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Public Statement

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Russian Federation: Concerns over reports of "disappearances" of relatives of Aslan Maskhadov

Amnesty International is seriously concerned about credible reports that eight relatives of Aslan Maskhadov were arbitrarily detained by pro-Russian Chechen forces in December 2004 and have not been seen since. According to the Memorial Human Rights Centre and other organizations in the region, the so-called *Kadyrovtsy*, armed forces under the command of First Deputy Prime Minister of Chechnya, Ramzan Kadyrov, are responsible for the "disappearances".

According to reports, the eight relatives are being held at an illegal detention facility in Tsenteroi, Kurchaloevskii district in the east of Chechnya, which is reportedly under the control of Ramzan Kadyrov. However, officials in Chechnya have denied that they have detained the eight individuals.

According to witnesses interviewed by Memorial, five relatives were reportedly detained at different addresses and taken away during the evening of 3 December 2004. They are: Buchu Alieвна Abdulkadirova (aged 67), sister of Aslan Maskhadov; Lecha Alievich Maskhadov (68), brother of Aslan Maskhadov; Lema Alievich Maskhadov (55), brother of Aslan Maskhadov; Ikhvan Vakhaevich Magomedov (35), nephew of Aslan Maskhadov; and Adam Abdul-Karimovich Rashiev (54), a distant male relative of Aslan Maskhadov.

Another three individuals were reportedly detained on 28 December. They are: Khadizhat Vakhaevna Satueva (40), niece of Aslan Maskhadov, her husband Usman Ramzanovich Satuev (47) and Movladi Abdulkadyrov (35), the husband of Aslan Maskhadov's wife's sister.

Witnesses to the detentions have claimed that the so-called *Kadyrovtsy* were responsible for the detentions and that during two of the detentions, that of Buchu Alieвна Abdulkadirova and of Ikhvan Vakhaevich Magomedov, the armed men reportedly stated that they were acting on the personal orders of Ramzan Kadyrov. The detentions reportedly took place in the evening of 3 and 28 December, with armed men travelling in large convoys of cars (up to 12 vehicles in some cases).

Arbitrary detention and "disappearances" are prohibited under Russian and international law.

The International Covenant on Civil and Political Rights (ICCPR) includes a range of rights which the Russian Federation, as a party to the Covenant, is obliged to uphold. These include the right to life, article 6(1); the right to liberty and security of the person, article 9; the right to be free from torture or cruel, inhuman or degrading punishment, article 7; and the right to a fair and public trial, article 14. Article 2 obliges state parties to investigate all reports of violations of human rights and provide redress to victims or their relatives.

The European Convention for the Protection of Human Rights and Fundamental Freedoms also contains these rights: right to life, article 2; the right to liberty and security of the person, article 5; the right to be free from torture or cruel, inhuman or degrading punishment, article 3; and the right to a fair and public trial, article 6, and the right to redress for human rights violations, article 13.

The UN Declaration on the Protection of All Persons from Enforced Disappearance was adopted by the UN General Assembly without a vote in December 1992 "as a body of principles for all States" (Preamble). Russia has a responsibility to adhere to its provisions. It says in its preamble that the General Assembly considers that: *"enforced "disappearance" undermines the deepest values of any society committed to respect for the rule of law, human rights and fundamental freedoms, ...the systematic practice of such acts is of the nature of a crime against humanity"*.

Amnesty International urges the authorities to investigate the whereabouts of the eight relatives reportedly detained on 3 and 28 December and to carry out immediately a full, thorough and independent inquiry into the allegations that the men who abducted them were members of the security forces under the command of First Deputy Prime Minister Ramzan Kadyrov. If the relatives are found to be in the custody of the security forces they should be released immediately unless they are to be charged with a recognizably criminal offence in a court of law, in line with Russia's obligations under international human rights law. Anyone responsible for the "disappearances" should be brought to justice in line with international standards.

Background

Fighting in Chechnya began in 1994, when Russian federal forces moved to crush an independence movement that had arisen since the collapse of the Soviet Union. This first conflict ended in 1996 and Aslan Maskhadov, who had acted as chief of staff of the Chechen rebel forces during the conflict, was elected President of Chechnya in 1997. However, in late 1999 Russian federal forces attacked the region again after a series of bomb explosions in Moscow and two other Russian cities, which the Russian authorities blamed on Islamic separatist groups in Chechnya. A pro-Moscow administration was established in Chechnya whose legitimacy is contested by Chechen opposition forces, some of whom remain loyal to Aslan Maskhadov.

In spite of repeated claims from Russian and pro-Moscow Chechen officials that the situation is "normalizing", there seems to be no end in sight either to the conflict itself or to the accompanying widespread, persistent and largely unpunished human rights abuses. These include torture, including rape, killings and "disappearances" by Russian troops against civilians in Chechnya. Rebel fighters have also been responsible for egregious human rights abuses.