

Mandate of the Special Rapporteur on the situation of human rights in the Russian Federation

Ref.: AL RUS 6/2025

(Please use this reference in your reply)

12 September 2025

Excellency,

I have the honour to address you in my capacity as Special Rapporteur on the situation of human rights in the Russian Federation.

In this connection, I would like to bring to the attention of your Excellency's Government information we have received concerning **the arbitrary arrest, detention and severe torture with sexual violence, while in police custody, of Magomed Magomedov, a resident of the Moscow region, arrested on 20 January 2025 on suspicion of illegal manufacture of firearms. Following his arrest, he spent 72 hours in police custody without access to a lawyer and was reported to have been subjected to severe torture by beatings, electric shocks, and rape with a broom handle.**

According to information received:

Magomed Magomedov, a 26-year-old resident of the Moscow region of Dagestani origin, was engaged in the purchase, collection, and sale of decommissioned weapons. Decommissioned weapons are combat weapons that, due to modifications, lose the ability to fire. No permits are required for these activities, and it is not prohibited by the Russian law.

On 20 January 2025 police officers raided Magomedov's apartment, allegedly suspecting him of illegal manufacture of firearms. However, they did not find any firearms or other evidence of Magomedov's illegal activities. After that Magomedov was arrested on suspicion of illegal manufacture of weapons, article 223 of the Criminal Code of Russia, and illegal possession of weapons, article 222 of the Criminal Code of Russia, as he allegedly converted a non-lethal pistol into a firearm. Police officers demanded that Magomedov unlock his mobile phone "to provide incriminating evidence," however, Magomedov refused to do so.

After that, Magomed Magomedov was taken to the Razvilkovskoye police department in Vidnoe of the Moscow region, where he was held for three days from 20 January until 23 January 2025 without access to his lawyers.

To force Magomedov to provide the testimony and confess his guilt, three police officers subjected him to severe torture, including sexual violence, for three days. They restrained Magomedov always using handcuffs behind his back, and beat him severely, including to his head. After which police officers applied electric shocks to his entire body, specifically to the legs, groin, and genitals. They then put him on the floor, pulled down his pants and used electric shocks to his buttocks. Following this the police officers gagged him with a paper bag in

his mouth and applied electric shocks to his anus. Then, they placed a black rubber glove over the end of a plastic broom handle and inserted it into his anal canal, simultaneously applying electric shocks to his body.

Police officers were recording these actions on a phone camera and threatening Magomedov that the same could happen to Magomedov's relatives, and if he spoke about what happened, police officers would burn down the house of his parents and brother.

Magomedov's lawyers spent three days calling all emergency numbers to locate him, eventually finding him at the Razvilkovskoye police station in Vidnoe in deep distress. They immediately called an ambulance, and a doctor examined him. The lawyers have also called the Investigative Committee of Russia and then documented and recorded on video physical injuries on Magomedov's body resulting from torture. The recording shows a piece of a black rubber glove dropping from inside Magomedov's buttocks. The lawyers subsequently requested that the investigator from the Investigative Committee of Russia, who had arrived at the scene, include the glove piece as evidence in the case files, which the investigator did.

On the same day, Magomedov's lawyers have filed a complaint with the Investigative Committee of Russia, demanding to open investigation into the allegations of torture and sexual violence. They have also subsequently filed complaints challenging the lawfulness of his arrest.

The Investigative Committee of the Moscow region initiated a preliminary investigation into the allegations of torture and sexual violence of Magomed Magomedov.

On 27 January 2025, the Vidnovskiy Town Court of the Moscow region placed Magomedov in detention on remand until 22 March 2025. The prosecutor has not presented to the court a forensic examination or any other evidence in support of the claims that Magomedov was illegally possessing or manufacturing weapons. However, the prosecutor alleged that Magomedov is a relative of Islamic State of Iraq and Syria (ISIS) supporters who are on a wanted list and reside in Syria, and that he maintains communication with them. The prosecutor presented a police statement dated 26 January 2025, referencing information from the Federal Security Service of Russia (FSB), which merely reiterated the prosecutor's words, without providing any additional evidence to support these claims, as well as no evidence of Magomed Magomedov's other links to ISIS was provided.

At the court hearing, Magomedov stated that he had been subjected to torture and sexual violence while in police custody by three officers. He also mentioned that he knows the identity of one of them and can recognize the other two. Despite objections from the prosecutor and investigator, the judge reviewed video evidence recorded by Magomedov's lawyers on 24 January and added it to the case files. The court ordered a medical examination of Magomedov.

On 29 January 2025 Magomedov was charged with illegal possession and manufacture of weapons.

On 27 January 2025 the Ministry of Internal Affairs of Russia stated that “no unlawful actions against the sexual integrity of the suspect were committed, which is confirmed by the conclusions of a doctor from a state medical institution.” At the same time, the Ministry stated that there were “microtraumas” on Magomedov's body, and a forensic medical examination was ordered. The preliminary inquiry into the allegations of torture is ongoing, and the lawyers have not yet been informed of its process and results. They have filed complaints on the lack of procedural actions taken by the investigator.

No criminal case into the allegations of torture and sexual violence has been opened to date, and no full medical examination of Magomed Magomedov has been ordered.

The head of Dagestan, Sergei Melikov, called on the head of the Investigative Committee of Russia, Alexander Bastrykin, and the Minister of Internal Affairs of Russia, Vladimir Kolokoltsev, to take personal control of the case.

Without wishing to prejudge the accuracy of the information received, I wish to express concern about the arbitrary arrest, detention and severe torture with sexual violence of Magomed Magomedov, and the reported failure to date of Russian authorities to conduct prompt, effective, thorough, impartial and transparent investigation, with the aim of holding perpetrators accountable and bringing justice and remedies to the victim. I am concerned that this case fits a broader pattern of the systematic use of torture in Russia, where law enforcement authorities use brutal methods to extract confessions during initial detention, designed not just to punish but also to humiliate and inflict lasting injuries, both psychological and physical.

If the above allegations prove to be true, they may constitute a violation of article 1 of the United Nations Convention Against Torture (CAT), ratified by Russia on 3 March 1987, and article 7 of the International Covenant on Civil and Political Rights, (ICCPR), ratified by Russia on 16 October 1973, which prohibit torture and other cruel, inhuman, or degrading treatment or punishment. The allegations may also violate article 9 of the ICCPR, ratified by Russia on 16 October 1973, which guarantees the right to liberty and security of the person, and article 14 of the ICCPR, which provides for the right to a fair trial. Notably, article 14(3)(d) of the ICCPR guarantees the right to legal assistance for individuals facing criminal charges, which Mr. Magomedov was denied for three days following his detention. 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), 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.

I remind your Excellency's Government that States have a heightened duty of care to take any necessary measures to protect the lives of individuals deprived of their liberty by the State given that by arresting, detaining, imprisoning or otherwise

depriving individuals of their liberty, States parties assume the responsibility to care for their lives and bodily integrity. States assume a heightened duty of care and must take all necessary measures to protect lives of individuals deprived of their liberty.

I note that in the context of the Russian legal system, in cases of credible allegations of treatment proscribed under article 1 of the CAT and article 7 of the ICCPR, it is incumbent on the authorities to open a criminal case and conduct a proper criminal investigation. I note that the Investigative Committee of Russia initiated only a preliminary investigation into the allegations of torture and sexual violence of Magomed Magomedov at the Razvilkovskoye police station in Vidnoe of the Moscow region. I note that the investigative authorities established that there were “microtraumas” on Magomedov's body, and a forensic medical examination was ordered into the allegations of torture by using electric shokers. At the same time, I express my grave concern that the the Ministry of Internal Affairs concluded that “no unlawful actions against the sexual integrity of Magomedov were committed,” despite compelling evidence such as the video recording taken by the lawyers immediately after Magomedov was tortured showing the injuries sustained to his body and a piece of a black rubber glove dropping from his buttocks. I express my concern that the investigation of torture with sexual violence might lack promptness when the investigative institutions should act immediately due to the fragile nature of evidence, which can deteriorate quickly. Maintaining the chain of evidence is crucial as physical evidence, such as DNA, can degrade over time.

I further note with concern that the criminal case into the allegations of severe torture has not been opened to date. The preliminary investigation is limited in its scope and does not allow for many investigative actions that are crucial for a thorough and effective investigation. Opening the criminal case triggers the full legal framework of investigation and procedural rights, allowing authorities to use more invasive investigative methods, including searches of homes, vehicles, or other premises that may be related to the crime, forensic examinations of physical evidence, such as DNA and fingerprints, or psychological and psychiatric evaluations of the accused or witnesses, questioning suspects and witnesses, and other procedural steps necessary to establish the facts and ensure accountability. In this regard, I note that a forensic examination of the piece of a black rubber glove has not been scheduled, an inspection of the crime scene has not been conducted, and the questioning of suspects and the identification parade were not performed, while the identity of one of the perpetrators is known to the victim.

I further note that, following Magomedov’s complaints about the abuse, a police report was hastily compiled one day before the hearing, alleging that Magomedov’s relatives were involved with ISIS – a claim introduced only after Magomedov had raised his allegations of torture. This raises serious concerns about the use of new charges as a form of retaliation for his attempts to report the abuse, and to justify the torture, particularly in cases where charges of terrorism are often used to rationalize the use of coercive methods, including torture, under the pretext of national security concerns. In this regard, I refer your Excellency’s Government to concerns raised by the United Nations human rights mechanisms concerning the ambiguous definition of terrorism in the 2006 counter-terrorism act, and about a lack of clarity with regard to the crime of public justification of terrorism under the provisions of article 205.2 of the Criminal Code of Russia and reports of incommunicado detention, torture and ill-

treatment of members of groups classified as terrorist organizations. The provisions have broad and vague definitions that may allow its arbitrary application. Although no universal treaty generally defines “terrorism”, States should ensure that counter-terrorism legislation is limited to criminalizing conduct which is properly and precisely defined on the basis of the international counter-terrorism instruments,¹ the General Assembly’s Declaration on Measures to Eliminate International Terrorism (1994), and Security Council resolution 1566 (2004).² Based on these authoritative sources, the model definition of terrorism advanced by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism³ provides clear, “best practice” guidance, by identifying conduct that is genuinely terrorist in nature and precisely defining the elements.

These disturbing events are part of a broader pattern of torture and ill-treatment in police custody in Russia, which has been widely documented. In my 2024 report to the UN General Assembly, I have stressed that the State not only condones but actively participates in acts of torture as a method to extract confessions, punish dissenters, and maintain control (A/79/508, para. 109). Torture and ill-treatment are rampant in police custody, pre-trial detention, and throughout penitentiary facilities, with reports of systematic physical and sexual violence. I have also stressed that the acceptance of torture extends to the judiciary, where confessions obtained through torture are allowed as evidence, particularly in cases involving terrorism, national security, and politically-motivated charges (para. 110). These findings point to systemic issues within the Russian legal and detention system that put detainees at grave risk of abuse.

In this regard, I draw your Excellency’s Government attention to the recommendations in my report to the UN General Assembly: (g) Safeguard the right of all alleged victims of torture and ill-treatment, as well as their families, to submit complaints regarding such treatment and ensure that their cases are examined promptly, effectively, and impartially by competent and independent authorities. Furthermore, the complainant and witnesses must be protected against reprisals and intimidation in accordance with article 13 of the UN Convention against Torture (UNCAT); (h) Ensure prompt and impartial investigations into all allegations of torture and deaths in custody by competent and impartial authorities, consistent with international standards and article 12 of UNCAT. This includes immediately ending the use of torture and other ill-treatment, and prosecuting those responsible, including law enforcement officers, with appropriate sanctions if convicted (A/79/508, para. 120).

I respectfully call on your Excellency’s Government to ensure a thorough and impartial investigation into the allegations of torture and sexual violence against Magomed Magomedov, to provide him with full access to legal representation and a fair trial, and to ensure that his treatment adheres to international human rights standards, particularly in relation to the prohibition of torture and ill-treatment.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

¹ See https://treaties.un.org/Pages/DB.aspx?path=DB/studies/page2_en.xml.

² A/RES/49/49, annex, para. 3.

³ A/HRC/16/51, para. 28.

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide detailed information and/or comments you may have on the allegations of ill-treatment and torture of Magomed Magomedov during his detention, including the use of electric shocks and sexual violence, and the measures taken to investigate these allegations.
3. Please provide detailed information on the legal and factual bases for the charges against Magomed Magomedov, including the initial charges of illegal possession of weapons and illegal manufacture of weapons, and subsequent charges, if any, related to ISIS involvement. Please also explain how these charges and actions are compatible with Russia's obligations under international human rights law.
4. Please explain what measures have been put in place to secure Magomed Magomedov's right to a fair trial, including the opportunity to present his case, present evidence, and be heard by an independent judicial authority, especially in light of the reported denial of access to legal representation for three days following his arrest.
5. Please indicate what measures have been taken to ensure that detainees in Russia are protected from torture and ill-treatment, and that any allegations of such treatment are promptly, thoroughly, and impartially investigated, with those responsible held accountable.
6. Please provide information on the steps taken to ensure that the physical and psychological well-being of Magomed Magomedov is safeguarded during his detention, including access to medical care and protection from further harm.
7. Please describe the measures in place to prevent reprisals against Magomed Magomedov and his family members, particularly in light of the reported threats made by police officers to subject his relatives to similar abuse.

I would appreciate receiving a response within 60 days. Past this delay, this communication and any response received from your Excellency's Government will be made public via the communications reporting website. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

While awaiting a reply, I 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(s) responsible for the alleged violations.

I may publicly express my concerns in the near future as, in my view, the information upon which a public statement will be based is sufficiently reliable to indicate a matter warranting immediate attention. I also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. Such

public statement or a press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

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

Mariana Katzarova
Special Rapporteur on the situation of human rights in the Russian Federation

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, I would like to draw the attention of your Excellency's Government to the relevant international norms and standards.

Torture or inhuman or degrading treatment or punishment

The prohibition on torture and cruel, inhuman or degrading treatment or punishment is absolute and non-derogable (UDHR art. 5; ICCPR arts. 7 and 2(3); Convention Against Torture and Other Cruel, Inhuman and Degrading Treatment or Punishment arts. 1, 2, 15 and 16).⁴ State parties to the CAT must exercise jurisdiction over said offences (art. 5), receive complaints and examine them promptly and impartially (art. 12). At no time shall torture be used to extract information or a confession (art. 1). Victims have an enforceable right to fair and adequate compensation including the means for as full rehabilitation as possible (art. 14).

State parties to CAT have overarching obligations to prevent torture and other cruel, inhuman or degrading treatment or punishment via effective legislative, administrative, judicial and other measures (articles 2 and 16), to educate and train relevant personnel on the prohibition (art. 10) and to keep all rules, instructions, methods and practices relating to interrogation, custody and treatment under systematic review (art. 11).

Attached to the peremptory and absolute prohibition of torture are obligations to investigate all acts of torture or other cruel, inhuman or degrading treatment or punishment, to prosecute or extradite suspects, to punish those responsible and to protect victims from reprisals and intimidation, and to provide remedies to victims. I refer your Excellency's Government to recommendations on investigations to be carried out in line with the United Nations Manual on the Effective Investigations and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment ("the Istanbul Protocol" revised 2022 edition).

The standards of conditions and treatment of persons deprived of their liberty are contained in the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules). All prisoners shall be treated with the respect due to their inherent dignity and value as human beings and the safety and security of prisoners shall be ensured at all times (rule 1). Procedures must be in place to ensure a secure audit trail of files pertaining to prisoners (rule 6) and young prisoners must be kept separate from adults (rule 11).

Arbitrary arrest and detention

The human right that prevents arbitrary detention is the right to liberty and security of person, as guaranteed at article 9 of the International Covenant on Civil and Political Rights. Article 9 establishes in particular that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are

⁴ See also A/77/502; A/HRC/52/30.

established by law, and that anyone who is arrested shall be informed, at the time of arrest, of the reasons behind such arrest and be brought promptly before a judge to determine the lawfulness of the detention. Paragraph 3 requires that detention in custody of persons awaiting trial shall be the exception rather than the rule. Detention pending trial must be based on an individualized determination that it is reasonable and necessary taking into account all the circumstances of the crime.

An arrest or detention may be authorized by domestic law and nonetheless be arbitrary. The notion of “arbitrariness” is not to be equated with “against the law” but must be interpreted more broadly to include elements of reasonableness, necessity and proportionality, as well as compliance with the interactional human rights obligations (see Human Rights Committee, general comment No. 35 (2014), para. 12).

Fair trial

Article 14(1) of the ICCPR, which sets out a general guarantee of equality before courts and tribunals and the right of every person to a fair and public hearing by a competent, independent and impartial tribunal established by law. In addition, article 14 of the ICCPR provides a set of contain procedural guarantees that must be made available to persons charged with a criminal offence, including the right of accused persons to have access to, and communicate with, a counsel of their own choosing.

In its general comment no. 32 (2007), the Human Rights Committee explained that the right to communicate with counsel enshrined in article 14(3)(b) requires that the accused is granted prompt access to counsel. Counsel should be able to meet their clients in private and to communicate with the accused in conditions that fully respect the confidentiality of their communications. She should also be able “to advise and to represent persons charged with a criminal offence in accordance with generally recognised professional ethics without restrictions, influence, pressure or undue interference from any quarter” (CCPR/C/GC/32, para. 34).

In its general comment no. 35 on the Right to Liberty and Security of Person, the Human Rights Committee recalled that when national when national security functions as a legal basis for criminal sanction it must, to meet the requirements of precision and clarity under the ICCPR (article 9(1)), be expressly linked to a defined set of criminal acts and not criminalize acts and entitlements which are lawful under international law (CCPR/C/GC/35).