

PUBLIC

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Further information on EXTRA 06/00 - Fear of torture or ill-treatment/ Arbitrary arrest / Incommunicado detention 4 February 2000

RUSSIAN FEDERATION: CHECHEN REPUBLIC Andrey BABITSKY, 35, journalist

The Russian authorities claim to have handed Andrey Babitsky over to Chechen fighters in exchange for captured Russian soldiers. The Chechens deny this completely, and Amnesty International fears that Andrey Babitsky's life is in grave danger.

On 2 February the Russian authorities announced that Andrey Babitsky had already been freed and sent to Moscow to await the outcome of a criminal investigation into his case.

On 3 February, Russian Presidential Administration press service chief Sergey Yastrzhembsky told a press briefing that Andrey Babitsky had been handed over to Chechen fighters at about 3pm at a crossroads between Argun and Shali in the Chechen Republic. He was reported as saying: "Babitsky was exchanged for three Russian soldiers. The Chechens proposed this exchange and Babitsky accepted it in a written statement." Yastrzhembsky reportedly quoted from a letter, allegedly signed by Andrey Babitsky, which read: "I agree to participate in an exchange between Russian soldiers by an intermediary Chechen warlord Turpal Ali Adgyeriyev. My decision was dictated exclusively by a desire to help in the freeing of military prisoners." Yastrzhembsky also claimed that the Russian military had received a letter proposing the exchange from Chechen commander Said Ussakhodjiyev. According to Radio Liberty and the Chechen authorities, there is no Chechen commander by that name. The Chechen authorities also claimed that Turpal Ali Adgyeriyev had been killed in combat three days previously, and so could not have participated in such an exchange.

The Russian Minister of Defense, Igor Sergeyev, told state TV channel ORT the same evening that "it was an initiative by the bandits, to exchange [him] for our soldiers." Sergeyev reportedly suggested that the deal indicated that Andrey Babitsky's reporting "was not always objective. That's the least one can say."

The same day the Russian press agency APN reported that, according to unidentified sources in the Russian military, Andrey Babitsky had been involved in a sexual relationship with some of the Chechen field commanders, and this was why he was so close to and favored by the Chechen military leadership.

Andrey Babitsky's wife, Lyudmila Babitskaya, has not been allowed any contact with him since 15 January. His lawyer, Genry Reznik, told Amnesty International on 3 February that the previous day the authorities had refused to let him visit his client. He was told that Andrey Babitsky was in detention in Khankala, in Chechnya, and would shortly be transferred to the city of Mozdok, in the Republic of North Ossetia, and then to Moscow.

Sergey Yastrzhembsky has reportedly refused a request by the management of Radio Liberty to speak with Andrey Babitsky by phone.

On 4 February the commercial television channel NTV and the state-owned RTR broadcast what they said was footage of Andrey Babitsky being handed over to Chechen commanders in exchange for two Russian soldiers, not three. The short film, shot by the FSB, reportedly showed an unshaven Andrey Babitsky being escorted along a road by Russian soldiers and then given to unarmed men in camouflage wearing masks. There was no indication of when the film had been

shot. FSB spokesman Alexander Zdanovich told NTV that his organization had not been directly involved in the exchange, but that one of its officers happened to be on the scene with a camera. The film reportedly showed the two men in masks taking away Andrey Babitsky, saying: "We do not leave our [friends] in need."

The Chechen authorities have denied any involvement in the exchange of Andrey Babitsky and sources close to Chechen president Aslan Maskhadov have claimed that the Russian authorities may have killed the journalist and staged the handover operation so as to later blame his death on the Chechens.

Amnesty International is concerned that Andrey Babitsky has been detained by the Russian authorities, and his life may be in danger, because of his courageous reporting of atrocities during the war in Chechnya.

BACKGROUND INFORMATION

The Russian authorities have exercised tight control over reporting of the current conflict in Chechnya since it began. Foreign journalists in Ingushetia have told Amnesty International that all their activities have been monitored by the Russian authorities and some of them have been threatened with cancellation of their media accreditation if they attempt to enter Chechnya. Foreign journalists who have crossed into Chechnya unofficially have been detained by the Russian authorities and later expelled from the war zone. The latest was Giles Whittell, a British journalist working for the *Times*, who was arrested in Grozny on 2 February when he failed to produce proper Russian military accreditation.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Russian or your own language:

- urging the Russian government to immediately make public the whereabouts of Andrey Babitsky, his state of health and the legal basis for his arrest and detention;
- urging the authorities, if he is in detention, to grant him immediate access to his family, a lawyer of his choice and medical care;
- asking the authorities to release him, unless he is officially charged with a recognizably criminal offence;
- asking the authorities to initiate an investigation into his incommunicado detention and for those responsible to be brought to justice.

APPEALS TO:

fax machines are often switched off outside office hours (+3 GMT)

Acting President of the Russian Federation, Vladimir PUTIN

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Salutation:Dear Acting President

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Salutation: Dear Director General

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Salutation: Dear Acting Procurator General

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and to diplomatic representatives of the Russian Federation accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 March 2000.