



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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COMMITTEE AGAINST TORTURE

**List of issues prior to the submission of the fifth periodic report of the
RUSSIAN FEDERATION (CAT/C/RUS/5)***

**Specific information on the implementation of articles 1 to 16 of the Convention,
including with regard to the Committee previous recommendations**

Articles 1 and 4

1. With reference to the previous conclusions and recommendations of the Committee (CAT/C/RUS/CO/4), please provide detailed information on the measures taken to bring the definition of torture contained in articles 117 and 302 of the Criminal Code of the Russian Federation into full compliance with article 1 of the Convention. Have there been any cases of direct application, by the courts, of the Convention, including application of the definition of torture as contained in article 1?

2. Please provide information on the legislative measures taken to introduce specific provisions in the Criminal Code concerning the criminal liability for acts of torture, attempted acts of torture, orders to commit torture and complicity in committing torture. Please, provide statistical data concerning the application of articles 117 and 302 of the Criminal Code as well as other articles applicable to acts of torture (complaints, prosecutions, convictions).

Article 2

3. With reference to the previous conclusions and recommendations of the Committee

* The present list of issues was adopted by the Committee at its forty-second session, according to the optional procedure established by the Committee at its thirty-eighth session, which consists in the preparation and adoption of lists of issues to be transmitted to States parties prior to the submission of their respective periodic report. The replies of the State party to this list of issues will constitute its report under article 19 of the Convention.

please provide detailed information on the measures taken to prevent acts of torture, and in particular:

(a) Measures to guarantee the right of a person deprived of his/her liberty to contact his/her family members and inform them of his/her whereabouts immediately. In addition, please provide information on the compliance of article 96 of the Code of Criminal Procedure with the Convention, so far it provides that:

(i) relatives of a detained person must be informed within 12 hours of his/her detention but does not explicitly state that the relatives should be notified about his/her whereabouts ;

(ii) prosecutors can authorize the non-disclosure of the fact of detention in the interests of the secrecy of investigation. Please also clarify the rights of detainees to see their relatives, as in the Information submitted by the Russian Federation to the Committee on 23 August 2007, under paragraph 8, it is stated that "There is no limit on [the] number or duration [of meetings], except as provided in the Code of Criminal Procedure" (CAT/C/RUS/CO/4/Add.1, p. 2) and then notes that under chapter 16 of the internal regulations for the SIZO must have written authorization of the case officer for no more than two meetings a month with relatives or other persons up to three hours (ibid., p.3). Please specify what these exceptional cases would be. Also, the Information notes that after a person is sentenced, before he or she is placed in a prison facility, he or she may have meetings only with written authorization from a judge.

(b) Measures to ensure that all detained persons have immediate, unimpeded and confidential access to a lawyer. The Code of Criminal Procedure does not limit the frequency and duration of meetings with lawyers for suspects and accused, however rule 147 of the internal regulations for remand centres of the penal correction system, ratified by order No.189 of 14 November 2005 of the Ministry of Justice, allow for meetings with a lawyer to be terminated prematurely in the event of "an attempt by persons present at the meeting to impart information which might hinder efforts to establish the truth in the criminal proceedings or might be conducive to the commission of further offences". In this regard, please also provide statistics on complaints made by lawyers and persons deprived of liberty concerning violations of their right to access legal counsel, as well as details on measures taken in response to any such complaints. Please also clarify when the suspect has the right to see an attorney, as in the Information submitted by the Russian Federation to the Committee on 23 August 2007, under paragraph 8, the statement is first made that the suspect has the right to a meeting "before their first interrogation," (ibid., p. 2) but then later cites articles 17 and 18 of the Federal Law of 15 July 1995, No. 103-F3, and internal regulations for remand (SIZO UIS) on detention of suspects, confirmed by order of the Ministry of Justice of 14 October 2005, No. 189, and Interior Ministry order of 22 November 2005, No. 950, that detainees have the right to an attorney "from the moment they are actually taken into custody" (ibid. p. 2) or later, "from the moment of actual deprivation of freedom". Please also clarify the circumstances when the prosecutor would remove an attorney from a case, as it is noted in the Information that "removal of the lawyer from participation in a case is the prerogative of the agency or person who is conducting the criminal case", although it is also noted that only the suspect can refuse the services of a lawyer.

(c) Measures taken to bring the laws of the State party into line with article 2 of the Convention, expressly prohibiting invocation of exceptional circumstances or orders from superior officer or public authority as justification for torture.

(d) Please provide disaggregated statistical data on the number of persons held as suspects of terrorism for the period under review. Please provide information on the measures envisaged to ensure that all arrests and detentions under anti-terrorism legislation are carried out under independent and impartial judicial supervision immediately upon the deprivation of liberty. Please provide information on the compliance of the new Federal law “On counteracting terrorism” with the Convention, in particular on the bodies overseeing the legitimacy and proportionality of the use of lethal force in counterterrorist operations.

(e) Please provide information regarding investigations carried out in the period under review by the special human rights monitoring division of the Organizations and Inspectorate Branch of the Federal Penal Correction Service of the Russian Federation in the remand and pre-trial detention facilities, including main findings, data on acts of torture, cruel, inhuman and degrading treatment and punishment recorded, measures taken against perpetrators, compensation awarded to victims. Please provide information on visits to detention facilities carried out by independent bodies under the Federal Act No.11807-3 of 16 September 2003 “On public control over the rights of detainees in places of forced detention and on the assistance of non-governmental associations in the operation of penitentiary authorities and detention facilities.” Please provide information on visits carried out by regional human rights commissioners to penitentiary institutions under the Federal Law No.104-FZ of 19 June 2007 and the Federal Penitentiary Service Decree No.32 of 26 January 2007 establishing a Public Council under the Penitentiary Service. Please provide additional information on the draft Law on “Public oversight of respect for human rights in places of detention and on assisting public associations in their work.”

(f) In the Information submitted by the Russian Federation to the Committee on 23 August 2007 in response under paragraph 8, it is noted that the Prosecutor inspects investigation isolation cells (SIZO) once a month and corrective institutions (IU) at least once a quarter (*ibid.*, p. 4). In 2006, 41,096 complaints were resolved from prisoners or their representatives, of which 2,224 were found to have a basis, and in 2005, 37,744 complaints were received of which 2,370 were found to have a basis. In 2006, in total, as a result of complaints and inspections, 3,936 cases of claims of unlawful actions were investigated and of these 91, were found to be valid; in 2005, 5,167 cases were investigated and 102 were found to be valid. In total, cases brought as a result of oversight inspections as well as examination of specific complaints led in 2006 to 2,110 prison employees being disciplined, and 105 dismissals, and 109 employees of the corrective labor system were tried for crimes of office. In 2005, 4,850 employees were subject to disciplinary action, 72 were dismissed, and 71 tried (*ibid.*, p. 5). Please provide additional information about which articles of the criminal code were used to try officials suspected of torture, what sentences were received, and what, if any, compensations were given to victims. Also please provide information about how complaints originally found to be valid, but which did not lead to trials, were addressed, and whether the petitioners had the opportunity to appeal, both to the prosecutor and outside the prosecutor’s system, i.e. to the human rights ombudsman.

(g) Please provide information on the measures taken to prevent hazing in the military as well as torture and other cruel, inhuman or degrading treatment or punishment in the armed forces, conducted by or with the consent, acquiescence or approval of officers and resulting in severe physical and mental harm to victims, and in particular:

(i) Please provide information on the existing procedures for initial inquiries and their compliance with article 12 of the Convention, calling for “prompt and impartial” investigation of all complaints of torture and cruel, inhuman or degrading

treatment or punishment, taking into account that under the existing law commanders of the units in which the alleged abuses took place are to conduct the initial inquiries;

(ii) Please provide information on the number of officers who have been investigated, prosecuted and sanctioned, through disciplinary, administrative or criminal proceedings, for either consenting or failing to stop abuses in units subordinate to them.

(iii) Please provide information on rehabilitation programmes made available to victims of hazing and torture in the armed forces.

(iv) In the Information submitted by the Russian Federation to the Committee on 23 August 2007 under paragraph 10, it is noted that despite various efforts to improve training and communications about hazing (*dedovshchina*) and despite several preventative programs, the level of hazing remains high (*ibid.*, p. 9). It is also noted that the military prosecutor does not have any information showing there are "thousands" of soldiers' hazing cases (*ibid.*, p. 10). Please provide total number of cases for each category, i.e. not just the percentages of reduction, and indicate which cases came to trial, and under which articles of the Penal Code the cases were tried.

(v) Please provide information about the system to defend soldiers who have suffered violence from other military personnel. It is noted that Federal Law of August 20, 2004 No. 119 FZ, on government defense of victims and witnesses, that the military prosecutor and the commanders "broadly and effectively take measures to protect soldiers, including transfer to another unit or institution and to provide timely medical and psychological help." Please provide the number of such cases transferred and the assistance provided.

(vi) Please provide a copy of the report made by the Russian Federation Supreme Court for the period 2002-2006 on non-statutory relations in the military, which was sent to the Ministry of Defense, commander in chief of internal forces of the Interior Ministry, first deputy of the Director of the Federal Security Service (FSB), and head of the Border Service and which enables officials to examine the reasons, conditions fostering these crimes and suggests ways to improve prevention and reduction of these crimes in the future.

h) Please provide information on any amendments made to the legislation governing the activities of non-governmental organizations, in particular regarding the registration and re-registration processes. In addition please provide information on measures taken to initiate prompt, impartial and effective investigation and punishment of perpetrators of human rights violations against human rights defenders.

Article 3

4. Please provide information on measures taken to bring national legislation into conformity with international refugee law. Please, also provide detailed information on the departments responsible for extradition, expulsion and return in accordance with article 3 of the Convention, including information on appeal procedures to challenge decisions to extradite or to expel. Please also provide examples of decisions taken on cases relevant to article 3 of the Convention.

5. In the Information submitted by the State party in response to paragraph 16 of the

Committee's concluding observations, the State party noted that "Current legislation does not provide for a record to be kept of the number of assurances given that torture will not be used (CAT/C/RUS/CO/4/Add.1, p. 11)". Please provide the Committee with detailed statistic information on the number of persons returned, broken down by country, and the number of diplomatic assurances sought for the period since 2002, the persons concerned and the outcome of each case as well as on minimum contents for any assurances. Please also indicate procedures for obtaining such assurances, and any judicial mechanisms for review as well as effective post-return monitoring mechanisms.

6. Please provide information on cases when extradition of a person was refused because of founded risk of torture or ill-treatment. In addition please provide information on the number of cases when extradition was granted, including details on the guarantees that were requested and obtained to ensure the protection of the extradited person from torture and other forms of ill-treatment in the receiving country. Please provide information on the monitoring and follow-up carried out to ensure that the guarantees against torture and ill-treatment have been observed.

7. Please provide statistics on the number of persons expelled from the territory of the Russian Federation in accordance with the procedure of administrative expulsion (article 18.8 of the Code of Administrative Offences). Please provide information on the measures taken to ensure that the persons expelled under the procedure of administrative expulsion would not be subject to torture and other forms of ill-treatment contrary to the Convention.

8. Please provide information on all cases of "extraordinary rendition" occurred in territories under the jurisdiction of the Russian Federation in the period under consideration.

Article 5

9. Please provide information on the measures taken to introduce domestic legislation to ensure that acts of torture are considered universal crimes

Article 10

10. Please provide information on the measures taken to ensure that all persons enumerated in article 10 of the Convention are informed about the prohibition of torture, including their obligation not to implement an order asking them to commit torture. Please, provide detailed information about the training of law-enforcement personnel on their obligations under the Convention. Please indicate when and how regularly such trainings are provided, and also indicate whether trainings are organized for: (a) law-enforcement personnel and judges to initiate prompt and impartial investigations; (b) military personnel to be aware of the prohibition of torture and that an order from a superior officer may not be invoked as justification of torture; and/or (c) law-enforcement, military and medical personnel to recognize the sequelae of torture.

11. Please, provide information on the training of forensic doctors and medical personnel dealing with persons in detention or under arrest, or with asylum-seekers and refugees, to detect physical and psychological marks of torture in accordance with the Istanbul Protocol.

12. In the Information submitted by the State party, under paragraph 8, it is noted that under a joint decree of the Ministry of Health and Social Development and the Ministry of Justice of 17 October 2005 No. 640/190, on medical assistance to detainees, procedures for medical personnel

who find injuries or harm to health as a result of unlawful actions must file a report with the officer on duty or the head of the prison guards who have brought the suspect or accused to detention. The operations department that conducts an inspection and if evidence of a crime is found, the case is sent to the territorial prosecutor's office. A copy of the medical records can be obtained by the accused or his attorney. The head of the SIZO, or agency holding the prisoner, or by petition of the suspect or accused himself or his lawyer, medical check can be done by other medical facilities. Refusal to provide such examination can be appealed to the prosecutor or the court (*ibid.*, 3-4). Please indicate how many reports of this type have been filed, what action was taken, and what recourse the prisoner would have to go outside the prosecutor's system to appeal the actions of the prison authorities and prosecutor's office.

Article 11

13. Please provide statistical data on the types of measures of restraint applied to persons deprived of liberty under article 97 of the Code of Criminal Procedure in the period under review. Please provide information on cases of rejection of applications for pre-trial detention by courts based on the fact that law-enforcement bodies violated legal procedures relating to custody. Please provide examples of such cases.

14. Please inform the Committee on measures taken, if any, to explicitly prohibit by law all forms of ill-treatment (including corporal punishment) in alternative-care settings and places of confinement, in particular places of confinement for juveniles, the aged, and individuals needing psychiatric or psychological care. Please provide information on the state body responsible for the oversight of these facilities to ensure that torture and other forms of ill-treatment contrary to the Convention do not take place, including details of their composition, mandates and powers.

Articles 12 and 13

15. Please provide information for the period on the complaints received from persons deprived of liberty alleging torture, inhuman and degrading treatment or punishment, including statistics on their numbers and content, and on any follow-up given to them. In particular, please provide detailed information on the complaints alleging torture and other forms of ill-treatment received from the suspects and accused held in temporary isolation wards (IVSs) and the pre-trial detention facilities (SIZOs). In this regard, please provide statistical data with the regional breakdown on number of law-enforcement official prosecuted for committing torture and other forms of ill-treatment.

16. Please also indicate what guarantees exist against undue delays and/or suspensions of investigations and prosecutions of alleged perpetrators of acts of torture and ill-treatment, which may result in undermining the existing avenues for effective domestic remedies.

17. Please provide information on any measures taken to ensure prompt and impartial investigations into the alleged violence of law-enforcement personnel against ethnic, racial and religious minorities. Please, also provide information on the number of law-enforcement personnel brought to justice for violence against ethnic, racial and religious minorities.

18. Please provide information on the disciplinary measures applied to detainees held in remand centres and prisons for breaking the rules of these facilities. Please also provide information on the oversight of the imposition of such measures and the possibility for the

detainees to complain if a measure was applied unlawfully. Please give statistical information on the percentage of complaints of detainees on disciplinary measures out of the total number of complaints received from the detainees.

19. Please provide information on the number of complaints filed with prosecutors on unlawful methods of investigation, physical or psychological pressure against convicts serving their prison terms, the number of investigations into such complaints and the number of convictions of penitentiary officers for such offences under various articles of the Code of Criminal Procedure and Criminal Enforcement Code. Please provide statistical data on investigations into cases of police abuse, on the number of complaints about unlawful methods of investigation and on the number of complaints found justified by the prosecutor. Please provide examples, if any.

20. Please provide information on the reforms undertaken to change the dual responsibility of the Procuracy, which is both the prosecution authority and the oversight of the proper conduct of investigation, in order to make the prosecutor's office more independent and impartial. Please provide information on the impact of the entry into force on 7 September 2007 of Federal Law No.873-FZ of 5 June 2007, establishing investigatory committees under the prosecutor's office all over the country, and the decree signed by President Putin, on "Issues of the Investigation Committee of the Prosecutor" of RF 2 August 2007, which makes the investigative committees equal to the prosecutor's office in stature, and makes the head of the committees the deputy of the prosecutor general but equal to him, as both are appointed by the Soviet of the Federation upon the president's nomination.

21. Please provide statistical data on the number of witnesses protected in accordance with Federal Act No. 119-FZ of 20 August 2004 on State protection of victims, witnesses and other participants in criminal proceedings.

22. Please provide statistical disaggregated data on the number of complaints received and investigated on ill-treatment and sexual violence against women and minors in places of detention and confinement during the period under review, including details of measures taken to prosecute and sanction perpetrators and on compensation awarded and paid to victims. Please also elaborate on new laws, policies or other measures taken to prevent ill-treatment of women and juvenile offenders in places of detention.

Article 14

23. Please provide information on cases in which compensation has been awarded to victims of torture and other forms of ill-treatment in the period in question. Please provide information on the services established for the treatment of torture-related traumas, as well as information on other forms of rehabilitation of torture victims, including details on the financial allocations made for these purposes. Please also elaborate on the legal provisions which guarantee compensation if torture and/or ill-treatment is inflicted by private individuals acting at the instigation of or with the consent or acquiescence of a public official.

24. Please provide information on the compensation paid to victims of torture and ill-treatment following decisions of the European Court of Human Rights on cases against the Russian Federation.

Article 15

25. Please inform the Committee of the concrete measures taken to ensure respect, in practice, for the principle of inadmissibility of evidence obtained through torture and measures to ensure the systematic review of cases of convictions based solely on confessions, in the light of the absence of specific provisions in the Code of Criminal Procedure concerning the inadmissibility of evidence obtained through torture. Please provide examples of any cases that have been dismissed by courts due to the introduction of evidence or testimony obtained through torture or ill-treatment. Please provide information on the legislative measures taken to introduce in the domestic legislation specific provision governing the inadmissibility of evidence obtained through torture or ill-treatment.

Article 16

26. Please provide information on the measures taken to improve the conditions of pre-trial detention facilities, prisons and prison colonies in which prisoners serving life sentences are detained, and in particular measures to improve the consequences of overcrowding. Please elaborate on the progress achieved in implementation of the federal programme on “Development of the penitentiary system (2007-2016)” approved by Government Decree No.540 of 5 September 2006. Please provide information on the current minimum sanitary and nutritional norms in the detention facilities and prisons in Russian Federation. Please also provide information on the progress reached in the implementation of the Federal target programme for constructing and renovating SIZOs in 2007-2016 and to improve the situation of IVSS (temporary isolation wards).

27. Please provide information on the reported practice of solitary confinement (“isolation boxes”) for non-compliance with prison rules.

28. Please provide statistical data on the number of deaths in custody, with a breakdown of the causes and details on the investigation of past incidents as well as prosecution and conviction of accountable officials. Please also elaborate on the measures taken to prevent deaths in custody.

29. Please provide information on the efforts taken to introduce specialized juvenile courts. Please provide information on alternative sentencing for persons under the age of 18 in conflict with the law. Please also provide statistical information on the number of juveniles in detention and the degree of penalty for each year of the reporting period. Please, also provide information on the progress achieved in relation to the adoption of the draft federal law “On the foundations of a juvenile system”. Please provide information on the measures taken to guarantee a functioning juvenile justice system by treating minors in manner appropriate to their age, in conformity with the United Nations Standard Minimum Rules for Administration of Juvenile Justice (Beijing Rules), the United Nations Guidelines for Prevention of Juvenile Delinquency (Riyadh Guidelines) and the United Nations Rules for Protection of Juveniles Deprived of Their Liberty (Tokyo Rules).

30. Please provide updated information on the intention of the State party to adopt legislation to prevent domestic violence against women and on any other measures taken to prevent domestic violence and to investigate reported cases. Please also provide information on measures taken to ensure effective implementation of anti-trafficking legislation, including

details of the draft act “On Counteracting the Trafficking of People”. Please, also provide information on a number of people brought to justice for trafficking in human beings.

The situation in the Chechen Republic

31. Visiting the country in 2007 the European Committee for the Prevention of Torture (CPT) came to conclusions that resort to torture and unlawful detention is still common practice among the members of law enforcement and security forces in Chechnya and that investigations into cases involving allegations of torture or unlawful detention are rarely carried out in an effective manner. Please provide information on the steps taken by the State party to address the concerns of the CPT as well as the concerns and recommendations issued by the Committee in regard to the situation in the Chechen Republic in the fourth periodic report review, in particular those concerning the investigation and punishment of perpetrators of cases of abductions and enforced disappearances, secret detention facilities, torture and other forms of ill-treatment and mass killings (CAT/C/RUS/CO/4, para. 24).

32. Please provide information on the measures taken by competent authorities to ensure protection of claimants and witnesses of torture and disappearances in Chechnya, including statistical data on the number of persons to whom such protection has been offered and provided. In addition please provide information on the measures taken to protect victims filing complaints to the European Court of Human Rights on human rights violations in Chechnya.

33. Please provide information on the State bodies monitoring activities and on the conduct of military personnel, of federal and local security services and law-enforcement personnel, in particular detailing the composition, mandate and powers of bodies and mechanisms entrusted with the investigation of all allegations of torture and other forms of ill-treatment, as well as the results of investigated cases.

34. Please, provide information on all unofficial or temporary places of detention in the Chechen Republic. Please provide information on all cases of torture and other forms of ill-treatment denounced, investigated and prosecuted, including the number of officials brought to justice in these cases. Please provide information on the redress awarded to victims.

35. Please provide information on the measures taken to combat and prevent kidnappings, abductions and enforced disappearances in the Chechen Republic, including cases attributed to law-enforcement and security forces, in particular members of ORB-2 (the Second Operational Investigative Bureau of the Ministry of Interior) located in Grozny and with branches in a number of Chechen districts. According to the Information submitted by the State party in response to paragraph 24 of the Committee’s concluding observations: in 2007, 66 abductions and 74 of hostage taking were reported; whereas in 2006 there were 98 cases of abduction and 115 of hostage-taking; in 2007, 18 criminal cases were opened involving 22 persons kidnapped; while in 2006, 37 cases were opened. As of June 1, 2007, 109 criminal cases involving 164 persons were sent to the court (CAT/C/RUS/CO/4/Add.1., p.22). Please provide additional information on the outcome of the cases, and the progress of the comprehensive program undertaken by the federal government to combat abductions and find disappeared persons for 2006-2010.

36. According to the follow up information provided by the State party regarding on paragraph 24 of the Committee's concluding observations, only 126 persons were held in 2006 on suspicion of serious crimes in the Chechen Republic, mainly for attacks on law enforcement or government administration, murder, terrorism, hostage taking, organization of an unlawful armed formation, banditism, organization of a criminal gang (ibid., p. 18). Please provide any additional data for 2006 and the period 2007-2008. According to the same document, the Chechen Prosecutor himself is daily checking the lawfulness of detentions in keeping with order No. 39 of 5 July.2002 from the RF Prosecutor General's office (ibid., p. 18). Please indicate what recourse detainees have to appeal to authorities outside the Chechen Prosecutor's office concerning allegations of mistreatment.

37. According to the follow up information submitted by the State party, 270 complaints about unlawful methods were made in 2006; of these, 11 led to opening criminal cases and 259 were refused (ibid., p. 19). Please provide additional information about the articles under the criminal code under which the 11 were tried, and the disposition of the remainder of the complaints.

38. Please provide information on the dual system of prosecution applicable in Chechnya, military and civilian; in particular please provide information on the measures taken to ensure that complaints filed by civilians to civilian prosecutors for violations committed by military personnel are promptly transmitted to military prosecutors and investigated. Please provide statistics on the number and contents of complaints received and transmitted by civilian prosecutors to military ones, the investigations conducted and their results.

39. Please provide further information on the case of journalist Anna Politkovskaya who was murdered while in the process of publishing a report on human rights abuses by Chechen officials. According to the information supplied by the State party in response to paragraph 22 of the Committee's concluding observations, an investigation was opened on charges of murder while performing work duties, and several hypotheses were reviewed by the prosecutor, including Politkovskaya's work on the situation in the North Caucasus. A criminal case has been opened up regarding the claims of unlawful actions by the Chechen government, by the prosecutor of the Chechen Republic on 13 December 2006, on charges of "abuse of office" (ibid., p. 12). Please provide an account of the conclusion of this investigation, as well as an update on the status of Politkovskaya's case, given that in February 2009, a judge acquitted three defendants originally arrested, who were found not guilty, and also acquitted a fourth related to the case in a separate trial.

40. Please provide information on:

a) The investigation of the abduction of Mokhamadsalakh Masaev by unknown individuals in camouflaged uniforms in the center of Grozny in August 2008.

b) The outcome of the criminal investigation launched in respect of the mop-up operation in the village of Borozdinovskaya (Shelkovskoi district of Chechnya), which reportedly included torture of civilians, an extrajudicial execution and the abduction and disappearances of 11 civilians perpetrated by servicemen of the armed battalion "Vostok" headed by Sulim Yamadaev and subjugated to the Ministry of Defense of the Russian Federation on 4 June 2005.

c) The outcome of appeal lodged by the people injured and the relatives of civilians killed in the bombings of Rostov Baku road and the village of Katyr-Yurt in Achkhoy-Martan district of Chechnya on 12 February 2000.

d) The progress reached to investigate the cases of mass killings and torture or ill-treatment of civilians in Chechnya, in particular those occurring in Alkhan-Yurt, Urus-Martan district, in 1999, in Staropromyslovsky district of Grozny and the village of Novye Aldy, Zavodskoi district, in 2000 as well as in the village of Mesker-Yurt in Shali district in 2002.

e) The investigation results of the police actions in violently dispersing peaceful demonstrations held in Nizhny Novgorod on 24 November 2007, whereby participants of the demonstrations were allegedly arrested and fire was opened at them.

f) The results of the investigation into the severe beating and ill-treatment by the security personnel of a number of households in Ali-Yurt village (Ingushetia) on July 28, 2007.

g) Investigation of cases of enforced disappearances, torture and arbitrary killing taking place in Ingushetia. In particular, give information on measures taken to investigate of the abduction of Ibragim Gazdiev (abducted on 8 August 2007), Khusein Mutsolgov (abducted on 5 May 2007), Akhmet Kartoev (abducted on 22 May 2007), and death of Murat Bogatyrev (taken away by the armed personnel and killed in the detention facility on 7 September 2007).

h) The alleged ill treatment and abuse of ex-Guantanamo inmates handed over to the Russian authorities in 2004: Gumarov, Ishmuratov and Rasul Kudaev.

40. Please provide information on the current status of the consideration of the request of the Special Rapporteur on torture and other forms of cruel, inhuman and degrading forms of treatment and punishment to carry out an objective visit to the Russian Federation, in particular the North Caucasus.

Other issues

41. Please provide information on the legislative, administrative and other measures the State party has taken to respond to the threat of terrorist acts, and please describe if, and how, these measures have affected human rights safeguards in law and practice. In this respect, the Committee would like to recall Security Council resolutions 1456 (2003), 1535 (2004), 1566 (2004), and 1624 (2005) all of which reiterate that States must “ensure that any measure taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law.” Please elaborate in particular on the compliance with the Convention of the laws signed by the President of Russian Federation on 6 March 2006 No 35-FZ “On opposing terrorism” and on 15 February 2006, Decree No 116 “On measures to oppose terrorism”, and on the legal remedies made available to persons subjected to anti-terrorist measures.

42. Please describe the relevant training given to law enforcement officers, the number and types of convictions under such legislation, the legal remedies available to persons subjected to anti-terrorist measures, whether there are complaints of non-observance of international standards, and the outcome of these complaints. Please confirm that there are no secret detention facilities in the State party.

**General information on the national human rights situation, including
new measures and developments relating to the implementation of the Convention**

43. Please provide detailed information on the relevant new developments on the legal and institutional framework within which human rights are promoted and protected at the national level, that have occurred since the previous periodic report and the relevant parts of the follow-up information submitted, including any relevant jurisprudential decisions.

44. Please provide detailed relevant information on the new political, administrative and other measures taken to promote and protect human rights at the national level, that have occurred since the previous periodic report and the relevant parts of the follow-up information submitted, including on any national human rights plans or programmes, and the resources allocated to it, its means, objectives and results.

45. Please provide any other information on new measures and developments undertaken to implement the Convention and the Committee's recommendations since the consideration of the previous periodic report in 2006, including the necessary statistical data, as well as on any events that occurred in the State party and are relevant under the Convention.
