles with distribution of hygiene supplies to women. All disciplinary cells need repair; part of them have broken sinks or no sink at all; no organizational stock and inmates have to use personal towels or cloths the of a handkerchief for cleaning; floor-level toilet instead of a bucket for cleaning (inmates stick in the hole with a cloth to feel it with water). Walls in cells are moist, fungus. Over crowded cells.

				<p>Stuff air, no ventilation. Women dept.: Cell #229 -- stuff air, no ventilation, only 1 window working and has rubbish buckets of the whole SIZO underneath in the street -- unbearable smell in the cell (of must and scapyard), insects flying inside (flies). Complaints about rats at nights which tear packets with food.</p> <p>24.08.2012 - a target visit to transit dept. to political prisoner L.Razvozhayev in order to control observance of his rights. Aid for further transporting rendered (clothing, food, sending information to relatives). No complaints. Жалоб нет.</p> <p>19.09.2012 - Many cells and corridors need refurbishment or capital repair . Not all cells have got enough natural light.</p> <p>14.11.2012 "Rubber cell" is partly dismantled, is not being used.</p> <p>07.03.2013 Very bad conditions for inmates for learning their criminal cases: very tight in investigation rooms, tables are too small.</p> <p>15.03.2013 - to meet with Abakumov. Checking living conditions, violations of rights during investigation</p> <p>05.04.2013 - to the arrested under investigation Ms U.</p> <p>10.04.2013 - to the arrested under investigation Ms U. Life threat because of development of a disease. Control of observance of a right for life.</p>
4.	FKU SIZO-4 456205 Chelyabinskaya oblast, Zlatoust, ul.Anosova, 273	1	12.12.2011	No qualified medical help; use of "rubber cell" for torture of inmates.
5.	FKU SIZO-7 Chelyabinsk, ul.Komunny, 70	2	19.11.2012 24.04.2013	Almost no natural light in cells and walking yards because of small windows and a roof.
6.	FKU IK-1	6	08.04.2011	Endless anal examinations caused

	456658, Chelyabinskaya oblast, Kopeisk, pos. Oktyabrskii			<p>01.11.2011 inmates' protest -- inmates from EKPT cut their blood veins. Low quality of drinking water. Complaints about living conditions don't leave the territory of the facility. Illegal transfer to a ShIZO.</p> <p>15.12.2011 SC documented wounds on an inmate's face: beaten by a guard. Complaints about living conditions don't leave the territory of the facility . Illegal transfer to a ShIZO.</p> <p>18.01.2012 - to Sh., A. Control of observance of Safety Registry. Complaints about living conditions don't leave the territory of the facility . Illegal transfer to a ShIZO.</p> <p>29.01.2013 - to Sh., A. Control of observance of Safety Registry. No beating in the colony, but the situation between inmates is very tense.</p> <p>29.03.2012 -Control of observance of Safety Registry. No beating in the colony,</p>
7.	FKU IK-2 454038 Chelyabinsk, ul.Montazhnikov, 7a	6		<p>14.07.2011 No medical help. Illegal transfer to a ShIZO, keeping in ShIZO might last forever without leaving to the ward, torture with music in ShIZO; a hunger-strike wasn't documented; beating of inmates; complaints about living conditions don't leave the territory of the facility.</p> <p>19.07.2011 Torture with music in ShIZO, stretching, full undressing; no medical help; and inmate received an open envelope from EHRAC; complaints are not sent away.</p> <p>03.11.2011 Torture with cold (inmates are kept in walking yards of ShIZO-PKT for hours), beating of inmates (documented injuries), illegal transfer to ShIZO, prolongation of keeping in ShIZO without leaving to the ward.</p> <p>29.11.2011 Torture with music in ShIZO, illegal transfer to ShIZO,</p>

			<p>31.05.2012</p> <p>04.03.2013</p> <p>05.04.2013</p>	<p>prolongation of keeping in ShIZO without leaving to the ward , torture with cold, complaints about living conditions don't leave the territory of the facility. Inmates notice that administration's overall attitude had improved, no beating.</p> <p>Torture with music. No complaints from inmates, the situation in the colony has stabilized. Inmates are transferred to ShIZO according to the law, no beating.</p> <p>No complaints. No beating. Inmate L. forwarded a complaint about IK-6 to EHRAC.</p>
8.	FKU LPU-3 454038 Chelyabinsk, ul.Montazhnikov, 7a	5	<p>14.03.2012</p> <p>19.06.2012</p> <p>23.01.2013</p> <p>21.02.2013</p> <p>04.03.2013</p>	<p>Inmates in a ShIZO are forced to report; inmates are being stretched (including invalids), illegal transfer to ShIZO, are made to transfer money from their personal accounts for the repair of the facility "upon their own will". Cells of prison- and special- regime: obvious lack of natural light.</p> <p>SdiP exists in the colony (is proved by records in the book of arrival to facilities bear the names of some inmates). Inmate Korovkin was killed on this day</p> <p>Illegal transfer to ShIZO, lack of natural and electric light in cells, benches by the table are 11 cm wide -- it is impossible to sit on them, rats is cells, "special contingent " is never transferred to ShIZO, torture with music.</p> <p>Repair in ShIZO: narrow benches are being changed to wide ones, full replacement of water piping. Repair will be continued.</p> <p>Control of the state of inmate K-v. Consultation about parole.</p>
9.	FKU IK-4	3	26.01.2012	Employees provoke inmates for a conflict, director blackmails inmates

			06.03.2013	by their close ones' destiny. (reject for a parole of an inmate because of her friend's conflict with the administration)
			23.04.2013	There was found an organized working place in a ShIZO cell, employees provoke inmates for a conflict, illegal transfer to ShIZO.
10.	FKU IK-5 454047, Chelyabinsk, ul.Stalevarov, 10	5	11.01.2013	Inmates of ShIZO are not allowed to use hygiene supplies (creams, shampoo, soap), no hot water in cells, news are not broadcasted on radio, illegal transfer to ShIZO. Personnel is rude, lack of medical service.
			22.01.2013	Inmates of ShIZO are not allowed to use hygiene supplies (creams, shampoo, soap), no hot water in cells .
			07.02.2013	Inmates of ShIZO are not allowed to use hygiene supplies (creams, shampoo, soap), no hot water in cells.
			01.03.2013	Right for information is violated -- no information about appeals for a date, it is not given officially and in understandable form. A right for short dates with other persons is violated because of their untraditional sexual orientation. Cream and shampoo are still prohibited in a ShIZO.
			21.03.2013	Explanation of rights at a court trial to inmates of SUS -- consultation about a court trial vs administration.
11.	FKU IK-6 456612 Chelyabinskaya oblast, Kopeisk, ul.Kemerovskaya, 20	24	30.03.2011	Systematical extortion of money, bribes and torture of different types: with electricity, water, stretching, music, limitless keeping in ShIZO, dangerous working conditions, beating, moral pressure. Tracing the situation during and after the inmates' action of civil disobedience. Reception and systematization of complaints. Informing society about the situation in the colony. Work of the head of the group of observers
			28.04.2011	
			09.03.2012	
			19.04.2012	
			07.06.2012	
			03.08.2012	
			09.08.2012	
			23.08.2012	
			04.09.2012	
			29.06.2012	
			24.11.2012	
			25.11.2012	
			26.11.2012	

			<p>27.11.2012 03.12.2012 05.12.2012 10.12.2012 19.12.2012 24.12.2012 16.01.2012 19.02.2013 19.03.2013 27.03.2013 09.04.2013</p>	<p>N.Shchur as a permanent expert of SPCh.</p> <p>Situation has stabilized. Extortion and beating have stopped. But participants of the peaceful action are now a subject of persecution. Oversight needed.</p>
12.	<p>FKU IK-8 454006 Chelyabinsk, ul.Severnaya, 2a</p>	3	<p>11.10.2011</p> <p>22.11.2011</p> <p>25.01.2013</p>	<p>Beating of inmates, transferring to ShIZO for made up reasons, refusal in permission for long -- all drew to a protest action: part of inmates in SUS cut their blood veins. Anything that hasn't been bought in the IK's shop is prohibited for delivery. Inmates are kept in ShIZO for months without leaving for the ward; bad medical assistance; documents which are sent via mail disappear; inmates are force to go for walks, forced to do exercises; forced to march.</p> <p>Complaints don't leave the colony; torture with music in ShIZO, director of colony threatens.</p> <p>Bad medical assistance, cells of ShIZO-PKT are humid, no natural light (some cells don't have windows at all, in others they are too small and equipped with blinds).</p>
13.	<p>FKU LPU-9 Chelyabinskaya oblast, Bakal, ul.Kholodnyi klyuch, 2</p>	2	<p>24.02.2011</p>	<p>A hospital for TB positive inmates. All boots are the same for all seasons. Insulated personal boots are allowed only special inmates. Inmates are being transferred to ShIZO for made up reasons. Administration's attitude is rude, humiliating. Complaints about living conditions don't leave the territory. Sleeping premises are humid, fungus on walls. News on TV are being censored. Inmates are obliged to salute the guards each time when they see them no matter of the quantity (the latter walk in and out for several times); inmates are punished if they are escorted by</p>

			08.04.2013	<p>an orderly inmate when moving around the colony (it should be done by an employee. But employees order it to inmates on duty, and later, if necessity arises -- they are punished for that). Inmates are not allowed to be located in the sleeping premises from rise-up till lights off -- but this is a medical facility for people going through intensive therapy.</p> <p>The problem with lack of winter boots is still unsolved.</p>
14.	FKU IK-10 456870 Chelyabinskaya oblast, Kyshtym, ul.Chelyuskintsev, 76	3	18.06.2012 17.12.2012 20.03.2013	<p>No gear for personal security at manufacture. Inmates are being transferred to ShIZO for made up reasons and are kept there for months without leaving for the ward. Inmates are transferred to this colony wearing hand-cuffs, because they are afraid to go there after the beating of their prisoner transport (proof is found in the personal case of inmate N.)</p> <p>- situation has changed: 1 person in ShIZO, work at cleaning of copper wires has been stopped, no beating. But work sectors for brightening of pipes are still not meeting security standards.</p>
15.	FKU IK-11 456656 Chelyabinskaya oblast, Kopeisk, pos.Zheleznodorozhnyi, ull.Elektrovoznaya	1	26.01.2012	<p>Inmate B. was either beaten up or is seriously ill: heavy breathing, can't breath in deeply because of pain in chest. His ribs might be broken, Возможно, сломаны ребра. Hyperemia of skin on the neck. According to inmates' complaints, the following types of torture are misused: putting a motorcycle helmet with a frame in front of the face, then full undressing, holding hands and legs and beating with a rubber stick. Inmates are forced to sign appeals to join SDiP.</p>
16.	FKU IK-15 456652 Chelyabinskaya oblast, Kopeisk , p.Potanino, ul.Tomskaya, 4	3	17.11.2011 10.11.2013	<p>Inmates are being transferred to ShIZO for made up reasons. Complaints don't' leave the territory. Tortures misused: putting inmate's head into a bucket with dirty water and a mob for cleaning the floor. Putting this mop on a head and beating.</p> <p>Cases of keeping inmates in ShIZO-</p>

			01.02.2013	<p>PKT longer than 15 days in a row. Latrine places are not private everywhere. But in the visited premises of ShIZO-PKT the conditions are more likely to be called satisfactory (warm, normal light), on the contrary with ShIZO UKP where the cell is humid, moist dropping off the ceiling, latrine is located directly nearby the feeding place and is not isolated with anything; the cell is small and dark -- the window is small, almost no light goes through it; only 2 sleeping places in the cell for 3 persons present on the moment of inspection. One has to sleep on a floor on a given out mattress. Judging from the lack of footprints on the snow in the place which UKP employees named as a walking yard, no walking is performed. Total censorship of mass media in the -- TV broadcasting are only the recorded ones, no direct access to any TV channels; subscription to "Rossijskaja gazeta" ("Russia's newspaper" the official organ for publishing laws) or any other printed materials except newspapers "Na perelome" ("At the turning-point") and "Kazenny dom" ("Fiscal home") -- 2 of the internal GUF SIN's media -- is impossible.</p> <p>ShIZO UKP has been repaired. Violation of rights of inmate K. -- limitless keeping in ShIZO. An internal inspection organized. Guilty persons punished. But K. is still been oppressed.</p>
17.	FKU IK-18 455016 Chelyabinskaya oblast, Magnitogorsk, ul.Tankistov, 16	1	12.07.2011	Torture cells without windows, light, air. Floors in cells are of concrete, rats. Cells are hidden from alien eyes.
18.	FKU IK-21 456830 Chelyabinskaya oblast, Kopeisk, Kasli, ul.1 Maya	2	08.02.2011 09.03.2012	- visit to inmate Akh-v. Control of observance of his right for a medical help after EHRAC's decision. No sleeping regime for patients of the medical dept. during the day, only for those with high temperature. Inspection of psychological and medical help to inmates who are positive to AIDS, TB, HIV.
19.	FKU IK-24 456780	1	18.01.2011	Inmates are placed in ShIZO for a long time from the very beginning, which

	Chelyabinskaya oblast, Ozyorsk, ul.Promyshlennaya, 3			results into a stay there for several months in a row without leaving. Complaints about living conditions don't leave the territory. No regularity in walks; shaving supplies are not given inside the cell -- one is allowed to shape only in the shower (once a week).
20.	FKU IK-25 456216 Chelyabinskaya oblast, Zlatoust, ul.Panfilova, 6	1	27.02. 2013	Inspection of working conditions, medical and psychological help to inmates positive with AIDS, TB, HIV. No ventilation at the model sector of a foundry, inmates are not equipped with security gear for respiratory tracts. SC observers have unmasked the facts of theft of federal funds on large scale.
21.	FKU - "T" (prison) 457630, Chelyabinskaya oblast, Verkhneuralsk, ul.Severnaya, 1.	1	11.07.2011	No complaints about living conditions received from inmates. Disciplinary cells don't meet the standards (walls are covered with iced snow, no light, concrete floors). Director of the prison claims that those cells are not being used and are a subject to repair. It is necessary to go on with oversight.
22.	FKU OPB (psychiatric)	1	12.07.2012	Visual impression is satisfactory. According to inmates from other PDF, there are injections of psychotropic medication misused in OPB for calming down the inmates. A special inspection with experts is needed.
23.	AVK (for under-aged) p.Nizhnii Atlyan, ul.Gorodok	1	11.12. 2012	A situation of total suppression of personality of several under-aged has been created in the colony. Their safety is constantly being in a threat, they are extremely afraid for their lives. SC members demand GUF SIN to take urgent measures to provide safety for them and to take measures against those persons who are guilty in the situation. The corresponding inquiry is forwarded to the regional procuracy and to SK RF of the Chelyabinsk region. An internal inspection conducted, colony's administration fired. At present time, a question is being solved about relocating the AVK in Chelyabinsk and reforming of the colony.

II. Goals and reasons of torture misuse in UIS facilities

An inmate faces torture right after he arrives to a facility with a prisoner transport. The goal is to break one's will, make him obedient, show him who is the master. It's called "breaking the transport [of newcomers]". No one is ever punished for beating the newcomers. On the contrary, it is one of the obligatory methods in keeping inmates. So the guards are so used to it and to not being punished, so that they started to get satisfaction from this activity, they invent new ways to make it "more interesting" for themselves. The case of beating a part of newcomers up to death in 2008 is well known. The organizers of that remain unpunished (the sentence to suspension was just a mockery), so this means that the powers gave a signal -- keep on beating. (*See Chapter I, point 1 of the current Monitoring*).

The second goal of "breaking the transport" is to define from the very beginning who might become a source of permanent profit throughout the years of his sentence.

If a person breaks right away and calls his relatives (the guards will give him a cell phone) asking them to bring "humanitarian help" (that's how they call it) in a hope that he'd be left alone afterwards (as they promise), there is only one thing that he gets by it: he will be "juiced" like a cow until the very end of his sentence, and if he wishes to get a parole, he'd have to pay a huge amount of money (which still won't give him any guarantees).

A logical question arouses: if one doesn't agree to pay, for how long will they beat him? There is no firm answer to that question. The beating might go on until they get the wanted result, or they might leave an inmate alone right away: it all depends on a man's will and how well the guards understand the strength of one's will. It also depends on how well they understand if an inmate can find a way to inform someone outside the colony about the beating and that he's waiting for help (not the "humanitarian help" for the colony!). And one should wait for help (and count on it), but not from procuracy and governmental organs, but from journalists and human right activists. It is a matter of urgent matter to get to them. The sooner one contacts activists and journalists, the bigger is the probability that torture stops..

So what are the initial reasons of torture, despite sadism and personal necessity to fulfill some physiological problems of some separate officers? Not all of them are sadists or have some unsolved personal matters. But the beatings are massive, the personnel gets wild from impunity.

Those who knows contemporary Russian life inside the prison or outside it takes it for granted that you have to pay for everything, even if it is a state, officially free thing: giving birth in a municipal hospital, later getting a right for your child to go to a kindergarten, then at school (to get a place in a class, to get correct marks at exams, to repair school); then for the college (for same things. We are talking of state education, which is officially for free); to get a drivers license (not for the courses, which are, of course, for money, and you pay it officially, but for graduating and passing an exam, no matter how well you are) -- for anything where you deal with municipal, governmental services, which are said to be for free, and there are legal documents proving it. Bribes are everywhere, and people take it for granted, and pay. So why would a prison be an exception? Besides, what a jailed man can do to the one who is free and besides is wearing a uniform? To write a complain? Firstly, it won't leave the colony. But even if it does -- what's the trouble? The official inspector from procuracy will come to check, take his part of a "tax", sign a paper that everything is fine and leave. And who will check then?

That is why the penal administrations have been and do and will demand and take these payments: in millions of dollars, kilometers of wallpapers and tons of paint, thousands of TV sets, computers, etc. -- the lists of objects of "humanitarian help" are limitless. Russia is very big, and the prison populations counts million persons a day -- there always will be a good source of money for guards, administrations and clerks who check them.

Here is a stenograph of a story from one of inmates of IK-6 for a typical example of how the system of extortion works. We recorded dozens of such stories, part of them are posted in the Internet. Some employees and inmates-activists are named in all of them.

The story of Alexei Anatoljevich Pervukhin, sentenced for the first time

(Recorded in SIZO-3 on September 18, 2012 by SC member T.M.Shchur witnessed by SC member N.A.Shchur, from Pervukin's written permission for publishing it Is attached to the Act of inspection.)

A.Pervukhin arrived to IK-6 on January 16, 2012..

Right after his arrival he had been searched over and went through a rough anal examination. Since he was trying to struggle at first, 4 persons were called and he was examined by force. Then he was ordered to clean a toilet, which he refused explaining it with that he would clean it after himself but not after the others. After that the guards put hand-cuffs on him, bend him over the table and began to beat him with a stool on his bottom. They used obscene language and closed his mouth with a book so that no cries would be heard. Conducted by employees: Shchegol, Milyh, Makarov, Emeljanenko.

After that he was taken to the operative dept. on the 3rd floor where there were employees Rakhmatulov, Ememeljanenko, Pichkov. He was taken to the cabinet of the chief operative officer Zyakhov who said that if the inmate wouldn't clean the toilet "I'll come up and f you". (Pichkov was present at it). Then he was again taken to the operative dept. where he was stretched to the sides and beaten with rubber sticks. He fell down. Was conducted by: Emeljanenko, Makarov, Babkin. Then he was threatened that they would bring a homosexual inmate who would rape him. The inmate got frightened and rubbed the toilet with a cloth. Then he was taken to the medical dept. where the supply manager Anatoly Kolodkin gave him a rub against bruises. In 2 weeks he was transferred to the adaptation ward (ward #2).*

In the adaptation ward an activist inmate Azamat (Ermagometov?) came up to him and said that he should pay 100 000 or else he'd be beaten further on. The next day they took him to call his mother and others. They only let him say that he needed 100 000. His brother took a number of an account for those money. His relatives found 10 000 from various friends and put it to that account. Since it was unreal to find that much money, they came to an agreement to pay 50 000 in supplies (building materials). By February the cost of materials summed to 50 000, and the inmate was transferred to ward #17. Supply manager Danil Kamilevich Kadreev came up to him and said that he should pay 3000 per month: he could, for example, buy fiberboard. And Pervukhin was buying it for 3 months.

At a date Pervukhin told his brother that he wouldn't pay anymore. He was immediately transferred to ward #8 where he refused to pay, fought the supply manager and got to the medical dept. after that. After that he was transferred to ward 18, where a friend took him under the egis. The beating stopped..

A record of the story of ex-inmate Yegor K. done right after events at IK-6, on November 26, 2012 in UDF's Human rights reception room where Yegor K. came himself, willing to help his imprisoned friends. Written by the inmate himself (an extract):

« ... Sentence started in the beginning of 2010 and ended in the end of 2012. Upon arrival to the colony we were met by the employees of the administration. The beating was bearable. Most of personal belongings were taken away in the sanitary dept. A silver ring and a silver bracelet with the engraved phrase "Save and protect us" were forcefully thrown away into to the canalization. ... In the quarantine zone I was met by the inmates' foreman Babkin Alexei. He humiliated me when I showed my indignation, tried to hit me, but I wouldn't let. Then he took me to the security department. Inside, inspector Andreev threatened: "If they bring you here once more, I'll beat you as if you were made of rubber". Then Babkin explained that one can survive in the colony only if he's got money. He said that the director of colony (Kirimov at that moment) ordered to pay 50 000 rubles... Employee Pivovarchuk brought me a list for a total sum more than 50 000: wires, energy saving light bulbs, cable, etc. Me and Babkin went to call my mother. In 2 days she brought all that. ... After a transfer to the ward inmates' foreman Amirgaliev explained that if one doesn't financially help the colony, he wouldn't have a calm life there. Mother brought chromized pipes. In 2 weeks inmates' foreman Kadreev Danil Kamilevich asked for 3000 rubles for a repair of the ward. After constant remarks and pressure life became unbearable and I called mother to tell her to give money to Kadreev's mother. Later whenever I bought something in the colony's shop,

Kadreev forced me to buy various goods for the colony (paper, air freshener, etc.). Before parole, Babkin demanded 20-30 000 rubles for the new director (Mekhanov). ... Extortion in the colony is permanent. Schemes are different. Each ward has a fee. Sometimes 50 000 for a roof repair, or 15 000 each month for the building of a cathedral, or 50 000 for a hockey box, or 20 000 for planting of greenery in the living zone. If building supplies are brought for the ward, then everyone brings them the way he can; but if they are for the colony, then everything is done via a superintendent (an inmate). Money is transferred to his wife or other relative who would purchase and bring everything to the zone. Or else, money is transferred via the shop. one also has to buy a date if he wants to receive one. ... Inmates are taken in large groups to make their calls for money. Administration appeal for one's parole costs 30 000 rubles. If one has earned some money, it's taken away upon release. I was taken 800 rubles by the head of the Dept. of educatory work Vasiljev. He made me transfer this money for some other inmates' lawsuits. ... There are kept the journals of "administration's round" where officers fill out the tasks and terms of fulfillment (i.e., "to replace windows with insulating glass units" or "to repair the sleeping premises", etc.) Whenever any kind of an inspection commission visits, those journals are hid either in the cabinet of the head of the ward or in the security dept.»

Here is an appeal from Pavel Chikov, the Chairman of interregional association of human rights organizations "Agora", to Приводим заявление о совершении действий, содержащих признаки преступлений, руководителю Следственного управления Следственного комитета Российской Федерации по Челябинской области Чеурину П.В. P.V.Cheurin, the Head of the investigation dept. of SK RF, about performing the acts of crime:

«On November 29, 2012, "Agora" opened a federal "hot line" for citizens to inform about cases of extortion: <http://openinform.ru/news/prison/29.11.2012/27715/>. The goal was to goal and analyze information coming from relatives of inmates of the Russian UIS. Upon the information that we have received during the period of 29.11.12 -- 10.12.12, it is necessary to organize an inspection for revealing and investigating the crimes on the territories of the Chelyabinsk region.

1. Citizen "A" called the hotline on 30.11.12. and informed us that after arrival to IK-15 in 2010, while he was in the quarantine, first sergeant Popkov suggested him to pay 10 000 rubles for a date with relatives. He refused. He also got suggestions to pay 50 000 for softening his regime (transfer to a better job, etc.), but he also refused. After beating he received a crack of a rib and was transferred to the medical dept. where he had to pay Lt.Col. Nadeshda Leonidovna Kaksharova 10 000 rubles for transferring his from IK-15 to IK-3 where he was released on parole on 02.12.2011.

2. Citizen "B" called on 30.11.12 and told us that while being kept in IK-15 of Potanino, on 29.12.10. he was persistently suggested to pay 20 000 rubles for parole. His relatives transferred the money via the senior of ward #10 making it look officially like a charity donation.

3. Citizen "C" called on 30.11.2012 and told us that authorized operations officer Valery Pavlovich Vershinin took cigarettes, sweets, etc. from his and other inmates' parcels from relatives. In August 2005, authorized operations officer Lt. Alexei Borisovich Rozhkov insisted on giving material help and threatened that in case of refuse he'd cause troubles.

4. Citizen "D" called on 03.12.2012 and told us that her brother was currently kept in Ik-6. Right after his arrival officers demanded 20 000 rubles for the building of a colony's church, otherwise they threatened to make his life in the colony really hard. In summer of 2012, she came to visit her brother at IK-6, and had to pay 3 800 for that date. Money was transferred to her brother's account. Besides, her brother told her that she should bring 20 bottles of mineral water "Yessentuki" and 2 cigarette blocks of "Kent". She forwarded those products through the reception station for parcels, but since water and cigarettes were not for her brother, they were not mentioned in the fill-out forms.

5. Citizen "E" called on 07.12.2012 and told us that during the long date (October 19-21, 2011) with her son in IK-6 she had to transfer 2 500 rubles to an account N***** (she kept the receipt) which was named to her by a person named Ilya (telephone number 8*****).

6. Citizen "F" called on 10.12.2012 and told us that administration of IK-6 extorted money from her son. On 20.06.2012 her son called from the cable phone from Kopeisk and asked her to contact some person Ilya by the number 8***** (same number as in item 5) in order to take account number for the transfer of 50 000 rubles for providing her son with "good" job in the colony. "F" failed to contact Ilya because of some external circumstance. But later her son called again and asked her to call the number 8***** to some Ksyusha for transferring 20 000 to account number № ***** again for the "good job". But "F" refused.

7. Citizen "G" called on 10.12.2012 and told us that while he was an inmate of IK-1 in 2009, the Head of the medical dept. (Denisenko at that period) and the temporary director of the colony Alexei Ivanovich Titov demanded humanitarian help from all newly arrived inmates. The message was brought by inmates-activists..."

A group of SC members possesses a big amount of evidence from relatives of inmates of IK-6 and other colonies about forwarding huge amounts of so called "humanitarian help" to the facilities. They talk not only about building materials, office equipment, furniture, but also about large sums of money. All materials about bribes and extortion are forwarded to corresponding services.

We see that the main reason of torture in UIS is extortion from inmates and relatives. The corruption level in Russia is very high, and all kinds of structures are built into it (from criminal and law-enforcement organs to executive authorities of various levels), we realize it and quote the data from the annual report of the All-Russian Anticorruption public reception-room "Clean Hands" *Corruption in Russia*: "According to the World Bank, the corruption volume of Russian GDP in 2010 was 49%, and 52.6% in 2011. The situation didn't change much to 2012."

According to approximate calculations based on inmates' and relatives' evidence, one can make a conclusion that the amount of money gathered from them differs depending on a facility: in those facilities where the administration is cynical and cruel more money and other material values are being extorted. Judging from the information gained during the monitoring the size of a gathered "fee" from one colony is between 1.5 and 3 million US dollars per month.

Another important reason for torture misuse is an opportunity to get operative information.

To illustrate it, we'll give a typical story of an inmate (in this case -- A.Nesterov) who was tortured in order to find out which IK-6 inmates met with SC members while being temporarily kept in SIZO during the cassation trial. Such "talks" were regularly held with those who returned from a SIZO.

*«Nesterov Andrei Vladimirovich, 05.12.2012, FBU IK-6
Appendix to Act of Inspection of 05.12.2012. .*

Dictated by inmate A.V.Nesterov to SC member T.M.Shchur.

On October 01, 2012, I came back to IK-6 from SIZO-3 from a cassation trial. Inmate A.Pervukhin was in the same transport.

Upon my arrival I was forced to clean toilets. Under officers' pressure I took a cloth and began to clean. Pervukhin refused. He was taken to a neighboring room. I heard slaps from there.

Then doctor Ustjantsev performed an anal examination in presence of Akhmaturov, Pichkov and someone else. They stood behind a breast-high wall and threatened. Two inmates from SDiP stood in the doorway and looked.

Then I was sent to quarantine and stood in the main office until midnight.

Operative officers wanted to know what was talked of IK-6 in SIZO and whether I or anybody else sent complaints about the colony, who talked to whom and who met with SC members. I remember that employee Pichkov was there. I said that I didn't write anything and didn't know anything about the others.

The next morning I was taken to ward #11. I was broken and cut my veins. After bandaging I was taken to the operative dept. Employee Dolgoplov started to kick me into the cut hands, hit my head, cursed at me and asked why I cut my veins, who ordered me to do it. Threatened by calling my parents if I don't tell the truth why I cut my veins. Then I was stretched for 1.5 hours. After that they dictated me an explaining note that I cut my hands in order to get to the medical dept. To make me sign that paper, Dolgoplov started to call a gay inmate from the neighboring room in order for him to pour his urine on me. I got frightened and signed the paper. (But I didn't see that inmate). They transferred me to a ShIZO by night. I haven't been fed for all this time. After arrival to a ShIZO Ustjantsev performed an anal examination again.

In a ShIZO, there was very loud radio. One is not permitted to take a shower longer than 5 minutes and also not permitted to put on his clothes after the shower until you get to your cell.

On October 31, I was taken from the walk yard to a room behind the inspector's post. There were about 10 employees there, including Shchegol. He started to threaten. They took off my clothes, stretched me and started threatening. Akhmaturov examined my things. Doctor Potanin performed an anal examination against my will and in their presence. Then I was sent to my cell wearing only my underwear. All of the rest time I was kept in a ShIZO, no walks, no leaving to the ward, they gave me papers to sign (that I performed some violations of regime

On November 24, the music became louder. Everyone was transferred to the cells with windows into the street. When we saw OMON, I couldn't bear it and cut my veins. The cuts were deep, but no one sew them, just put bandage...» (The record of the story is signed by inmate personally.)

So during the monitoring there have been outlined the main goals and reasons of torture misuse in UIS of the Chelyabinsk region:

Goals of torture:

Suppression of inmate's will in order to establish domination of personnel and inmates who are close to administration.

Defining of objects, ways and sizes of profit to be gained.

Reasons of torture:

Extortion of material supplies for profit.

An opportunity to get information.

Personal qualities of personnel or professional deformation of personality.

III. Types of torture misused in the Chelyabinsk UIS facilities. Examples.

Torturous working conditions

Torture with labor can be viewed in 2 ways. Firstly, labor in UIS is truly slave labor because of salary rate which itself can be estimated as torture of degrading treatment. Secondly, working conditions are torturous.

As for the first aspect, we only mention, but it will be the focus of our next research. Here we can just add that according to FSIN Order N624, an inmate's salary cannot exceed the minimal salary rate (MROT). It's been verified in many meetings both with personnel and inmates, and also by explored documents which regulate labor relationships in FSIN facilities.

As for torturous conditions, it is a massive phenomena, and there are many proving facts found out by SC members many times.

The most scandalous and wide-known is the case of inmates working at sorting of used medical syringes in IK-6. GUF SIN administration likes to say that all of the work was conducted according to job contracts so there was nothing illegal in it. But there is no doubt that it was a torture to work in the sector for processing polymers and «*to process hazardous waste including used medical syringes which contained biological waste, i.e., human blood*» (see **SPCh's Report and videomaterials**) without any protection on inmates' arms, in a room with no ventilation, in such quantities which exceed any reasonable limits. Moreover, working in that sector ("at plastics") was a punishment for defiant inmates. Torturous working conditions were recorded on video and demonstrated at SPCh's meeting dedicated to the act of civil disobedience in IK-6. After that meeting the sector for processing of syringes was closed. In April, 2013, during a planned visit, a

group of SC members has confirmed that had been closed, turned into a warehouse. But they have found used syringes dented in the ground -- as another proof of existence of such a working sector.

Same goes for work "at copper" -- releasing copper wires from isolation: with bare arms, without any kind of individual protective gear. (i.e. see evidence of inmate D.Gordeev where he says that as a punishment for his rejection to enter the SDiP group he had been transferred to "plastics" sector and then to copper where with bare hands he had to sort out bloody syringes and droppers brought to IK-6 in big sacks, and then at clearing of copper wire. Also with bare hands -- there are still scars on his arms (<http://youtu.be/Y7bQrNZPnUA>).

Facts of such labor had been documented by the experts from the President's Executive Council on human rights (SPCh) during their visit of IK-6 at time of November-December events.

SC members have also found a sector for refinement of copper wires without any individual protection in IK-10 (**App. 3.1 a picture from IK-10**).

Torturous working conditions are documented at the sector for brightening of pipes in IK-10 and almost at all sectors of foundry production which SC members have visited. There is no ventilation, no oversight of use of individual protection gears.

Humiliation of human dignity

Anal examination

Forcing to cleaning of toilets after arrival to the facility

Denial in providing with supplies of personal hygiene

The most offensive example of this type of torture is so called "examination of natural body cavities", in other words, a deep anal examination with interference of employee's fingers. To illustrate, here is a case documented in the Appeal from 28.04.2011 to the acting head of Chelyabinsk GUF SIN O.V.Kanashov from SC members D.Latypova and V.Prikhodkina. SC members visited FBU IK-1 of Kopeisk to check information about inmates' act of mutilation. The information was proved: *«Inmates explained that they made that action to show protest against performing of anal examination with interference of a medical employee's fingers during the full search. If an inmate refuses to go through such examination by his own will, it is done forcefully: 4 employees of the facility hold his hands and legs while a medical employee examines inmate's anus with his fingers. Besides, to some inmates there are taken multiple examinations, obviously not for security reasons but as a punishment for persistent struggle for their rights. Administration of the facility gave explanations that when performing those examinations they follow Article 107 of the Order N268-DSP by the Ministry of Justice. Such procedures are misused in all PDF of the Chelyabinsk region. But that Order in its Article 70 says the following: "Searching procedures should be performed in a way that excludes actions which humiliate human dignity and unlawful harm to one's health and property of persons searched..."»*

We think that anal examination practice in PDF is inadmissible, humiliating human dignity and while being multiple is harmful to inmates' health: medical workers who perform it are not professional experts like proctologists with necessary qualification.

Moreover, Article 112 of the same Order says that *«presence of persons not participating in the performing of a personal search is prohibited»*. But SC members received information about the fact of other inmates (so called "activists") being present at searching procedures. (**I.e., see evidence of inmate Nesterov -- Chapter II, p.II of the current Monitoring**).

The issue of anal examination has been risen many times at the discussions on public oversight of PDF, including the Chelyabinsk region. (**See blog of the Ombudsman of the Chelyabinsk region A. Sevastjanov** <http://ombudsman74.ru/xcat/227>).

Not denying the necessity of searching, we see the solution in the use of technical equipment and see this problem as one of the most actual in the struggle against torture misuse.

It is very often when torture with humiliating is misused right after the inmate arrives to a colony. Those are: forcing to cleaning the toilets at arrival, wearing a red arm band, changing into an old boilersuit -- and others. (<http://youtu.be/Fr7qUMc5aYU> - IK-6, a record upon the request of inmate Kalinenkov about "meeting" of the newly arrived. Head down into the toilet).

A special place in the row of ways to humiliate an inmate is taken by torture in colonies for women. I.e., women-inmates are not provided with supplies for personal hygiene when they are put to ShIZO. In IK-5, the director transferred 4 women inmates to ShIZO after they had expressed their indignation about forcing to work on an official federal holiday. He ordered not to give them any shampoo, soap, and cream and explained it with internal regulations where shampoo and cream are not mentioned in the list of allowed supplies for ShIZO. But they were not mentioned in the list of prohibited things either!

What else but humiliation of dignity and punishment with torture can it be called when a woman is divested of her right to normally wash her hair and sooth her hands with cream because her skin is deeply cracked from cold water? The penal population of the Chelyabinsk region was worried about this problem for several months together with human rights activists and mass media. By the time of writing this Monitor, the problem remains unsolved. There hasn't been issued a permission from the Head of GUF SIN to ban the prohibition of shampoo and cream in ShIZO; and without this permission the director of IK-5 is not risking (or willing?) to take a constructive decision. (<http://lifeneews.ru/news/109773> - an article on this topic).

Torture with music.

According to inmates, there is constantly played a very loud music in all ShIZOs of all colonies. Personnel explains it by the necessity of eliminating communication between inmates. But, for example, in the ShIZO of IK-6, besides deafening background noise, there were misused individual torture with sound. An iron bucket with headphones was put on an inmate's head, and the headphones were hooked up to a player. Loud music was turned on and it could go for hours. They also practiced torture with music by fixing dynamics directly on a ShIZO cell's door and turning on loud music for some defiant inmate personally.

Evidence about torture with music come from IK-6 inmates Ruslan Latypov, Artem Dmitrievsky and many other. They are video recorded, posted in the Internet, documented in Acts, forwarded to the Ombudsman, procuracy, mass media.

«...Throughout the whole day inmates have to listen to the same song "Blue moon", turned on very loudly. For a person sitting in a one-man cell, it's a real torture, he drives crazy. I had to ask to turn the music off for several times, for it was impossible to talk to the inmates," -- says Shchur to the journalists of "UralPolit.Ru". Inmates told also about a torture with decibels when employees put an iron bucket with headphones on it on an inmate's head, and turn on very loud music.»

We received a request from the Tatarstan Republic SC to investigate torture that had been misused toward an inmate transferred to the Chelyabinsk IK-2 from Tatarstan. They forwarded us his letter addressed to his mother (who appealed to the Tatarstan SC) which showed his seriously sombrous mood, suicidal state. We found out that deafening heavy music is constantly played in the ShIZO of IK-2, which can really cause mind troubles -- and that's what almost had happened to that inmate from Tatrstan. We immediately informed our procuracy about it and took IK-2 ShIZO under special control.

Extract from SC's Act of inspection of 14.07.2011.

«Inspectors:

Shchur N.A.

Shchur T.M..

Latypova D.A.

Yurin A.A.

Date: 14.07.2011.

Facility: FKU IK-2 of RF GUF SIN of the Chelyabinsk region.

.....

Chuklov Eduard Viktorovich, born in 1970: Arrived on December 29, 2010. Put into ShIZO on January 3, 2011. Spent there 4 months without leaving. Beatings.

Is constantly beaten up and stretched (including today).

Arrived with a prisoner transport on July 6 (approx. at 22:00). Spent a night in a quarantine. During the morning exercises some officer told him to improve his look. He started to fix up his clothing. An inspector came up and said: "Why are you not doing the exercises?" After that Chuklov was immediately taken to ShIZO. "Put down your hat" and fixed him on a stretch, held by 4 men. When they let go, he fell down. When he was on a stretch, they beat him with hands and legs. He asked to document the injuries, but doctor's answer was: "There are no visible injuries". In 2 days he was beaten again. (On July 7, he cut his tum as a protest). On July 9, he cut himself again (a hand). Hunger strike since July 9th. Today morning, on 14th, was taken to the operative dept. to sign a confession in theft in Kazan -- in order to leave this facility. Before he was taken to operative dept., he had been stretched. They waited until his limbs got numb, let him go -- he fell down. A wound opened.

A torture with music is misused at ShIZO: the same song played on the highest loud level. Tried to hand himself, but they released him from the loop.

We invited a doctor senior lieutenant of exterior service Sergei Vladimirovich Pershin who examined the inmate and said that there were no open wounds, but Chuklov's state is very bad, he is in a sombrous mood, tears in his eyes.

SC wishes to note that the facility's administration hindered the inspectors' meeting Chuklov (hid him).

SC members also heard very loud and heavy music while inspecting the ShIZO.

The inmate made a written request to include him into the Safety Registry.»

Torture with stretching on an iron frame

A wide used practice of "training" defiant inmates was to taping them up with scotch to iron frames in a hanging and stretched out position and leaving like that for 24 hours or longer.

On June 2, 2010, in IK-2, inmate Fyodor Rodenko was tied up with cords to the bar-frame of a ShIZO cell parallel to the floor, beaten up and left hanging like that for 24 hours. After he was taken off and carried to his cell, he died (according to the investigation -- strangled). At court, the name of the killer wasn't stated. **(see Chapter I of the current Monitoring).**

On July 12, 2012, inmate E.Teryokhin of IK-6 was tortured in the medical cabinet of ShIZO in presence of operative officers Shchegol, Akhmaturov and inmate Kolodkin. His arms, legs and head were taped up with scotch to an iron frame. They put wooden sticks underneath the scotch so that it would ache more. After that Akhmaturov started to hit Teryokhin's inguinal region with his legs. Inmate passed out. Other inmates heard his screams, but in order to damp them, employees turned on loud music.

<http://youtu.be/vyexCm9SMBU> -- a video record of inmate Abramkin's evidence about beating with truncheon, torture with stretching in ShIZO's medical cabinet, misuse of a gas ballon.

<http://youtu.be/KnYCKd2wdNM> -- video evidence of inmate Leontiev from IK-6 about torture on a frame in the medical cabinet of ShIZO. Details about the participation of inmate Kolodkin (nickname Koloda) who twisted a stick with pencils between Leontiev's fingers.

<http://youtu.be/EtziRC4Hifo> -- inmate Yanushkin of IK-6 tells about torture on a frame; how he was force to go for a walk in wet clothes in December and also how he was tortured in a camisole after stretching.

<http://youtu.be/zFIZa8X144M> -- inmate Sergei Danilov from IK-6 tells about torture on a frame which. New detail in the story: an iron angle where he had to put his feet on in order to soothe suffering. There was a choice: whether you put your feet on a sharp iron angle which cuts into your heels, or you hang up crucified.

<http://youtu.be/-hC7Puen9Cg> -- 1st part of inmate Leonov's evidence about torture on a frame in IK-6 where he was hung up for the whole night.

Other inmates talked also about torture by stretching on a frame: R.Latypov, A.Dmitrievsky and my others. (**App. 3.2 Pictures of R.Latypov telling about torture on a frame**)

A video record showing how SC members found sticky bars in an iron frame of the medical cabinet in ShIZO of IK-6 is wide spread in the Internet (see Chapter III of the current Monitoring)

Torture with electrical current

While performing the monitoring, SC members documented and recorded on video inmates' evidence about torture misused at IK-6. Inmate Alexei Pervukhin gave a detailed story about torture with electrical current. Employees put metal bracelets (electrodes) on his legs which were linked to a generator with current. Such torture was applied to him after his return from SIZO (**see Chapter II, p. II of the current Monitoring**). Evidence of inmates of IK-6 are recorded upon their request and posted in the Internet upon their written permission. They are also attached to the Act of Inspection of IK-6 by the group of SC members lead by N.Shchur.

<http://youtu.be/XOa9dWiCl8g> -- Inmate of IK-6 Kuznetsov about torture with electrical current. Just a self-made device called "telegraph" amongst public, in the hands of operative officers. So called lessons of physics in IK-6.

<http://youtu.be/1WQpV4mNWTg> -- Inmate of IK-6 Leonov about torture with electrical current.

<http://youtu.be/wzSXpaELSmQ> -- Inmate of IK-6 Makeev about torture with stretching in the medical cabinet. He was tortured with current right on the iron frame.

<http://youtu.be/M4GD4vp1pfY> -- Inmate of IK-6 Makeev about torture with current. Here he tells how inmates in IK-6 are forced to sign a paper confessing that they are gay in order to blackmail them later with such "confessions" and get a tool of manipulation. Inmates call this "to sign for a harem".

Torture with water

In IK-1, inmates F.Rodenko and R.Kaliev are recognized as complainants in the case of exceeding of duty by the employees of IK-2. The case covered the facts of torture with water when inmates were put in the cell which had water with chlorinated lime covering the hole floor. (**See Chapter I, p.II of the current Monitoring**)

<http://youtu.be/87-wRBAk9M4> -- inmate Sudorgin of IK-6 talks about beating in the corridor of ShIZO in May, 2012. Cells were beaten one after another: inmates taken out to the corridor full of water. He was also tortured on a frame in the medical cabinet.

Misuse of physical force: beating of inmates

http://youtu.be/J5eA_GSPinU -- IK-6, in. O.Loktionov talks about torture

http://youtu.be/LEVRtRKZ_fE -- IK-6, in. D.Adamadze talks about extortion, beating

<http://youtu.be/rQyfwOzWLGm> -- IK-6, in. Gimadeev's evidence about beating in boxer gloves, torture with gas, electric power and stretching in the doctor's cabinet.

<http://youtu.be/8DdrpxJuLnc> -- IK-6, in. S.Danilov, in this part of his evidence, talks about how inmates are forced to sign papers confirming that they would cooperate with the administration.

Beating up inmates is the most massive type of torture in UIS. You can find in any of FSIN's facilities. Inmates are beaten up both by employees (operative officers, officers of the regime service, guards) and by other inmates (so called "activists" who cooperate with the administration for certain advantages in living conditions. "Activists" beat other inmates with knowledge or under the instruction of the administration).

Plenty of inmates evidence that beating starts right at the moment of bringing inmates to a colony (so called "breaking of a prisoner transport").

In the first room where the newly arrived transport is taken in, "activists" come up to the newcomers and suggest them to send relatives a letter asking for "humanitarian help" to the colony. Those who refuse are beaten up.

Beating doesn't stop there. In the sanitary zone where all newcomers are taken, they are given a mop: "Clean the floor!". Those who refuse are beaten up.

We received complaints about beating after refusal to change into an old torn up boilersuits upon arrival or to put on a boilersuit upon transferring to a disciplinary cell in SIZO (both demands violate the law).

For beating, there are being used: wooden hammers, rubber sticks, just fists and legs.

While performing the monitoring, SC members fixed the known cases of massive beating of inmates which caused massive protests in the form of acts of mutilation. Those are: the case of beating of a prisoner transport in IK-10 when, later, for a long time inmates had been transferred to IK-10 from SIZO only in hand-cuffs because they refused to go there; systematical beatings in IK-2 which caused massive mutilation in November, 2011. Events at IK-2 were covered in the article "Chelyabinsk inmates protest with blood" (by D.Moiseev, "Nezavisimaya gazeta"): *«According to SC member N.Shchur, massive action in IK-2 became a protest answering to systematical beatings of inmates. Shchur claims: "Beatings are massive and systematical in IK-2. Everyone beats. On November 3, two human rights activists from our SC visited the colony. The administration was rude and threatened them, and inmates' relatives later called us and told that inmates wer beaten up again for meeting with SC members.»*

In the row of beatings in the Chelyabinsk UIS a special place is taken by the case of Daniil Abakumov, although it is quite a typical example of torture misuse. Inmate of IK-6 Daniil Abakumov became a witness of beating of another inmate, Korovkin. When he found out that Korovkin died after that beating, he made a statement which had been recorded on video by SC members D.Latypova and V.Prikhodkina. After the record was published, Abakumov was beaten and raped by the employees of IK-6. We urgently went to the colony and recorded again the evidence of Abakumov and several other inmates, gathered a press-conference, raised the alarm. Abakumov's case became widely spoken of. We succeeded in our persistent demands to transfer Abakumov to a SIZO. But following the appeal of IK-6 administration, a criminal case was open against Abakumov for false accusation.

At present time, Abakumov's sentence is over, he has been released. The criminal case against him initiated by IK-6 is forwarded to court. Together with a lawyer, N.Shchur is also defending him in court.

There has been quite a broad coverage of Abakumov's case in mass media:

<http://irinagundareva.com/obshhestvo/1961-v-koloniya-fsin-na-yuzhnom-urale-vymogatelstvo-i-pytki-.html>

<http://www.city-n.ru/view/306792.html>

<http://m.gazeta.ru/social/2012/08/06/4713849.shtml>

<http://vecherka.su/katalogizdaniy?id=42348>

<http://www.nr2.ru/chel/399266.html>

http://www.ng.ru/regions/2012-08-15/5_chelyabinsk.htm

<http://chelyabinsk.ru/text/news/553504.html>

Since there haven't been taken any measures for changing of the situation by the authorities, there followed a reaction from inmates: an unprecedented protest action on November 24-27, 2012. 27 го ноября 2012 года.

As a result of impunity and "blindness" of law-enforcement agencies towards multiple complaints about arbitrary treatment, inmates of IK-6 came out with a protest action.

What makes this action unprecedented is the absolutely peaceful character of the action. Luckily, there were no hostages, massacre or burning of administrative buildings. The protest in Kopeisk was peaceful from the very beginning. There has been chosen a very good time for the beginning. Saturday supposed to be "a day of open doors" in the colony, so there were plenty of people near it. But the day was called off and inmates (almost the whole colony of 1500 convicts) refused to leave the open air and return to the buildings. After several cars of OMON parked near the colony's walls, several dozens of inmates climbed upon the roof of a barrack and a water tower, barricaded themselves and hung broadsheets which were well seen from the street outside of the colony. The first vice of the Director of FSIN Gen. Eduard Petrukhin who urgently flew in from Moscow took the only right decision which let the situation stay peaceful: he decided to negotiate with the rebels. He also invited a delegation of relatives to participate in negotiations, and they convinced inmates to stop the action. Inmates climbed off the roofs and a tower, and everyone returned to the barracks.

But SC members N. Shchur, D.Latypova and T.Shchur were not permitted to enter a colony for 3 days. Authorities were probably afraid that those SC members' opinion wouldn't match the official version of the events. But owing to our persistence, consistent activities, Moscow's pressure from the Russian Ombudsman V.Lukin and the pressure from representatives of SPCh (President's Executive Council for Human Rights) who also flew in from Moscow and were inside the colony at that moment, and also owing to the public outcry, SC members could access the colony and make their own opinion about what was going on. It got over to official establishment, including the Chelyabinsk region's governor, members of SPCh, and to mass media. **(In the Appendixes to the current Monitoring, there is only a part of many links to publications dedicated to events in Kopeisk. Those are the very first reactions of domestic and foreign mass media. There are also: an Inquiry about events in IK-6 written by a group of observers, N.Shchur's expert opinion which was forwarded to the governor M.Yurevich, SPCh's Report about events in Kopeisk.)**

http://www.ng.ru/regions/2012-11-26/100_prison.html

D.Latypova and N.Shchur had been working in the zone for a whole month, visited wards, disciplinary isolator, manufacturing sector.

SC members didn't learn anything new about the colony and its system, didn't hear new names of employees who misuse torture -- we've known all this for 2 years already and not only known but regularly spoke about it, sent appeals to Chelyabinsk procuracy, regional SK, Chelyabinks GUF SIN. But exactly because there was almost no reaction from official agencies, the Kopeisk events could happen.

Almost everything that inmates told about their action doesn't match the version voiced by the procuracy and GUF SIN.

Firstly, it was a whole colony who participated in the action, but not 250 inmates as the officials claim.

Secondly, inmates didn't anything like "softening the regime" or the release of some criminal authority as it is said by the official organs and interested mass media.

Thirdly, the action wasn't conducted by any criminal authorities from the outside. Moreover, all inmates whom we asked about their attitude towards what was going on in front of the colony, strongly disapprove those persons who came there to make a scandal. And they also strongly disapprove OMON which beat peaceful people.

Fourth. There were forwarded hundreds of appeals to SK, but not 41 according to official sources. And there are hundreds of inmates who desired to witness about extortion by employees and about the torture system in the colony, about beating and cruel treatment.

Here is an extract from SPCh's Report about events at IK-6:

«As a result of performed public investigation, the Working group came to a conclusion that the following reasons led to the inmates' protest action at IK-6:

- massive systematical and rough violations of rights and legal interests of inmates which have been happening during a long period of time in this facility;*
- miss of effective procuracy's supervising of observance of legislature at the facility; procuracy's and preliminary investigation's cover-up of crimes and breaking of law at the colony;*
- administration's, procuracy's and preliminary investigation agencies' ignoring of recommendations and reports of the Chelyabinsk SC, creating barriers in its work, demonstrative refuse in their legal right to access the facility during protest action; digression of procuracy's officials' from cooperation with the SC;*
- active and unpunished pursuit of inmates who appeal with complaints to the Chelyabinsk SC;*
- facts of corruptional connections in IK-6 and Chelyabinsk GUF SIN;*
- no hope amongst inmates for a full, objective and thorough investigation of their complaints in the local organs of SK RF.*

The array of named circumstances became a reason for impossibility of providing, recovery and defense of rights and legal interests of inmates serving their sentences at IK-6 within the limits of acting juridical institutions and mechanisms covered by modern legislature. Which provoked inmates of the facility for a protest action and caused a serious social response not only in the Chelyabinsk region, but all over the country.»

Torturous living conditions

(see also Chapter I p. III of the current Monitoring)

1. Rubber cell in SIZO-4, Zlatoust (cell # 18)

A cell is designed according to an internal GUF SIN's order, but it doesn't meet the order's demands (but the fact of an existence of such a cell itself is a violation of a right for a life). According to the order, the whole cell inside should be covered with rubber so that if an inmate hits the walls, it doesn't harm him. But the cell is covered with rubber from a conveyer belt which is just as hard as wood or plastic.

But it is more important that according to some inmates', people are put into this camera fully naked for several days in a row. They are not fed, not taken out to a bathroom (there are no windows, furniture, canalization or water inside -- nothing at all).

By the time of an inspection, the cell was an active one. At present, it has been dismantled.

2. Torture cells in IK-18, Magnitogorsk

A new ShIZO was built in the IK. But the old one which is located behind the wall, is used for punishment. Cells there are not equipped with windows (it is a half-basement premise), some cells don't have any light, rats are running freely via canalization. When SC members entered the cell, a rat kept on washing itself with no fear. An inmate is put in a cell and "forgotten". Administration doesn't show those cells to the commissions: "Those are left premises". We haven't got any messages about misuse of those cameras lately.

3. Secret cells at ShIZO of IK-6, Kopeisk

In ShIZO premises, there is always a special locked door designed for a warehouse of supplies, according to administration. It is open only by the special permission of the colony's director which is also not easy to get. Those are the cells for special inmates. **(see Chapter I, p.III of the current Monitoring).**

<http://youtu.be/F6mopMR-HC0>

Naran Arnyudaev gave his permission to publish his evidence recorded on December 5, 2012. He talks of beating in the colonies of Kalmykia, Rostov and Chelyabinsk regions. He is the one who was found out by Dina Latypova in the secret block of ShIZO in IK-6. He also heard how Ruslan

Latypov was beaten up. Attention to all inspectors! Look for the secret torture cells! Such as special block #12 in ShIZO of IK-6 in Kopeisk!

<http://youtu.be/Dorpyluxm2A>

IK-5, Sarkisyan -- torturous living conditions. An invalid was kept on a naked floor. Was found by SC members and transferred to a hospital. At present, is kept in the medical dept. of IK-6.

Torturous living conditions in SIZO is a wide spread practice. Cells there are very often over crowded compared to the norm. It happens sometimes that the quantity of inmates inside a cell is 20-30% bigger than its limits permit. The situation gets worse because of lack of natural light or no natural light at all.

Torturous conditions are not only harmful for inmates' health, but are seriously violating their right for protection, because it is impossible to prepare to a court trial in such conditions.

Here is a list of documented complaints and torturous living conditions in SIZO-3 of Chelyabinsk by 31.01.2011 which was made by SC members after their visit.

Cell # 024 (disciplinary cell) – arrested are changed into isolator's clothing.

13-B («privatka») -- people are kept for a very long time (F.A. Chernyaev had been kept for 2 months)

95 – humidity, сырость, plaster falls off.

103 – bad light, terrible food, cockroaches, no sinks, windows fall out, food products are being cut, cigarettes are being broken.

104 – over crowded, humidity, bad ventilation, cockroaches, products are being cut and broken.

111 – over crowded, humidity, bad ventilation, cockroaches, products are being cut and broken.

113 – dirt, water drops off the ceiling, bed sheets are dirty, rats, mice, cockroaches, the table is too small for such a big cell, cold in the shower, water is ice-cold, is cold, dressing room is across the corridor.

114 - over crowded, humidity, bad ventilation, cockroaches, products are being cut and broken.

127 – bad light, terrible food, cockroaches, no sinks, windows fall out, food products are being cut, cigarettes are being broken.

136 – windows glass is broken, cold, dirt, mice, dirty bed sheets, humidity, no access to meetings with lawyers because of a long queue, no radio, shower works badly.

165 – one might wait for 2-3 days for a doctor, all of the medicine: analgin and paracetamol. Window glass is broken, radiators leak.

166 – a wake-up for joining the prisoner transport is at 4 a.m., but the transport is sent out no later than 10 a.m. Bad food.

170 - over crowded, humidity, bad ventilation, cockroaches, products are being cut and broken.

188 – cockroaches, mice

198 – iron sheets on the windows, no natural light.

Unbearable situation with joint departments in SIZO (so called "privratki"): humidity, no natural light, no windows, concrete floor.

Rubber cells # 19 (**Chapter I, p.III of the current Monitoring**)

Although it's important to be just to the administrations of SIZO-3 and SIZO-1 of Chelyabinsk. They take certain measures to improve the situation. Thus, N.Shchur received a detailed letter from the Head of the Chelyabinsk GUF SIN Gen. Turbanov with a thorough report about eliminating of violations mentioned in SC's Acts of Inspection. And even though the main and most serious violation (placing under-aged into the cells with no natural light) hasn't been eliminated due to the architectural peculiarities of the isolator's building and the question still should be solved, such GUF SIN's actions should be noted as a positive change.

Torture with limitless keeping in ShIZO, with keeping in one-man cells

Disciplinary punishments are one big violation of inmates' rights in the FSIN system and are misused in all facilities with no exception. They are absolute, which means we can talk not about some separate cases and places, but about "everywhere and always". At the same time, one should

keep in mind that the situation is aggravated by the fact of procuracy's covering up of the named violations: it doesn't take any measures to stop violation of law by facilities' administration and thus aids the crime.

What lets us to qualify limitless keeping in ShIZO as a torture? During the monitoring, we noted that it is very often when a reason to transfer an inmate to ShIZO is not some kind of his misbehavior which could cause a punishment, but just personal disaffection, including the one based on nationality, sexual orientation and lucrative or operative goals of the administration. (<http://youtu.be/K-XgdInYtGY> -- evidence of inmate Nazarov about his 5 months long term in ShIZO, recorded at IK-6).

If any of the employees (starting from junior inspector to the director of the facility) didn't like some inmate, a command is given to an appropriate employee to write a rapport about that inmate which becomes a reason to send him to ShIZO. And not for the maximum allowed limit of 15 days, but for months -- without leaving. It's easily done: on the very first day of inmate's stay in ShIZO the isolator's employee makes a rapport about new misbehavior, so after the first 15 days are over the inmate receives new 15 days of punishment, an so on. It goes on until the administration decides that it would be enough to torture the inmate (or until the inmate commits suicide or agrees to administration's conditions of how to serve his sentence further on. In most cases, it's an agreement to a regular fee, the so called "humanitarian" help).

This situation is typical for all colonies. For the first time we faced it in IK-2. (**See Table in Chapter II, p.I of the current Monitoring**). Procuracy doesn't see any violations of law and qualifies it as one punishment for one violation of regime. They don't check whether there has actually been any misbehavior or whether the punishment is adequate to it. Sometimes the administration suggests an inmate to invent a violation of regime himself and write an explanation about it -- it is like if they showed "humanity": an inmate gets a right to chose a "light" punishment for himself. But ShIZO will follow it anyway. (i.e., IK-8, IK-21 -- but, again, this is typical for all colonies).

Another way to find reasons for punishing is to provoke an inmate for violation of internal regulations (PVR). I.e., during the monitoring of IK-9, we unmasked that inmates are made to break PVR when they are sent somewhere with a task without an escort which is prohibited. But an inmate is not punished for walking without escort. Later, when a necessity of punishing him comes, employees remind him about that violation -- and punish him. The rappers then are signed backdated or are written over -- depends on the situation. Another way to provoke to violate PVR: somebody from the personnel walks by him for 10-15 times, and an inmate has to speak out greetings each time. If he misses or word or changes anything even once, he receives a punishment. Thus, the director of IK-9 confesses that he uses a method of such provocations each time when there is a necessity to isolate some inmate. (**See Chapter II, p. II of the current Monitoring. Documented in the Act of Inspection 24.02.2011**).

Administrations of colonies uses this method everywhere. **The most prominent examples of limitless keeping in ShIZO are the cases of Artyom Dmitrievsky, Ruslan Latypov, and Konstantin K.**

Here are extracts from SC's Acts:

30.03.2011.

Latypov Ruslan R.-- showed SC members the traces of burns on his forearms in the form of prints of a radiator. He said that it was very cold in ShIZO so he was trying to warm himself like that. He also said that he wasn't allowed to use personal supplies for hygiene when he is in ShIZO. He links it to the fact that he had been announced "a complainant". According to this inmate, he's been kept in ShIZO since January 11, 2011 without leaving for the ward, SC members noticed a fresh star-shaped scar on his forehead. Latypov explained that while being taken out for a walk, administration's employee Andrei Yurjevich Denisov kicked his legs to opposite sides which caused that Latypov fell down and hit the ground with his forehead.

Dmitrievsky Artyom Andreevich – has been kept in ShIZO for 26 days since April 4th because he writes complaints about employees of the administration (there has been sent a joint complaint to the President's Administration). The point of it: full body examination (meaning the interference of medical employee's into the anal orifice), extortion. When he refused to sign a denial of that complaint, he has been transferred to ShIZO (it was officially documented as a conflict in a ward). he was also forcefully transferred to an infectious dept. for 2 months. Administration says: "We'll keep him in ShIZO as long as it is needed." He's not let to communicate with his lawyer tet-a-tet, only in the presence of an operative employee. In ShIZO, he's allowed to wash and shave no longer for 5 minutes, towels are dirty, his personal (own) underwear is not given to him (he's got someone else's). Today they might give him soap, because of the SC's visit. He wasn't allowed to write letters neither home nor related to his criminal cases. Procecutor Kozlov visited but didn't accept any complaints about administration (saying the following: "If a jews' regime comes back, I'll play Gestapo with you.") He's beaten by employees in boxer gloves. The term at ShIZO has to end on May 1, but the inmate supposes that it will be prolonged because he's still being complaining and administration will make up some new reasons.

10.01.2013

The case of Konstantin K.

«There are traces of intentional violation of inmate K.'s rights by facility's employees in his personal case: doubtful resolutions about transferring him to ShIZO right after return from IK-25 where he only had commendations and had been transferred first to the easy terms of serving his sentence, later -- to a settlement-colony by court decision; a sharp dissonance (an opposite estimation of his personality) between characteristics by given by a psychologist and by IK-15's administration for the court. Inmate K. has been kept in ShIZO UKP for limitless time practically since his arrival to Ik-15.»

There has been conducted an agency inspection, 7 persons guilty in violations in K.'s case were punished, a ShIZO in the settlement-colony has been repaired. Nevertheless, inmate K. is still being oppressed and after a short time in the ward he'd been transferred to ShIZO again for made up reasons. Colony's administration referred to unsaid directions from Moscow.

Recommendations of prevention of torture misuse worked out during monitoring

1. To gather an SC out of principled and responsible people.

Various methods could and should be used according to the peculiarities of the region. In the Chelyabinsk region, where there has formed a situation of a constructive cooperation between the local Ombudsman and the civil society, it is possible to hold a regional conference or a broad Round table for human rights organizations under the aegis of Ombudsman in order to inform NGOs about the idea of the public oversight. It is also possible to use social networks.

2. To organize regular inspections of the facilities no less than once a month.

When a systematical oversight is conducted and when its results are made public, the administration of the facilities quickly comes to an idea that it's much easier to improve the situation than to get regular reprimands, lose rates, etc.

3. To organize a permanent connection, including telephone, with inmates for getting regular information from the facilities about torture.

The most of the information about torture public observers get from inmates (**see Chapter III of the current Monitoring**). The most valuable is "hot" information about torture which has only happened or is going on at the moment. That is why SC's work should be organized in such a way that all inmates knew telephone numbers which can be called upon at any time (creating so called "hot lines").

4. To receive complaints about torture at personal meetings with inmates and relatives and then to forward those complaints to corresponding agencies.
5. To appeal to procuracy and investigative agencies regularly about facts of torture misuse and them to publish such appeals with officials' replies.
6. To file complaints and suits against illegal actions of employees of the facilities.
7. To draw attention and work of international institutions for defense of human rights.

The mentality of Russian clerk is so that they still are very much afraid of any superior's opinion, especially of foreign institutions. That is why a decision of the international court or even just an international organization in province have an effect of a bomb -- which can change the destiny not only of one person but whole categories of population.

8. To use mass media.

It is necessary to send-out regular press releases about the results of the visits to penal facilities. SC's work is a subject of great interest of population and mass media. SC should keep this in mind in order to fulfill its mission of prevention of torture misuse and cruel treatment of citizen in PDF. It's worth noting that mass media is always eager to cover the life of penal facilities and there is no need to convince them to publish information from SC. It seems that everything is so fine, so one should only begin his work hand-in-hand with mass media. But not everything is that easy.

SC should always keep in mind that almost all journalists (unlike SC members) are not concerned about solving of the problem which they cover. It is the news per se which interest them, especially if it is somewhat sensational or is a newsmaker. That is why not each of their reports about prison life carries a positive charge which could be able to improve the situation with observance of human rights in PDF. That's why the possibility of harming a situation by mass media is a lot higher than improving.

On this basis, every appeal to mass media should be thoroughly prepared before a briefing or a press conference dedicated to SC's work is called.

Firs of all, it is obligatory to prepare and spread out press-releases about the covered issue amongst all of the journalists present. It's not a secret that most of the journalist are quite lazy and are used to film a cliché-picture of the activity, take short interviews in the very beginning ("to record actuality") without even concerning about the key essence of the problem. That is why it is very important to provide everybody with a printed out material written in an understandable and clear language which one could quote on air. It would be ideal to look at the material before publishing, but it's not easy to do if you are not acquainted with the journalist. Because of that demands to the quality of a press-release grow even higher.

If an SC follows these simple advice, communication with mass media will help it a lot in changing of the situation with torture in Russian PDF.

In our work we appealed to the help of mass media very often, and in most of the cases this help was very successful. Although we've gained also a negative experience of journalists' coverage of those events which we participated in or which we initiated ourselves. It was this experience which took us to above conclusions.

9. Keeping of a Safety Registry.

Up to date, we see the most effective mechanism of prevention of torture and discrimination in keeping of a Safety Registry under the aegis of our Ombudsman. Federal mass media covered this method invented by us. Here is an extract from an article by D.Moiseev in "Nezavisimaya gazeta" ("Independent newspaper") http://www.ng.ru/regions/2012-04-25/1_zeki.html

A bit more details about the Safety Registry.

We worked out a Regulation about a Safety Registry. Ombudsman is suggested to keep a Safety Registry of inmates who appealed to SC with complaints about living conditions,

Региональному What is this Registry? It is a list of inmates who complained SC about the administration of a facility during our inspection. It's not a secret that administration not only, so to say, dislikes complainants, but also cruelly pursues them for their complaints. That is why most of inmates refuse to talk to SC members (no matter whether alone or in presence of representatives of administration) about violation of their rights. But those who find courage to do so, are almost always repressed after the SC leaves. **(See the evidence of inmate A.Nesterov, Chapter II)** That's why it is necessary to protect those people. And we suggest the Ombudsman (or those organizations which he enlists) to include their names into a special list and later check how they are treated in the facility. According to our previous experience, this measure is rather effective.

The legal basis of the Registry are the Constitution of the Russian Federation, the Civil Code, the Federal Law about an Ombudsman, and also the acknowledged principles and norms of the international agreements of the Russian Federation.

Here are extracts from the Regulation about the Safety Registry:

1. Procedure of filling out the Safety Registry (Registry further)

1.1. The Registry (Appendix 1) is filled with the data about those inmates whose safety might be threatened because of their active position in defense of their rights in PDF.

1.2. The Registry is filled with a summary of inmate's complaint about violation of his rights.

1.3. The Registry is attached with a data base of all included inmates.

1.3.1. A separate file is started upon each complaint. Its number is entered into the Registry. The file is updated with following data: a detailed complaint together with all the documents which were added to it (photo- and video- materials, inquiries, publications, etc.), a detailed description of all measures taken according to the complaint and in order to provide safety for the victim together with the description of followed outcome. The file is updates as soon as new information comes.

1.4. Candidates to enter the Registry are suggested to Ombudsman by SC members, NGOs and other interested persons or organizations which became aware of the facts of pursuit of inmates for their activities dedicated to defend their rights.

1.5. Keeping of the Registry is fulfilled by the Apparatus of the regional Ombudsman or by a person or organization entitled to do so.

2. Procedure of work according to the Registry

2.1. The received complaint is registered according to p.1 of the current Regulation.

2.2. An official letter (App.2) signed by the regional Ombudsman is sent to the director of the facility that its inmate is included into the Registry.

2.3. From the moment of notification, the regional Ombudsman or an entitled person can visit the facility at any time in order to control the state of the victim. He performs a personal meeting and examination of the inmate in presence of the medical employee (making inquiries over the telephone or via the third parties is excluded).

2.4. upon the results of talking and examination, and Act (Appendix 3) is signed and attached to the victim's file.

2.5. In case if torture of the victim is traced, the regional Ombudsman acts according to the Law about Ombudsmen in the Russian Federation and the federal legislature

2.6. Information about the state of inmates included into the Registry is regularly spread in mass media via press-releases and briefings.

Conclusion

By the moment of writing this Monitoring Report, massive torture and extortion in penal facilities of the Chelyabinsk region have stopped. but the authors of this research are not so naive as to be absolutely sure in the final stabilization of the situation.

It is already now that the criminal case about exceeding of duty which was open against the administration of IK-6 after inmate's protest in November, 2012, is being slowed down and there is

a threat for it to modify into a case about disorganization against those inmates who participated in the action. Regardless of multiply evidence about torture, none of the inmates hasn't still been officially named a victim. Both SC members and inmates who send their appeals to procuracy and investigative organs keep getting piles of replies claiming that those evidence haven't found practical proof. And when independent observers talk to inmates, it appears that during their inspections, procurators ask questions not related to the issue and besides that, in the presence of those employees whom an inmate had complained about. And later investigators report about the fulfillment of an inspection. That is why, regardless of the current lucid interval, such development of the situation doesn't give enough hope that it will last forever.

That is why, unfortunately, recommendations about how to prevent torture stay actual. And not only for the Chelyabinsk region.

So what are the main conclusions made by the authors of the Report upon the results of monitoring misuse of torture in Chelyabinsk UIS? They are universal and, to our opinion, are worth wide implementing.

Since the main reason of torture is extortion of material values, the conclusion is simple: do not pay.

As for the relatives of inmates. Do not pay, do not collude with the administration, do not deceive yourselves that "your" inmate will serve his sentence better if you bring things to the colony (building materials, computers, electric devices, fancy cakes, money for employees' vacations or for colony's recommendation for parole). It might work for someone. But then time comes and banks will stop giving you credits, your apartment will be sold -- and *he* will be beaten. Of course, if you are ready to support the colony for 3, 5, 10, 15 years and increase your payments from year to year -- then it's *your* choice and *your* life. But in this case don't ever forget that it's *your* hands that you had in torture and extortion.

As for the inmates. Arm yourselves with patience and courage and do not ask your relatives for "humanitarian help". Are you frightened? Does it hurt? But maybe this test is given to you as a redemption for that fear and pain which you brought to the victims of your own crime? (The ones who are innocently convicted don't usually need such advice and find courage in their own dignity). Try to keep independency, don't humiliate yourself in front of neither criminal authorities, nor members of SDiP and administration.

Luckily, during the monitoring, we met such independent persons as amongst inmates, and as amongst relatives.

One inmate, E.Sh., who has been convicted to a short sentence for a light article but who refused to keep on paying and cooperated with public observers, received as much torture as it could ever be possible. This didn't break him, moreover, he said that, maybe, in order to realize "how serious it all was" he should have lived through all. Consciously and with dignity he witnessed about torture. And this gives us hope that he will bear his test to the end with pride.

Those inmates who still give their evidence about torture, extortion and corruption, despite all threats of administration, investigators and procuracy, despite orders of the criminal authorities who came into bargain with guards -- such inmates inspire respect. Authors of this Report are thankful to them for their help in making this monitoring real and wish them firmness and self-consistency in their further struggle for their rights. And we also wish them not to trust provocators who cast aspersion about them in the eyes of human rights activists -- the only people who can help them to get rid of torture in the colonies and want to do it.

As for human rights activists. We wish them the same self-consistency, professionalism, good knowledge of laws and self-possession. Do not trust just the words of the administration of colonies, no matter how polite and friendly they are with you. Check everything thoroughly and strictly. (Yes, adult and mature men, officers by the way, -- do lie. Both in little and in big matters. It's not about keeping "an officer's pride" -- it's about keeping one's job. Unfortunately, there are too many examples to that.) Do not give in to provocations. Do not let them or inmates manipulate you (which is also a gained experience).

As for those who enforce the law. Do enforce it, do not violate the laws. You are put on a highly important place: to guard the society from criminals. So do not cross this line yourselves. Do not forget the words "Judge not, that you not be judged." (Matthew 7:1).

During the events in Kopeisk, one officer from the internal service of IK-6 yelled to SC members: "You defend those beasts!" No, gentlemen. We defend human rights. And yourselves, but the way. From the "beasts" inside you.

Misuse of torture should be viewed at as the most severe malfeasance and crime made by a FSIN employee. A punishment for it should be strict and inevitable. Besides that, the government is obliged to eliminate the very reason of torture: corruption in the criminal-executive system. Embezzlement of state funds by UIS employees in the punishment executive system should be investigated just as crimes comparable with treason -- because they make society vulnerable to the inner enemy -- criminal world. Those facilities which guard the society from criminals should receive descent financing, high-technology equipment and qualified personnel. Work at FSIN should be based on rigorous following international standards, Russian Constitution and law itself.

We are strongly convinced that persistent and dedicated struggle for prevention and non-admission of torture will lead to the needed results -- and especially if while doing it, we'll rely on the support of the whole society.

Appendixes

1-11

Glossary

CE -- Council of Europe
DIZO -- disciplinary isolator
ВДПЧ Всеобщая Декларация прав человека
ЕКПП Европейский комитет по предупреждению пыток и бесчеловечного или унижающего достоинство обращения или наказания
ЕКРТ -- the united cell-type room
FZ -- Federal Law
GK -- Civil Code
GPK -- Civil Procedure Code
GUF SIN -- the General Directorate of the System of Execution of Punishment
GULAG -- Central Administration of Prison Camps
GUVD -- General Directorate of Internal Affairs
IVS -- isolator of temporary keeping
ИК -- correctional colonies
IU -- correctional facilities
LIU -- medical correctional facilities
LPU -- therapeutic facilities
MVD -- Ministry of Internal Affairs
MROT -- minimal rate of salary
MSP -- minimal standards for treatment of inmates
NGO -- non-governmental organizations
OMON -- police special forces
OPZ -- major principles of treatment of inmates
PDF -- places of deprivation of freedom
PKT -- cell-type room
ROVD -- district's department of internal affairs
SC -- Public Supervisory Commission
SDiP --
ShIZO -- punishment isolator
SIZO -- pre-trial investigation isolator
SK RF -- Russian Federal Investigative Committee
SOM -- СОМ сводный отряд милиции
SUS -- strict conditions of keeping
UDO -- parole release
UIK -- criminal-executive Code
UIS -- criminal-executive system
UK -- Criminal Code
UPK -- the Criminal Procedure Code
UFSB -- Directorate of Federal Security Service
UN -- United Nations
VK -- children colonies

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