



REFERENCE: G/SO 229/31 CYP (1)  
AR/BA 1065/2021 (Reprisals)

8 September 2021

Excellency,

I have the honour to address you in my capacity as rapporteur on reprisals under article 22 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

In this connection, I would like to draw the attention of Your Excellency's Government to information received regarding the alleged ill-treatment while in detention of Mr. Aleksei Demin held in the Nicosia Central Prisons. Mr. Demin has previously submitted a complaint claiming that his extradition by Cyprus to the Russian Federation would violate his rights under article 3 of the Convention.

The Committee has received the following information:

- Since 15 July 2021, when the Committee has informed the State party that it decided to examine the admissibility of Mr. Demin's complaint together with the merits, Mr. Demin has become a subject of constant psychological and physical pressure on the part of other detainees in the Nicosia Central Prisons. According to him, such pressure was ordered, instigated and encouraged by the administration of the prison.
- On 23 July 2021, Mr. Demin, through his legal representative, submitted a complaint about inhuman and degrading conditions of his detention to the Director of the Nicosia Central Prisons and the Prisons Board. Starting from 26 July 2021, detainees of the prison Block No.5, where Mr. Demin is being held, began to incite him into fights during his daily walks.
- Since then, several detainees have repeatedly demanded from Mr. Demin to withdraw both of his complaints to the Prisons Board and to the Committee. On 29 July 2021, the head of the prison Block No.5 has also demanded from Mr. Demin to withdraw his complaint to the Prison Board, otherwise threatening to move Mr. Demin to another block, which houses inmates who have already been convicted of crimes.
- Fearing for his safety, Mr. Demin has been pressured into withdrawing his complaint about conditions of his detention to the Director of the Nicosia Central Prisons and the Prisons Board. Despite this, the reprisals on Mr. Demin have continued with the aim of forcing him to withdraw his complaint



before the Committee. Two other detainees, who had previously agreed to testify as his witnesses, were also threatened with reprisals by the head of the prison Block No. 5.

I am concerned that in accordance with the information received, the alleged ill-treatment while in detention received by Mr. Demin may be related to the complaint he has submitted to the Committee under article 3 of the Convention.

In regard to these allegations, I would like to refer to Your Excellency's Government the following articles of the Convention against Torture:

- Article 13: "Each State Party shall ensure that any individual who alleges he has been subjected to torture in any territory under its jurisdiction has the right to complain to, and to have his case promptly and impartially examined by, its competent authorities. Steps shall be taken to ensure that the complainant and witnesses are protected against all ill-treatment or intimidation as a consequence of his complaint or any evidence given."
- Article 16, paragraph 1: "Each State Party shall undertake to prevent in any territory under its jurisdiction other acts of cruel, inhuman or degrading treatment or punishment which do not amount to torture as defined in article I, when such acts are committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. In particular, the obligations contained in articles 10, 11, 12 and 13 shall apply with the substitution for references to torture of references to other forms of cruel, inhuman or degrading treatment or punishment."

In view of the seriousness of the above-mentioned allegations, I would appreciate, as a matter of urgency, to receive information with regard to the exact above mentioned situation of Mr. Demin as well as on the measures taken by Your Excellency's Government to implement articles 13 and 16 of the Convention, preferably in cooperation with the Commissioner for Administration and Protection of Human Rights (Ombudsman), to ensure that Mr. Demin is not subjected to any reprisals as a result of his complaint to the Committee.

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Accept, Excellency, the assurances of my highest consideration.

Ana Racu

A handwritten signature in black ink, appearing to read 'ARacu'.

Rapporteur on reprisals under  
Article 22 of the Convention