

**Mandate of the Special Rapporteur on the rights of persons with disabilities**

REFERENCE:  
OL RUS 5/2018

6 April 2018

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the rights of persons with disabilities, pursuant to Human Rights Council resolutions 35/6, further to your letter of 15 February 2018 referring to the joint allegation letter AL RUS 9/2017.

In this connection, I would like to thank your Excellency's Government for its reply and acknowledge that I have duly taken note of the medical treatment, conditions of detention and efforts made by the custodial authorities to accommodate Mr. [REDACTED] needs, since his transfer to the correctional colony.

The Russian Federation ratified the Convention on the Rights of Persons with Disabilities (CRPD) on 3 May 2012. Hence, it is my duty to call your Excellency's Government's attention to its obligations under article 14(2) of the Convention, namely to ensure that when persons with disabilities are deprived of their liberty, they are, on an equal basis with others, entitled to the guarantees of the international human rights law and shall be treated in compliance with the objectives and principles of the CRPD, including by provision of reasonable accommodation. The lack of disability related support, accessibility and reasonable accommodation places persons with disabilities in sub-standard conditions of detention that are incompatible with the prohibition of cruel, inhuman or degrading treatment or punishment, as stated under article 15(2) of the Convention.

Turning to Mr. [REDACTED]'s medical condition, I note your Excellency's Government's response with regard to the non-fulfilment of the criteria for early release on medical grounds, based on the expert medical examination of 11 December 2017. Nonetheless, this shouldn't preclude Mr. [REDACTED]'s access to an independent medical examination and treatment plan to prevent health deterioration and ensure the enjoyment of the highest attainable standard of health, as granted under article 25(b).

I hope that this letter provides an opportunity to engage in an open, constructive and human rights-based dialogue with your Excellency's Government to ensure that, while serving his sentence in detention, Mr. [REDACTED] has access to quality health services, receives the necessary disability-related support and can access independently, on an equal basis with others, the various areas of the correctional colony.

Your Excellency's Government's response will be made available in the communications report of special procedures to be presented to the Human Rights Council for consideration at its 39<sup>th</sup> session in September 2018.

I thank your Excellency's Government for its attention on this important matter and make myself available to provide any additional information or assistance on the issues raised in this letter.

Please accept, Excellency, the assurances of my highest consideration.

Catalina Devandas-Aguilar  
Special Rapporteur on the rights of persons with disabilities