

Mandates of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; the Working Group on Arbitrary Detention; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism

Ref.: UA RUS 5/2023
(Please use this reference in your reply)

5 May 2023

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment; Working Group on Arbitrary Detention; Special Rapporteur on extrajudicial, summary or arbitrary executions; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the independence of judges and lawyers and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, pursuant to Human Rights Council resolutions 52/7, 51/8, 44/5, 43/4, 50/17, 51/21, 44/8 and 49/10.

We are writing to follow-up on the case of Mr. Alexei Navalny based on new information received on the allegedly **punitive conditions of his continuing detention**, including the excessive length of stay in solitary confinement, which are affecting his **health status**, reported to be rapidly deteriorating, with **dangerous, life-threatening consequences**.

The case of Mr. Navalny was raised by UN Special Procedures on different occasions, namely in UA RUS 7/2020, AL RUS 11/2020 and AL RUS 4/2021¹. We thank Your Excellency's Government for the replies to UA RUS 7/2020 and AL RUS 4/2021. We regret, however, that, thus far, no reply has been received to AL RUS 11/2020, leaving the concerns expressed therein unaddressed.

We stress that cooperation between Governments and mandate-holders, including the provision of relevant information and responses to their communications without undue delay, is essential for the effective functioning of the Special

¹ See UA RUS 7/2020: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25527>, the government's reply can be accessed through the following link: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=35646>; AL RUS 11/2020: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25830>, thus far no reply from the Government was received; and AL RUS 4/2021: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26110>, the Government's reply can be accessed through the following link: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=36165..>

Procedures' system. We therefore hope to receive a substantive reply to AL RUS 11/2020 as soon as possible.

We are additionally bringing to the attention of Your Excellency's Government information concerning three other individuals, Ms. Liliya Chanysheva, Mr. Vadim Ostanin and Mr. Daniel Kholodny, who are allegedly being deprived of liberty, facing criminal charges, for reasons reportedly related to their political engagement in support of or in association with Mr. Navalny's organizations and/or activities.

According to the information received:

Case of Mr. Alexei Navalny

Mr. Alexei Navalny is a political opposition figure and anti-corruption activist in Russia. In 2008, he founded the Union of Minority Shareholders, which works to protect the rights of minority shareholders and has brought lawsuits against some of Russia's largest corporations. In 2010, Mr. Navalny created "RosPil", a project aimed at exposing corrupt practices in Government procurement processes. In 2011, he created the Anti-Corruption Foundation (FBK). Because of his work, Mr. Navalny reportedly has been repeatedly prosecuted. For instance, in 2017 he was convicted of fraud in a case that the European Court of Human Rights later called "arbitrary and manifestly unreasonable."² The sentence also meant Mr. Navalny was precluded from running for the Russian presidency in 2018.

On 20 August 2020, Mr. Navalny suffered from acute allergic reaction while on a flight from Siberia to Moscow, which required an emergency landing in Omsk. According to the Omsk treating hospital he received a preliminary diagnosis of poisoning by neuroleptics, as communicated by your Excellency's Government. He was evacuated to Germany for treatment, where medical tests conducted at the hospital confirmed the presence of cholinesterase inhibitors in Mr. Navalny's body, suggesting he had been poisoned.

Five laboratories approved by the Organisation for the Prohibition of Chemical Weapons (OPCW) - located in Germany, France, and Sweden - later found the biomarkers in Mr. Navalny's blood and urine had similar structural characteristics as the toxic chemicals belonging to the Novichok group. On 6 October 2020, the OPCW itself confirmed, based on samples sent to two laboratories designated by the Director-General, that Mr. Navalny has been exposed to a toxic chemical acting as a cholinesterase inhibitor, whose biomarkers are similar to Novichok.

On 17 January 2021, Mr. Navalny returned to Moscow, from Germany, following treatment for alleged poisoning. He was arrested on arrival under a

² See case of *Navalnyye v. Russia* (Application no. 101/15) , Judgment, 17 October 2017 (final on 5 March 2018): <https://hudoc.echr.coe.int/eng#%7B%22itemid%22:%5B%22001-177665%22%5D%7D>

warrant issued for having breached the terms of a suspended sentence passed in 2014 in an embezzlement case.

On 2 February 2021, Mr. Navalny was sentenced to two years and eight months imprisonment by Moscow's Simonovsky District Court, for violating the terms of his probation in the 2014 embezzlement case. The Supreme Court subsequently upheld the sentence.

On 31 March 2021, Mr. Navalny began a hunger strike to protest against the alleged refusal of the prison authorities to let his doctors visit him, after he developed severe back pain and numbness in his legs. He eventually ended the strike approximately three weeks later after having been examined by doctors who were not affiliated with the prison. Mr. Navalny, however, said that he would continue to demand a visit from his doctor to check his health situation.

On 22 March 2022, Mr. Navalny was again sentenced to nine years imprisonment, for alleged fraud and contempt of court, before the Moscow's Lefrotovsky District Court. Two superior courts subsequently upheld the sentence.

On 14 June 2022, Mr. Navalny was placed in detention in the federal penal colony n. 6 of the Vladimir Oblast Department (known as "IK-6"), where he remains.

While in the IK-6, between August 2022 and February 2023, Mr. Navalny was placed in an isolation cell (known as "shizo") a total of eleven times - namely on 12, 23 and 29 August 2022; on 6 and 22 September 2022; on 10 and 31 October 2022; on 1, 13 and 31 December 2022; and on 24 January 2023 - for a total period of one hundred and fourteen (114) days.

Mr. Navalny is being held in an unventilated cell. His cell measures six square meters, compatible with the minimum standards of the European Committee for the Prevention of Torture (CPT). However, when there, Mr. Navalny is without his bed or bedding for 15 hours each day. He must hand over his mattress and pillow every day at 5 am. Subsequently, his bed gets fastened to the wall. The mattress and pillow are then returned to him at 9 pm and the bed is lowered. He is only given a pen and paper for approximately thirty-five minutes a day. The only personal belongings he is allowed to have with him are one mug and one book.

According to different reports, when he is held in the isolation cell, Mr. Navalny cannot receive visits from his relatives, make telephone calls, purchase food, and/or receive any parcels or packages. He can have one hour for a walk which, however, can take place in a similarly sized room with concrete walls, where one can see only a small patch of sky overhead.

Reasons for placing Mr. Navalny in isolation cell have been for most minor matters, such as having the top button of his uniform unbuttoned; not holding his hands behind his back while being escorted to the cell; not introducing

himself properly to the colony staff or improperly addressing them; refusing to wash the bars of the cell; improper cleaning of the exercise yard; washing his face half an hour earlier than the permitted schedule.

On 8 September 2022, the IK-6 administration decided that all correspondence between Mr. Navalny and his lawyers would be controlled and inspected over the period of one year. Controls carried out by the prison administration to this effect can take up to three days, or even up to seven days in case of documents containing foreign language. Censored material is listed in a special registry, but classification is done in such a way that no correlation with specific documents is made possible in practice.

As a result, Mr. Navalny's lawyers are forced to show the documents they carry with them to the staff of the prison administration, which reads and video-records them, before they can be allowed to meet with their client. On 27 October 2022, prison officers confiscated from one of Mr. Navalny's lawyers five criminal complaints concerning prison officials.

The slot in the partition wall of the room where Mr. Navalny is allowed to meet with his lawyers was completely sealed up, making it impossible for them to exchange documents. The transparent plexiglass of the partition wall was covered with an opaque film, which would also make it impossible for Mr. Navalny's lawyers to even show him any document.

From 1 October to 7 December 2022, in spite of the extremely cold temperatures, Mr. Navalny was not provided with winter shoes. This prevented him, in practice, from going on the permitted daily walks.

On 28 October 2022, Mr. Navalny's lawyers brought to the attention of the Head of the IK-6 the situation of their client's health. They stressed that, as a result of his detention, with very limited physical mobility, Mr. Navalny's chronic spinal disease worsened, causing him severe physical pain and loss of the ability to work. They further stressed that their client suffers from arthritis in his fingers and asked that he be allowed to consult with a rheumatologist, and to undergo an X-ray, CT and/or MRT test and blood examination, which was granted.

The rheumatologist stated that Mr. Navalny did not suffer from rheumatism in the hands. It was, however, found that he might have had problems of a neurological nature, requiring a consultation with a specialist.

Based on the information available, Mr. Navalny has not yet been referred to a neurologist, has had no access to other medical assistance - which he asked for, even at his own costs and expenses - and could neither obtain a proper diagnosis nor the results of the medical tests done. He was only provided with unreadable copies of unverified documents.

On 9 November 2022, additional charges were brought against Mr. Navalny. They included organizing an extremist community (article 282.1, part 3 of the

criminal code of the Russian Federation); desecration of symbols of Russian military glory (article 354.1, part 3); publicly calling for extremist activities (article 280, parts 1 and 2); organizing an association infringing upon individuals' rights and freedoms (article 239, part 2); involvement of a minor in carrying out anti-social actions endangering life (article 151.2, paragraphs a), b) and c) of part 2); justifying terrorism (article 205.2, part 2); and financing extremist activities (article 282.3, part 2).

On 16 November 2022, Mr. Navalny was placed into a cell-type facility (known as "PKT") for a period of one month.

The PKT is an enclosed space of several rooms, which can be left only during walks. Inmates held in the PKT are only permitted to receive one parcel every six months and only get one and a half hours of walk every day.

Starting from 3 January 2023, Mr. Navalny's health situation began to deteriorate.

By 9 January 2023, Mr. Navalny showed symptoms of acute respiratory viral infection. His lawyers tried to bring medications to him but were not allowed to introduce them in prison. Mr. Navalny was treated with antibiotics, which were contraindicated, and caused him severe stomach pain and loss of seven kilograms of weight.

On 10 January 2023, more than six hundred Russian doctors addressed an open letter to the President of the Russian Federation calling for Mr. Navalny's admission in a civil hospital so that he could be examined and treated as necessary.

During the month of January 2023, Mr. Navalny complained to a member of the Presidential Human Rights Council about the insufficient natural lighting in his cell. Following the complaint, the prison administration installed three extremely bright daylight lamps in his cell, which remain lit for sixteen hours a day, causing Mr. Navalny's exposure to bright light.

On 31 January 2023, Mr. Navalny was again placed in the PKT for a period of six months.

The decisions of the penal colony administration on Mr. Navalny's placement in the shizo was challenged by his lawyers before courts. However, their applications were rejected.

In April 2023, a new criminal case was opened against Mr. Navalny for which he would be tried before a military tribunal on charges of terrorism an offence that carries up to 35 years imprisonment.

It is feared that failure to grant Mr. Navalny access to adequate medical care in a civil hospital, outside the penal colony where he is being held, puts his life in serious danger.

Case of Ms. Liliya Chanysheva

From April 2017 to April 2021, Ms. Liliya Chanysheva was the Head of Mr. Alexei Navalny's office in the city of Ufa. This office was then closed by the authorities on charges of being an extremist organization. Following the office's closure, however, Ms. Chanysheva continued her political engagement in local civic space.

On 9 November 2021, she was arrested and charged with managing a structural subdivision of an extremist community (article 282.1 (3) of the criminal code). Subsequently, she was also charged with publicly calling to carry out extremist activities (article 280 (1)) and promoting the activities of a non-profit organization of a foreign agent (article 293 (3)).

On 10 November 2021, Ms. Chanysheva was remanded in custody and transferred from Ufa to Moscow, where she was kept in the pre-trial detention centre n. 6 until the end of February 2023. At present, she is being held in the pre-trial detention centre n. 1 back in Ufa.

On 17 January 2022, the European Union High Representative for Foreign Affairs deplored the "persecution of members of Mr. Navalny's network, including the arrest of Liliya Chanysheva" and called "for her immediate and unconditional release"³.

On 1 March 2023, the trial of Ms. Chanysheva began before the Kirovsky District Court. Her pre-trial detention was extended for six months. The Court also dismissed Ms. Chanysheva's defence motions seeking to obtain an authorization for her to receive visits from or hold telephone conversation with her parents and spouse.

Case of Mr. Vadim Ostanin

Mr. Vadim Ostanin was the head of Mr. Alexei Navalny's office in the city of Biysk. On 28 December 2021, he was prohibited from conducting a certain number of activities related to his political engagement and subsequently arrested on 8 March 2022.

On 10 March 2022 he was placed in pre-trial detention in Moscow. At present, he is reportedly being held in the pre-trial detention centre n. 1 in Altai Krai.

According to reports, Mr. Ostanin has been kept in a dark cell which he described as "a basement with a window filled with garbage", with no hot water, infested by rats, spiders and ants. On one occasion, the cell was flooded with water.

³ See https://www.eeas.europa.eu/eeas/russia-statement-high-representative-josep-borrell-anniversary-alexei-navalny%E2%80%99s-arrest-and_en

As a result of these detention conditions, Mr. Ostanin's health situation has allegedly severely deteriorated. His eyesight reportedly weakened considerably, his back pain was aggravated, and he is gradually losing the use of a leg. He is being denied access to adequate medical care, and his request to be examined in a hospital outside the detention centre has been rejected.

Furthermore, Mr. Ostanin was prohibited from making telephone calls and receiving visits from his relatives. Instead, he was allegedly offered the possibility to receive such visits in exchange of a confession of guilt.

At present, Mr. Ostanin is facing trial before the Soviet District Court of Barnaul on charges of managing a structural subdivision of an extremist community (article 282.1 (3) of the criminal code) and promoting the activities of a non-profit organization of a foreign agent (article 293 (3)).

Case of Mr. Daniel Kholodny

Mr. Daniel Kholodny was an employee of Mr. Alexei Navalny's Anti-Corruption Foundation. He worked as a technical specialist for many years and was involved in the production of videos featuring Mr. Navalny on the internet.

According to reports, for over a year now, he is being held in the pre-trial detention centre n. 5 in Moscow. He is allegedly not allowed to make telephone calls or to receive visits from his relatives.

At present, he is expected to be brought for trial in the same criminal case of Mr. Navalny within one or two months. He has been charged with participation in an extremist community (article 282.1 (2) of the criminal code); providing or collecting money to finance an extremist organisation (article 282.3 (3)) and could be sentenced to up to sixteen years in prison.

The detention and the trial of Ms. Chanyшева, Mr. Ostanin and Mr. Kholodny appears to be part of a government's campaign targeting Mr. Alexei Navalny and his supporters, as well as perceived political opponents and civil society, to suppress dissent and intimidate or silence political opinion.

While we do not wish to prejudge the accuracy of these allegations, we are concerned that **Mr. Alexei Navalny's** health appears to have seriously deteriorated since his imprisonment, aggravated by a lack of satisfactory medical diagnosis and treatment for his various conditions including chronic spinal disease and problems relating to neurological damage. The loss of seven kilograms in connection with his acute respiratory infection is extremely alarming and such rapid weight could indicate serious long-term and life-threatening health risks.

The reported placement of Mr. Navalny in isolation on eleven separate occasions, amounting to being held in solitary confinement for a total of 114 days for minor reasons, appears disproportionate, and rather intended to humiliate and punish Mr. Navalny. The United Nations Standard Minimum Rules for the Treatment of

Prisoners (the Nelson Mandela Rules) A/RES/70/175 in rule 3 reminds States that “Imprisonment and other measures that result in cutting off persons from the outside world are afflictive by the very fact of taking from these persons the right of self-determination by depriving them of their liberty. Therefore, the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.” We refer your Excellency’s Government to rules 8, 36-39, 41-46 of the Nelson Mandela Rules, covering the rules relating to the imposition of disciplinary measures, as well as the limits on solitary confinement, for which over 15 consecutive days is considered torture.

If confirmed, Mr. Navalny’s reported declining health, lack of access to adequate medical assistance, and exacerbated by his conditions of detention - if taken either individually or cumulatively - could amount to torture or other cruel, inhuman or degrading treatment or punishment in violation of article 5 of UDHR, article 7 of the ICCPR, and articles 1, 2 and 16 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), ratified by the Russian Federation in 1987.

Bearing in mind that hunger strike can cause severe health complications, sometimes irreversible or fatal, which might need a specific medical approach, the above allegations could amount to violations of Mr. Navalny’s right to life, protected by article 3 of the Universal Declaration of Human Rights (UDHR) and article 6 of the International Covenant on Civil and Political Rights (ICCPR), ratified by the Russian Federation in 1973.

In relation to these grave allegations and the apparent continuous disregard of Mr. Navalny’s health, we wish to reiterate that the right to life constitutes a jus cogens and customary international law norm, which cannot be derogated from. By depriving persons of their liberty, States assume responsibility to care for their health, hygiene, well-being, lives and integrity. Due to this heightened duty of care, States must take all necessary measures to protect the lives of individuals deprived of their liberty.

In addition, and pursuant to the Istanbul Protocol (Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment)⁴, access to independent medical professionals is essential for detecting and documenting signs of torture, cruel or inhuman treatment, preventing further harm and providing healthcare for restoring and repairing the harm suffered by victims of human rights violations in state custody.

We recall that the “Nelson Mandela Rules” provide that prisoners in need of specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals promptly (rule 27 (1)). We also note that violations of the right to health can interfere with the right to a fair trial. We are also concerned about the interference with Mr Navalny’s correspondence and engagement with his legal counsel, undermining client-lawyer privilege and his right to a fair trial.

⁴ See https://www.ohchr.org/sites/default/files/documents/publications/2022-06-29/Istanbul-Protocol_Rev2_EN.pdf

In light of the above, we respectfully recommend to Your Excellency's Government to see to it that **Mr. Alexei Navalny is provided with urgent, adequate and comprehensive medical care, treatment and monitoring of his health situation, as appropriate, in a civil hospital. Time is of the essence.** We further request that an immediate investigation is undertaken into the allegations of torture and other cruel, inhuman or degrading treatment or punishment, as per article 13 of CAT, taking into account the range of allegations of treatment falling short of international standards; as well as the interference with his ability to confidentially correspond with his legal counsel.

With regard to **Ms. Liliya Chanyшева, Mr. Vadim Ostanin** and **Mr. Daniel Kholodny**, and the allegations that their arrest and detention as well as the charges brought against them are politically motivated (which also concern Mr. Alexei Navalny; see, in particular, prior communication AL RUS 11/2020), should they be confirmed, they would result in violations of their right to liberty and security of the person (articles 9 of the UDHR and the ICCPR); the right to due process and fair trial (article 10 of the UDHR and 14 of the ICCPR), including relevant safeguards against torture and ill-treatment; the right to freedom of opinion and expression (article 19 of the UDHR and article 19 of the ICCPR); and the right to freedom of peaceful assembly and association (article 20 of the UDHR and article 22 of the ICCPR). We remind the Government of Your Excellency that, in accordance with the jurisprudence of the Working Group on Arbitrary Detention, a deprivation of liberty is arbitrary when it constitutes a violation of international law on the grounds of discrimination, including discrimination based on political or other opinion.

It is a matter of what appears to be a pattern of charging persons for various crimes, including terrorism and extremism related offences, seemingly based on their political opposition and views, and criticism of the Government, and with an apparent purpose of silencing dissent and instilling fear among political opponents, activists and the general public.

We emphasize that Your Excellency's Government is under an obligation to uphold the fundamental principles of the **rule of law** and the **prohibition of arbitrariness**, ensuring that all people in the country can enjoy all their human rights, including full participation, independently of their political opinions, in an open and democratic debate; and that civil society activists and political opponents are able to carry out their activities without fear of intimidation, harassment or retaliation.

We remind your Excellency's Government that counter-terrorism laws should not be used to criminalize freedom of expression as protected by international law (article 19, ICCPR) and, States must ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights (Human Rights Council Resolution 22/6 - A/HRC/RES/22/6 – op 10).

Furthermore, the non-violent criticism of State policies or institutions should not be made a criminal offence under counter-terrorism measures in any society governed by rule of law and abiding by human rights principles and obligations. (A/HRC/37/52 para. 47).

All the allegations concerning Mr. Navalny, Ms. Liliya Chanysheva, Mr. Vadim Ostanin and Mr. Daniel Kholodny should therefore be **promptly, thoroughly and impartially investigated**, those responsible, in case of any violation, brought to justice and effective remedies provided. Should any instance of arbitrary deprivation of liberty be found, they should be released without delay.

Having specific regard to the case of Mr. Vadim Ostanin and his alleged health situation, which is reportedly deteriorating, we also respectfully call on Your Excellency's Government **to ensure that he is provided with adequate medical care in a civil hospital as a matter of urgency**. We are worried at the alleged conditions of his detention and further point out that forms of pressure to obtain a confession, such as those reported in his case, could as well amount to prohibited intimidation contrary to article 15 of the CAT.

The full texts of the human rights instruments and standards recalled above are available on www.ohchr.org or can be provided upon request.

We are issuing this appeal in order to safeguard the rights of the above-mentioned individuals from irreparable harm and without prejudicing any eventual legal determination.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned persons in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide updated and detailed information on the present state of physical and mental health of **Mr. Alexei Navalny**. Please explain what measures have been taken, or are envisaged to be adopted, to protect his life and preserve his health and well-being, including timely access to adequate medical care, as appropriate.
3. Please provide details of the disciplinary measures applied against Mr. Navalny – in particular though not limited to the 114 days he has allegedly spent cumulatively in isolation – and the reasons for those measures, explaining how they are considered compatible with rule 36 of the Nelson Mandela Rules of minimum interference. Please provide copies of the prisoner file where such disciplinary measures are

required to be recorded (per rule 8, Nelson Mandela Rules) as well as the law or the regulations of the relevant administrative body authorizing the conduct that is subject to disciplinary measures and the measures that can be imposed including any involuntary separation from the general prison population (per rule 37, Nelson Mandela Rules).

4. Please provide information as to Mr. Navalny's conditions of detention and their compatibility or otherwise with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, articles 7 and 10 of the International Covenant on Civil and Political Rights, and the applicable standards in the Nelson Mandela Rules. Should they be not in alignment, please explain the steps that have been taken to remedy and improve the conditions in which Mr. Navalny is held.
5. Please explain how the alleged interference with legal correspondence and lawyer-client confidentiality is compatible with the right to a lawyer as per article 14(3)(d) of International Covenant on Civil and Political Rights, and as a safeguard to prevent torture or other cruel, inhuman or degrading treatment or punishment and as a right of every detained person pursuant to UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, in principles 17 and 18.
6. Please provide information as to the measures in place to protect Mr. Navalny against ill-treatment or intimidation in response to him making these complaints of torture and other cruel, inhuman or degrading treatment or punishment, as per article 13 of the Convention against Torture, and provide information as to measures taken to pen an investigation into Mr. Navalny's claims as per article 13 of the Convention against Torture.
7. Please provide detailed and substantive information in response to the questions raised in AL RUS 4/2021.
8. Please provide updated and detailed information on the present state of physical and mental health of **Mr. Vadim Ostanin**. Please explain what measures have been taken, or are envisaged to be adopted, to protect his life and preserve his health and well-being, including timely access to adequate medical care, as appropriate. Please also explain whether Mr. Ostanin's alleged conditions of detention comply with the Russian Federation's international human rights obligations, particularly the absolute prohibition of – and safeguards against – torture and other cruel, inhuman or degrading treatment or punishment and whether there has been any prompt and impartial investigation in this regard.

9. Please provide detailed information on all the circumstances of the arrest, and subsequent detention of **Ms. Liliya Chanysheva, Mr. Vadim Ostanin and Mr. Daniel Kholodny**. Please explain whether they are compatible with their enjoyment of the right to liberty and security; the right to due process and fair trial; the right to freedom of opinion and expression; and the right to freedom of peaceful assembly and of association.
10. Please provide detailed information on the legal and factual grounds of the new charges brought against Mr. Navalny, in relation to terrorism and extremism offences, and explain what measures are being taken to enable him and his legal representatives to consult his case file and fully exercise his right to defense.
11. Please provide the legal and factual grounds of the charges against Ms. Liliya Chanysheva, Mr. Vadim Ostanin and Mr. Daniel Kholodny and explain how the legal provisions comply with your Excellency's Government's obligations under international human rights law.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations. We stand ready to assist all relevant authorities in this regard.

We are considering to publicly expressing our concerns in the near future as we are of the view that the information at hand is sufficiently reliable to indicate a matter warranting immediate attention. Any public statement on our part will indicate that we have been in contact with your Excellency's Government to clarify the issue/s in question.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

We would also like to inform your Excellency's Government that after having transmitted the information contained in the present communication to the Government, the Working Group on Arbitrary Detention may also transmit the case through its regular procedure in order to render an opinion on whether the deprivation of liberty was arbitrary or not. The present communication in no way prejudices any opinion the Working Group may render. The Government is required to respond separately to the communication and the regular procedure.

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

Alice Jill Edwards
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or
punishment

Matthew Gillett
Vice-Chair on communications of the Working Group on Arbitrary Detention

Morris Tidball-Binz
Special Rapporteur on extrajudicial, summary or arbitrary executions

Irene Khan
Special Rapporteur on the promotion and protection of the right to freedom of opinion
and expression

Clement Nyaletsossi Voule
Special Rapporteur on the rights to freedom of peaceful assembly and of association

Tlaleng Mofokeng
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable
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