

Report – English Translation
“On the situation in FGU IK -1 of the GUF SIN for the Republic of Udmurtia”
By Lev Ponomarev, Executive Director of For Human Rights

In May 2006 applications arrived at the address of the All-Russian Public Movement "For human rights" from convicts serving punishment in FGU IK-1 of the UFSIN for the Udmurt Republic. To check the information received, lawyer of the Moscow Oblast bar association Djemal Vezirovich Kaloyan was sent to the Udmurt Republic, having entered into an agreement on representing the interests of convict Zurab Shakhzadovich Barayan, born in the year 1965, serving punishment in FGU IK-1 and staged to FGU IK-8, (central hospital) in connection with a trauma to the leg. Likewise, from the complaint of convict A.L. Lukashenkov received by the GKZZ, the fact of collective self-mutilation performed by convicts being held in the PKT (cell-type space) of IK-1 became known.

1. Torture of convicts

A study of public opinion and a check of the information received showed that FGU IK-1 of the UFSIN for the Udmurt Republic is an institution where convicts are constantly subjected to torture and beatings. They assert that the greater quantity of beatings takes place at the direction of the chief of IK-1, S.V. Avramenko, who personally gives orders on the beating up of prisoners, often in their presence, or personally takes part in them. Testimony of former prisoner Sergey Frolov: "They beat up one prisoner because he could not run, because he had a sore leg, for this Krasnov (employee of the administration of IK-1) and employees present started to beat him during a search, then came chief of colony IK-1 Avramenko and also started to beat him up. They beat him with legs, arms, repeatedly forced him to stand up and run. Subsequently I learned that after this they placed him in the penalty isolator for 30 days, and in consequence of these beatings his kidneys were beaten off. This beating took place before the eyes of the prisoners", from the statement of S.S. Aziattsev: "was beaten at the personal direction of chief of the institution S.V. Avramenko, likewise after these employees had beaten me, upon the direction of Avramenko again they dragged me to the office to Avramenko, where Avramenko himself started to beat up, while employee Vasiliev held me during this" nearly all prisoners testify to the personal dispensing of summary punishments to prisoners by chief of the colony S.V. Avramenko.

Only those prisoners who are fully deprived of strength of will to resist the unlawful actions of the administration are transferred to the residential zone. As a result, convicts refuse to report on the application of torture and beatings, fearing for their life. Convicts who file complaints against the actions of the administration are held in the facilities of the PKT [cell-type space], the ShIZO [penalty isolator], SUS [strict conditions of confinement] and the PFRSI [space functioning in the regime of an investigative isolator] and are presented to inspectors as malicious violators of the regime of confinement, until they lose the strength of will to resist. Analogous complaints are

received also from persons under investigation sent to the PFRSI, during the time of the conducting of the investigation, for rendering pressure on them with the aim of compelling the giving of the testimony the investigation needs.

All persons questioned, tell that intimidation with staging to IK-1 starts at the preliminary investigation. Therefore IK-1 is considered a torture institution among convicts, persons under investigation and their relatives. The analogous is asserted by all questioned relatives of prisoners, citizens having earlier served punishment in the institutions of the Udmurt Republic. At the same time, complaints about violations of the rights of convicts and the application of torture from other institutions, are practically absent.

All prisoners tell about how convicts held in the penalty isolator and the cell-type space of IK-1 are systematically subjected to torture and are compelled to submit to unlawful demands demeaning human dignities: they force the prisoners to carry out all movements outside the cells only at a run, accompanying the run with the hits of truncheons; during removal or during entrance into the cell, they force the prisoners to undress naked, motivating this with a full search; a full search is conducted daily in the cells of the penalty isolator and cell-type space, during which even the cell duty attendants are not left in the cell. At the same time, the search procedure is accompanied by the scattering and intentional bringing of personal things into a state of uselessness. They demand 100% going out for exercise, in spite of lack of warm clothing, weather conditions and state of health. In the cell-type space, in violation of the demands of the Criminal Execution [Penal] Code of the RF and the PVR UI [rules of internal order for correctional institutions?], all literature is taken away, and instead of the 10 allowed books only one book per person is left. In the penalty isolator, they prohibit reading and writing completely. For any reason at all, they subject prisoners to humiliations, demanding that they squat on command, or do pushups. The receipt of deliveries and packages is regulated arbitrarily by the administration, and not by the demand of the Criminal Execution Code of the RF. For a bath in the sauna prisoners are given 15 minutes. In the event of procrastination convicts had to run to the cell naked and soaped up and to wash the soap off in the cell with cold water. Prisoners report of instances when they were compelled to dance the lambada or lick the floor.

For sending out complaints, employees not only beat up convicts, but they also subject them to acts of humiliation. Convicts have reported about how convict Melkov in February 2006 was beaten, lowered by the head into a toilet bowl by employees of the IK, after which he was placed in a cell to persons who had been subjected to homosexual assault. They likewise subjected convict Alexander Glebov on 10 April 2006 to beating and dunked with the head in a toilet bowl, having thereby committed an act after which normal relations between him and convicts become impossible.

Persons questioned told of several instances of lengthy holding of convicts in handcuffs, after attempts at suicide. They beat convict Yavorsky, breaking his collarbone, after which he cut open his abdomen. They sewed up the wound right in the dentist's office, in the penalty isolator building, after which they held him in handcuffs

more than a month. They held convict Fargiyev in handcuffs for 52 days after he caused deep wounds to himself on the abdominal cavity, neck, and arms in the presence of employees of the colony. After lengthy holding in handcuffs, Fargiyev to the present time can not fully restore the motor functions of the hands, which is confirmed by convicts serving punishment in IK-5, where he was transferred after what had happened.

All convicts questioned, including those who have already served punishment, reported on the practice of the application of torture in the event of the uncovering by the administration of smoking in the cells of the penalty isolator. In February 2006 several prisoners, held in a cell-type space, refused to take food, in connection with the refusal of the administration to furnish them in a time period determined by the administration itself with personal things from the commissary (because keeping personal things in the cell is prohibited). For this act of protest seven convicts were placed in the penalty isolator. When they were found in the penalty isolator cell, one of the employees of the administration noticed cigarette smoke in the cell, which is a violation of the rules of internal order. A fire engine was called in, and through a fire hose extended in the corridor, the entire cell, including the convicts and their personal things, was flooded with cold water. The level of the water reached to the threshold (approximately 4-5 cm). In so doing, the heating in the penalty isolator cell was turned off, the temperature comprised, approximately, 11-13 degrees Celsius. In such conditions, all the clothing of the convicts dried during the course of 5-7 days. All convicts questioned report of such facts of the struggle with smoking. In February, during the time of the act of punishment, seven convicts were found in the cell: I. Dubinin, Sh.F. Sagitov, Lukashenkov, A.S. Labazanov, and another three convicts, whose surnames the applicants do not remember. Practically all convicts serving punishment at IK-1 report about incidents of analogous <floodings of cells.

Information gathered by the GKZZ as of May 2006 is set forth in detail in the address to the name of Human Rights Ombudsman in the RF V.V. Lukin.

Besides convicts, a large quantity of citizens, to whom facts of the violation of the rights of the prisoners in IK-1 had become known on the strength of circumstances, was questioned during the course of the investigation. For the purposes of their safety, the data of witnesses may reported directly during the checking of the given appeal, by a lawyer - a representative of prisoners, invited by the APM "For human rights", or at a public event, in the event of a refusal of the organs of oversight to conduct a full and objective examination.

2. Oversight of observance of the rights of prisoners

A refusal to turn to organs of the procuracy was brought about by the full inaction of the procuracy of the Republic of Udmurtia, which found confirmation in the full ignoring of appeals by the APM "For human rights". Not a single appeal to the address of the procuracy and the GUF SIN until the present time has received a reply.

Thus, during the time of the visit to IK-1 by lawyer D.V. Kaloyan, despite the presentation of an order [lawyer's authorization], he was refused a visit with convicts A.M. Lukashenkov, V.M. Zhigalin and others by the administration of IK-1.

With respect to the given reason a complaint against the actions of IK-1 of GUF SIN for the UR in the presence of representative of the APM "For human rights" O.P. Dzer and L.A. Fefilova was turned in to deputy procurator for oversight of lawfulness in places of enforced holding of the UR Dusyatsky on 25 May 2006.

In violation of the demands of legislation, until the present time - half a year! - a reply from the procuracy of the Republic of Udmurtia to the address of lawyer D.V. Kaloyan has not been received.

In the given complaint is likewise contained information on the unlawful placement of persons convicted to serving punishment in a general regime colony in the same detachment with convicts serving punishment in a strict regime colony. The given information was reported likewise orally at a personal reception. To this the deputy procurator declared that in IK-1 there are isolated, separate sections for the serving of the punishment of convicts sentenced to the serving of punishment in general regime colonies. Despite such a declaration, already at that moment we had at our disposal information that convicts, who had arrived at IK-1 from LIU-2 [a hospital prison-- Trans.], were being held right in detachments with convicts serving punishment in strict regime detachments.

Despite the large quantity of appeals being directed to the procuracy, all decisions adopted by the organs of the procuracy and the GUF SIN of the UR on individual appeals are examined from the position of the need to intensify the regime of confinement, inasmuch as, in the opinion of deputy procurator of the Republic V.A. Dusyatsky, expressed during a visit by representatives of the Movement, all complainants and applicants are violators of the regime of confinement, "do not desire to live like humans", i.e. to work.

Such a position, expressed by a representative of the organ of oversight for observance of lawfulness, can not from the outset be objective, inasmuch as with coercive methods, unjustified intensification of the regime of confinement and treatment that is cruel, degrading human dignity the leadership of GUF SIN and the procuracy supplant the need for conducting educational work and fulfilling the main task of criminal-execution legislation - the correction of convicts and the prevention of the commission of new crimes, not carrying out the main tasks - determination of the means for correcting convicts, protection of their rights, liberties and lawful interests, rendering to convicts of assistance in social adaptation.

Likewise ignored by the procuracy of the UR was the address of the APM "For human rights" to the name of head of GUF SIN for the UR V.G. Zheludov of 24 May 2006. Despite oral assurances with respect to the adoption of measures, obstacles to the

visiting of defense clients were raised for lawyer D.V. Kaloyan during the course of 24 hours, and during the time of the formal processing of a meeting with defense clients D.V. Kaloyan was subjected to strong psychological pressure.

3. Testimonies of convicts on the application of torture:

A.V. Mishchikhin

All convicts whom the lawyer visited, during the time of the visit wrote in their own hand about the rendering of severe pressure and threats, as well as confirming information reported earlier in complaints received by the APM "For human rights". Thus, during the visit with convicts in IK-1 prisoner Zurab Shakhzadovich Baroyan reported on how under threat of further summary punishment by employees of IK-1 a signed statement was received from him that the leg trauma was received by him during egress from an autozak [prisoner transport vehicle?] as the result of falling. In so doing Baroyan reported that in IK-8 they are not refusing him the necessary medical treatment. During a discussion with doctors of CB [the central hospital of?] IK-8, they gave lawyer Kaloyan a transcript from the medical chart, in which was indicated that Baroyan had categorically refused surgical intervention, at the same time as Baroyan had reported to the lawyer that he had insisted on the necessary medical assistance. After the lawyer's visit, a surgical operation was performed on Baroyan. Likewise Baroyan gave the lawyer a statement, in which he indicated that real threats are being received to his address and pressure is being rendered to coerce him to refuse any complaints.

Z.Sh. Baroyan also repeated the given declaration to lawyer S.Ye. Vinogradov, who visited him on 7 September 2006 in IK-3 of the GUFSSIN for the UR. He reported to lawyer S.Ye. Vinogradov that in July of 2005 he had been visited by procurator Mordanshin with a representative of the Staff of the Human Rights Ombudsman. He gave oral explanations, but written explanations he made later and transferred through the head doctor of the hospital. In addition to this, he reported that an investigator who visited him after this refused the providing to him of an interpreter, and he was not able to read the explanations written down by him. He likewise reported on how he had not received the necessary medical treatment in IK-8 in full measure, and at the present time his wounds on the leg are festering, the festering has spread to the second leg, the buttocks and the arm. Likewise it is not known to him about the results of the examination of the complaint against the refusal to open a criminal case based on the fact of the beating. They are not giving out a copy of the decree on the refusal to open the criminal case to him. He does not have claims against the administration of IK-3.

Convict Andrey Valerievich Mishchikhin during the time of the visiting of him by lawyer D.V. Kaloyan on 24.05.2006 transferred to the lawyer a declaration written in his own hand, wherein he indicated that he had been compelled to commit an act of self-mutilation after abuses of convicts being held in cell No. 15: they were forced to undress

and dress to a count of 7, to pushups and squat, were subjected to beatings. After that employee of the administration Kurylev regularly came into cell No. 15 and threatened the prisoners with summary punishment, in the event of complaints, on 21 April, having been unable to withstand the threats about summary punishment, Mishchikhin was compelled to commit an attempt at suicide, and specifically swallowed a wire and nails tied together crosswise. After the commission of this act, they left him in the cell and staged for surgical intervention only on 4 May 2006, i.e. having left without the rendering of medical assistance for 288 hours. On 6 May of this year a cavitary operation was made to Mishchikhin. The mother of the convict, Natalia Yurievna Mishchikhina, residing at the address: city of Votkinsk, ul. Kurchatova, 10-45, likewise reported about tormenting of her son. It became known to her about the tormenting of her son long ago, because colony IK-1 is considered among the population to be a torture colony, and freeing convicts and their relatives report about what takes place in the colony.

Later, on 4 September 2006, Mishchikhin gave detailed explanations to lawyer M.S. Belokovylsky, directed to him by the Movement "For human rights", in which he reported the following: "an employee of the Human Rights Ombudsman in the RF came, and asked me to describe in detail about the lawlessnesses that take place. He said that he would return in 2 hours, while I write, but he never did return. Employees of the administration of IK-1 said that I give them these papers, supposedly for passing on, to which I answered with a refusal, because I knew that they would not get to Lukin. After this Avramenko, chief of colony IK-1 demanded from us these papers, threatening transfer to "the fallen" [those who had had their heads dunked into a toilet, thereby falling to the bottom of the camp hierarchy?], as the result of which we were compelled to submit. After this chief for BiOR [Security and Operative Work (criminal investigation)?] Ivonin threw me these papers and demanded that I write that I have no claims against them, threatening to kill. Because I was after an operation, I submitted. The threatened in the same way to transfer me to "the fallen". After this I once again swallowed "hedgehogs", in order to have the opportunity to submit a complaint, but I never did managed to submit the complaint, because at IK-8 they isolated me."

Likewise, during the time of the visitation of Mishchikhin by lawyer D.V. Kaloyan on 23.05.2006, a separate declaration was made by him about how in the event of the presentation to the administration of the colony of his declaration on refutation of testimony given earlier, this speaks of the application towards him yet again of torture and threats, physical summary punishment or other ways of rendering pressure on him. (As Mishchikhin indicated in the declaration - placement in a cell to "the fallen").

After the publication in regional mass media of the report of an expert of the APM "For human rights" on 2 November 2006, a "day of open doors" was organized by the administration of the colony, they reported to journalists about how based on the results of all the inspections carried out the colony had been recognized as exemplary-representative, and facts reported by prisoners in May 2006 did not find their confirmation.

During the course of the visit by journalists to the penalty isolator and cell-type space facility, convict A.V. Mishchikhin unexpectedly made a public declaration to the representatives of the press about how they are continuing to subject convicts to pressure and beatings, without leaving physical traces of damage (they beat with a rubber truncheon on the heels), and that now he is "not a dweller" [perhaps "not among the living"?]. Commentaries to the given declaration were given by one of the employees of the colony, declaring that Mishchikhin is sick with mental illnesses and is registered with a psychiatrist. However this fully does not correspond to reality: prior to conviction, Mishchikhin was not registered with psychiatrists and never was sick with mental illnesses. We assume that he was registered with a psychiatrist after the commission of an act of self-mutilation, which is practiced in institutions of the FSIN of the RF.

In declarations to the press representatives of the FSIN of the UR attempt to present convict A.V. Mishchikhin sometimes as a "Muscovite" criminal "authority" (at the same time Mishchikhin has never been in Moscow), and sometimes as a mentally ill person. After which they present to the press a declaration on the commission by him of the crime prescribed by Art. 321 of the CC RF, supposedly written by A.V. Mishchikhin.

On 15 November 2006 a declaration was made for the press by the administration of IK-1 about how convict Mishchikhin fully refutes previously made declarations and has reported about how "all his actions he explains by the desire to disorganize the regime of the colony". Such a declaration by Mishchikhin, falls under criminal liability pursuant to Art. 321 of the CC RF and in no way can be a confession obtained voluntarily.

By our firm conviction such a declaration was obtained by the administration of IK-1 by way of threats and physical violence, about which A.V. Mishchikhin declared numerous times, and has already made declarations, to lawyers visiting him, on the writing of such signed statements under the pressure of the administration and real threats of summary punishment.

Attached to the address are several publications of the mass media, in which is reported on the incident during the time of the visit by journalists to IK-1 and the further development of events.

Z.Sh. Baroyan

Convicted on 23 May 2006, Z.Sh. Baroyan reported to a lawyer about how they had beaten him right upon the arrival of the autozak (an automobile [truck--Trans.] for the transport of prisoners), to the colony. ... "after the beating they gave me a paper and ordered to sign about how I do not have claims against the administration of IK-1... in 10 minutes they took me on stretchers to the sanitary unit [medical facility--Trans.] of IK-1. Until morning I was found under an IV they made a picture [took an x-ray?]. When I was found in a very bad condition, unknown people came to me, forcibly placed a pen in

my hand and forced me to sign a paper about how I had supposedly fallen.... being found in the ward (IK-8), people come to me from the Administration (GUF SIN), and scare me that they will take me back to the zone, where they will break the second leg and arm..."

Pursuant to an inquiry from the lawyer, on 23.05.2006 an excerpt was received from the medical chart where the following is indicated: "...came from IK-1 11.05.2006 with the diagnosis closed fracture of the tibia s/z [abbreviation unknown--Trans.] from the left, contusions, major ecchymomas of the gluteal regions of the left hip" 11.05.2006 system of traction by the heel bone established. weight 4 kg. 15.05.2006 operative treatment proposed to the patient....but Sh.Z. Baroyan categorically refused an operation. Weight on traction increased to 6, 5 kg."

The "categorically refusing" operative treatment Sh.Z. Baroyan asserts the contrary, that he himself on numerous occasions addressed doctors, considered treatment with traction insufficient, inasmuch as several times the doctor had spoken about how "it ought to be operated on". On 23 May, they refused to present Z.Zh. Baroyan's signed statement about how he categorically refuses operative treatment to the lawyer. In connection with the fact that after the departure of the lawyer an operation was nevertheless made on Z.Zh. Baroyan, there are grounds to assert that now there is such a signed statement in the medical chart, and until the intervention of the lawyer, the necessary medical assistance was rendered not in the full amount.

On 7 September 2006, Z.Zh. Baroyan, found in IK-3 of the GUF SIN for the RU, was questioned by lawyer S.E. Vinogradov. Z.Zh. Baroyan reported that when, after being visited by a representative of the staff of the Human Rights Ombudsman in the RF "...an investigator visited. I gave explanations to him too. But I could not read my explanations written by him, because I know Russian (the language) badly My request about a translator he declined. After this there were threats to my address on the part of the administration of the colony (the chief of the CB, chief of the colony Lunin, a major - I do not know his surname) threatened to rot me in the dungeon. They did not complete treating me in the hospital. The leg festers, pus runs from the bandage, I was compelled to remove the plaster [cast]. The festering has crossed over to the second leg. The doctors here (IK-3) do not know how to treat me. The doctors here say that a surgeon is needed. It is difficult for me to sit. ulcers have formed on the buttocks. Ulcers have formed on the arm already. at times the temperature rises.... From the procuracy of the Republic I received a reply on the refusal to open a criminal case, for the reason that I broke the leg when I fell from the "booby hatch" [prisoner transport vehicle?]. And the beating I have, supposedly, because I had fallen I resisted employees of the police....".

Nevertheless, it was likewise declared by representatives of the colony and of the GUF SIN for the UR in declarations for the press that Baroyan had received the fracture of the leg during egress from a vehicle, as the result of an unfortunate fall.

Already for the basis of only these assertions of representatives of FSIN, conclusions can be made about the application towards prisoners heldt at IK-1 of severe treatment and torture. Such a declaration itself confirms the fact of "Unjustified

application of special means", and simply the beating up of an already traumatized prisoner, who with such a fracture most certainly not have rendered "resistance" to employees.

At the present time, Z.Zh. Baroyan is in need of treatment, but refuses staging to the central hospital (IK-8), where real threats addressed to him were received and he was placed in a penalty isolator in serious condition, for the rendering of pressure on him. Facts of the rendering of pressure on Z.Zh. Baroyan in the hospital at IK-8 are confirmed by several more prisoners, the data of whom can not be indicated in advance without subjecting them to the danger of threats and repressions on the part of the GUF SIN.

What is taking place at IK-1, evokes serious concerns for the life and health of prisoners - the applicants: Z.Zh. Baroyan, A.V. Mishchikhin and others.

The very fact of the dissemination on regional television of convict A.V. Mishchikhin, when the attention of the majority of viewers not having anything to do with the system of execution of punishment was turned to his half-implicated [?], crushed condition, only confirms the conclusions about the rendering on him of pressure and compulsion towards the given declaration.

In addition to the convicts questioned by lawyers during the course of the conducting of an independent investigation, convicts A.M. Lukashenkov, O.N. Zaulin, D.A. Lebedev, D.V. Novoselov, B.V. Fargiyev, B.R. Mezhidov, V.M. Zhigalin were questioned. All of them confirmed facts of beatings and abuses on the part of employees of the colony, reported information set forth in their applications and appeals to the name of the Human Rights Ombudsman in the RF. In the same way in May 2006 convicts A.A. Zhizhkin, A.M. Gobailo, V.A. Frolov, I.I. Dubinin and many other released persons earlier serving punishment in IK-1 were questioned.

The beating up of arriving staged prisoners

During the course of the conducting of the independent investigation it became known to the GKZZ that the practice of receiving prisoners newly arrived at the colony, "through the corridor", has begun to be applied systematically in the colony since February-March 2005 after its "evaluation" on persons convicted to serving punishment in jail for three months at IK-1 in connection with the dissolution (of a space functioning in the regime of a prison) at LIU-2 (city of Mozhga, UR). Prisoners from LIU-2 arrived in 2 or 3 stages.

The receipt of convicts "through the corridor" takes place in the following manner. From the automobile [actually a truck--Trans.] in which a newly arrived stage is brought prior to the building for searches (approximately 30 meters), employees of the

colony line up, equipped with special means - rubber truncheons and dog handlers with work dogs. With a pause, of approximately 30-60 seconds, from the car jump the prisoners, who are ordered with harsh and abusive shouts to move at a run in the direction of the building for searches. During the time of the run, each employee hits the prisoner running by with a truncheon. If the prisoner slows down the run, trips or falls, the employees who turn out to be alongside him beat him up. In so doing the convicts run with luggage, which significantly complicates the run. At those sectors where employees with dogs are found, the run of the convict is slowed down by a dog lunging from the leash. The attendant intentionally holds the leash in such a way that the dog would be able to nearly touch the victim. Thus, one of the convicts was severely bitten up by a dog, the leash of which the attendant could not hold on to. Finding themselves subsequently in a cell with this convict, eyewitnesses testify that medical first aid was rendered to him. It is not known whether the given episode was recorded on the medical chart, but testimony of convicts who got released and serving punishment in various institutions of the UIS, are confirmed by traces of bites (scars).

Two of these convicts had severe traumas (a broken leg and a trauma to the knee, which required hospitalization). In the event of the falsification of medical documents, the given fact is confirmed by an audio recording with an employee of the medical-sanitary unit of the colony, who rendered medical assistance, and in particular having reported about the systematic shortage of a minimum array of medications, the use of medications whose use-by date had expired. In particular, from him is known about facts of the conducting of procedures, in the absence of a license (he sutured the chest cavity after an act of self-mutilation for a convict, in the dentist's office of the MSU, at the direction of S.V. Avramenko, who had prohibited the staging of the convict to a hospital).

In their explanations and in appearances at a round table three of the former convicts, and namely: S. Aziattsev, Frolov, I. Khanchenkov reported about how they had personally observed how that in the spring of 2005 there arrived at the colony a stage of convicts for serving punishment in jail. (in a PFRT [space functioning in the regime of a jail]) Of facts of the unjustified severe beating up and abuse of convicts upon the arrival of the given stages (the convicts arrived in 3 stages of several persons) and about how the beating took place during the time of the arrival of the stage at the PFRT in March of 2005, convict Alexander Anikin told in detail.

In the city of Izhevsk, released convict Alexander Anatolievich Mironov, who had been subjected to the given beating, staged from the PFRT at IK-2, to IK-1 in March 2005, was questioned in detail.

Earlier the applications of convicts staged to IK-1 from the PFRT at LIU-2, R.G. Abashev, A.V. Kharitonov, Yu.Yu. Motinev, S.V. Mochkarin, A.V. Omelchuk, A.A. Kosov, were directed to the address of the APM "For human rights", reporting on beating the upon arrival of the stage from the PFRT. In the city of Kazan resides a released

prisoner who had been bitten by a dog during the time of the receiving of a stage from the PFRT,

Considering that during the course of checking information, both current and former employees of IK-1 were questioned, who confirmed that in February-March of 2005 a stage from the PFRT at LIU-2 was subjected to receiving under the circumstances enumerated above, having desired to remain anonymous, but who had confirmed the fact of the beating.

The given interviews were recorded on an audio recording. In so doing, a former employee of the medical unit at IK-1 was questioned, and he reported about how two convicts from the PFRT after being received were seriously traumatized (both on the legs, one with bites), and gave a detailed description of the traumas. Former employee of the colony Vladimir Leonidovich Ageyev took part in the Round Table and told about how he had seen how the convicts of one of the three stages arrived from the PFRT were driven through a "living corridor" (employees of the institution, equipped with truncheons, inflicting blows to convicts running between them).

Concealment of escapes

From information received during the course of the conducting of the independent investigation, it became known that information oftentimes declared by officials of the GUF SIN for the Republic of Udmurtia about how during the course of 11 years escapes of prisoners had not been allowed does not correspond to reality.

Thus, in the year 2003, one of the convicts of the colony (with convoy-less exit rights [permitted to work outside but required to return to the colony in the evening]), carrying out the duties of an electrician, did not return to the colony. During the course of the gathering of information, three employees of the colony told about how during the course of 240 hours, measures were undertaken by the entire makeup of employees of the colony towards searching for the escapee. An official report was not made about the escape of the prisoner, which is confirmed by the data of the search section of the GUV D of the Republic. The convict was an inhabitant of the city of Izhevsk.

Several analogous escapes of convicts making use of convoy-less exit rights are known about. In all instances, chief of the colony S.V. Avramenko did not officially inform the GUF SIN for the UR, and adopted measures towards searching for the escapees, by way of the involvement of all employees of the colony. After the search of the escaped convicts, they were not brought to criminal liability, but were settled in the penalty isolator and cell-type space of the colony, where they were subjected to systematic severe beatings. One of the persons questioned, resigned precisely in the period of abuses against convict Kh., and reported that, experiencing empathy towards him, he met with his parents, residing in the city of Izhevsk, and reported to them about the abuses against their son. The questioned parents, of the subsequently deceased after

release Kh., confirmed the above-stated and explained that they feared to undertake measures towards the protection of the son due to the full lawlessness of the leadership of the colony.

Violations of labor legislation and the use of slave labor

Numerous explanations of prisoners have been gathered reporting about gross violations of labor legislation in the colony, about the use of slave labor, when convicts, under the guise of involvement in works for the improvement of the territory, are regularly involved in the execution of production works for a full work day (as well as, significantly exceeding the regulation of labor legislation). In so doing, facts are known of the use of the free labor of convicts, at works which are not upon the declaration of Mikhail Shadrin, released early on parole in August 2006: "I worked for free for 8 months on the chopping down of a forest and in the carpentry workshop in so doing they compelled us forcibly to write an application without the remuneration of labor", from the complaint of Roman Batalov "Housekeeping works at IK-1 comprise no less than 10 hours per week and this is the absolute minimum. During the time of housekeeping works they take us out to the industrial zone and force us to carry out free works, which should be remunerated, such as works on the gang saw, works in the boiler room and all production works", from the complaint of Sergey Frolov: "in our detachment there was one prisoner who worked in the workshop for the fabrication of furniture and souvenir articles from wood personally for S.V. Avramenko. The prisoner was compelled to work from 6 o'clock in the morning until 24 o'clock at night every day. They gave him a day off once per month".

Of facts of the use of convicts for free, at sites that do not enter into the sphere of activity of the colony. In so doing the fact of the exploitation of convicts without remuneration of labor, is confirmed not only by the testimony of former convicts, but also by the witness of citizens working at the given production facility, and former and current employees of the colony.

Concealment of production traumas

Documentary confirmation of facts of concealment of production traumas was presented by a former employee of the colony - the accident prevention engineer - V.L. Ageyev. In addition to documentary proofs, presented by him were the data of convicts, the traumas of whom, received due to non-observance of safety procedures, the involvement of untrained convicts in work at production, were given out for those received in the residential zone upon the direct order of chief of the colony S.V. Avramenko, by him were presented audio recordings of the discussion by employees of the directives of the chief of the colony.

Violations of the law by the medical-and-sanitary unit of IK-1

Absent in the medical-and-sanitary unit of IK-1 are a license and conditions for the conducting of surgical operations, however in order to avoid publicity of his crimes, chief S.V. Avramenko gives orders to his subordinates, employees of the medical-and-sanitary unit to carry out surgical interventions on the territory of IK-1. Thus Bek-Khan Fargiyev testifies about how knife wounds on the belly about the direction of S.V. Avramenko were sewen up right in the dentist's office, notwithstanding the assertions of the doctor that Fargiyev should be urgently driven to the hospital (self-mutilation, by way of the opening of veins on the arms and the ripping of the belly, the convict committed, not being able to stand the abuses and endless many-hours-long beatings). Surgical operations for pumping out blood from a cavity in the knee joint of convict Sergey Nikolayevich Kuklin (the trauma he received, going through the "corridor"), were carried out in the same way on the territory of IK-1 at the direction of the chief of IK-1.

Round table "Do they or don't they torture in Russian colonies?"

The systematic beating of convicts arriving at IK-1 of the GUF SIN for the UR is confirmed by all former prisoners previously having served punishment in the given colony, and questioned by representatives of the Civic Committee for the Protection of Prisoners [GKZZ] and by former employees of the colony. 6 persons of former convicts serving punishment at IK-1 took part in the conducting of a round table on 22 November in the House of Journalists, organized by the Public All-Russian Movement "For human rights", the Moscow helsinki Group and the foundation "In defense of prisoners", where they told of facts of the application at IK-1 of the GUF SIN for the Udmurt Republic of a practice of torture and harsh treatment.

The convicts appearing at the session of the Round Table on the theme "Do they or don't they torture in Russian colonies?" on 22 November 2006: Anikin, Frolov, Aziattsev, Khlystanov, Khanchenkov. (a transcript of the verbatim record of the round table and detailed explanations of the participants are attached).

In addition to this, V.L. Ageyev, as the former work accident prevention engineer, presented documentary evidence of the concealment by the chief of the colony of production traumas among the convicts for the improvement of indices; of violations of labor norms at production and of the presence in the colony of the unregistered production of souvenir output and the use at it of the slave labor of prisoners, concerning which was also told by former prisoners - participants in the Round Table.

Former prisoners - S. Frolov, S.S. Aziattsev, I. Khanchenko, M. Khlystanov, taking part in the Round Table, were not violators of the regime of confinement, and although they had been placed in the penalty isolator one time each, in the main they

were held in the residential zone, were employed at production and released early on parole.

All of them told about how in the given colony the attitude of the leadership towards the convicts is extremely malevolent, using various ways of humiliating the prisoners and using methods not envisioned by legislation for additional humiliation. Moreover under more detailed questionings certain of them underscored that the attitude of rank-and-file employees of the colony in the absence of the leadership differs noticeably by a reduction of the level of cruelty and humiliation of the convicts.

The prisoners reported on the prohibition on wearing warm things in the winter time, restriction in visitations and in the use of the labor of prisoners in a size of time significantly exceeding the norms prescribed by legislation. Thus, involvement in works for the improvement of the territory comprises the volume of a work day, and not 2 hours per week; many convicts working at production upon placement write a statement about the desire to labor without the remuneration of labor and so forth.

In so doing all those questioned earlier and participating in the Round Table report about the extremely humiliating manner of communication of chief of IK-1 S.V. Avramenko, both in relation to convicts, and in relation to employees and officers of the colony. All employees of the colony questioned, report about the same kind of immeasurably humiliating form of communication.

This is confirmed by a transcript of an audio recording of a "discussion" between S.V. Avramenko and an officer of the colony, who submitted the given audio recording to the disposition of the Movement. During the course of this discussion the chief of the colony permits himself not simply censored expressions, but even direct threats to place the officer in a cell to convicts, having become the victim of sexual violence, and threats of physical violence.

The given audio recording had earlier been attached to complaints about the opening of a criminal case based on the fact of threats and an application on the opening of a criminal case under a private prosecution to a justice of the peace, but was ignored both by the court and by the organs of the procuracy.

There are no doubts about the authenticity of the audio recording, because it was not refuted by anybody within the framework of examinations in the order of Arts. 141-145 of the CCP RF, and is confirmed by the petitions of the applicant on the conducting of an expert assessment at the discretion of the court or the organs of the procuracy.

Nevertheless, the content of the recording eloquently testifies about the character of communication between the chief of the colony and subordinates, confirms the declarations made by employees and the tales of prisoners about the systematic humiliation of employees of the colony before the eyes of the prisoners. We bring apologies for the attaching of a transcript of the audio recording, fully consisting of non-normative vocabulary, but consider it necessary to attach it to the given address.

Likewise presented during the course of the Round Table was the poem "The sorrel horror movie", the author of which is a former employee of the colony, who resigned 2-3 months after the placement of Avramenko in the post of chief of the colony in 1999. In it the author tells how a month or two after the stepping by S.V. Avramenko into the post of chief of the colony, the employees drew up an appeal to the GUIN of the MJ of the RF with a demand to remove him from the post occupied due to inappropriateness, systematic boorish behavior and so forth. The appeal was supposed to be driven over by the author of the poem personally, but he thought it over, because after what had taken place became known to S.V. Avramenko, not the entire collective taking part in the discussion of the drawing up of the petition signed it.

All employees, both former and working ones, confirm the given story and confirm that S.V. Avramenko can fully allow in relation to employees not only swearing and treatment humiliating human dignity, but also manhandling. Such a fact of the expression of the opinion of employees about the chief of a colony is encountered for the first time in the practice of the human rights advocates.

Appeals of convicts based on facts of the application towards them of torture and treatment humiliating human dignity are systematically received by the organs of the procuracy. However, despite their large quantity, the procuracy categorically refuses to recognize the right of prisoners to humane, declared by Russian legislation, treatment. In so doing the convictions of representatives of the procuracy, fully coincide with the attitude of employees of FSIN, not recognizing other methods of work besides physical violence and treatment humiliating human dignity.

To the materials is attached a copy of the poem "The sorrel horror movies", written and published by a former employee of the colony, who resigned after the stepping of S.V. Avramenko into the post of chief of the colony. The poem characterizes Avramenko, as an indicator of public opinion about the interactions between the chief of the institution and the employees and leader,

After the conducting of the Round Table, information was received by the Movement about how the regime of confinement has been made more severe in practically all the institutions of Udmurtia, convicts from the cell-type space and strict conditions of confinement at IK-1 have been driven off to other institutions. In so doing the employees of the colony openly declare to convicts about how "one Yagul was too little for you, we will arrange [one] everywhere".

Recommendations

For prevention of further violations of the rights of convicts on the part of the administration of IK-1 of the GUF SIN for the UR and the protection of the safety of prisoners who have made applications about the threat of summary punishment in relation to them, the conducting by the Procuracy-General of the RF and the Ministry of

Justice of the RF of a full investigation on the basis of information received and information had in the report and in the attachments is imperative.

We consider that to the given investigation must be attached representatives of human rights organizations, or lawyers representing the interests of prisoners.

To avoid pressure on prisoners in questionings representatives of the UFSIN for the UR and the local procuracy must not participate during the investigation.

During the investigation it is imperative to familiarize the above-named convicts who have declared about the violation of their rights and human rights organizations; with a mandatory subsequent familiarization with the results of the inspection of the applicants and human rights organizations.

Besides the applications presented, the authors have at their disposal a large list of data of persons, from the number of former employees, relatives and convicts, desiring to give testimony based on facts of the violation of the rights of convicts, but fearing persecution.

L.A. Ponomarev

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Deputy Chairman of the Management Board of the Foundation "In defence of the rights of prisoners"