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06 August 2008

UA 218/08 Fear for safety/torture/incommunicado detention/

enforced disappearance

RUSSIAN FEDERATION (Chechen Republic)

Makhmadsalors Delilovich Masaev (also known as Mukhamadsalakh Masaev), (m)

Makhmadsalors Delilovich Masaev, was abducted on 3 August in Grozny, capital of the Chechen Republic, by men in camouflage uniform. Makhmadsalors Masaev was in Grozny on 2 August, to attend the funeral of a relative. On 3 August, he decided to visit other relatives in the nearby town of Sernovodsk. He had planned to take a taxi from the centre of Grozny to get to Sernovodsk. When he did not reach Sernovodsk, his relatives started to search for him. They found out he had been seen being taken away by men in camouflage uniform, outside the Rosselkhozbank building in the centre of Grozny. There are grounds to believe that he was detained by Chechen law enforcement officials.

Makhmadsalors Masaev was previously unlawfully detained in 2006/07 for four months. He is thought to have been held at a base in Tsenteroi (also known as Khosi-Yurt), run by the then Prime Minister of Chechnya, Ramzan Kadyrov. Makhmadsalors Masaev was abducted from Gudermes central mosque on 28 September 2006 and detained in an unofficial detention facility in Tsenteroi until 21 January 2007. During his detention Makhmadsalors Masaev was held incommunicado.

Unlike most victims of unlawful detention in Chechnya, Makhmadsalors Masaev sought a criminal investigation into the abuses he had experienced and he also recounted his experiences to the press. A criminal investigation has confirmed that he was a victim of abduction and illegal detention. The investigation has yet to formally establish who the perpetrators were. Amnesty International is concerned that he has been re-detained in order to punish him for seeking redress and for speaking out. Amnesty International also fears that those who have detained him will attempt to pressure him into withdrawing the complaints he made to the authorities.

An interview given by Makhmadsalors Masaev to an independent newspaper, detailing his treatment throughout his detention, was published on 10 July. In the interview he alleges that he was treated roughly, humiliated, threatened with being shot and also held for about a month on a bus without heating or sanitary facilities.

BACKGROUND INFORMATION

In March 2007, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment stated publicly that they had received reports of the existence of illegal detention facilities at Tsenteroi. Amnesty International is unaware of any steps taken by the authorities in Chechnya to investigate such allegations and to bring anyone responsible for running illegal places of detention to justice. Amnesty International remains seriously concerned about reprisals made against those seeking justice for violations in the North Caucasus, either through the Russian courts or at the European Court of Human Rights.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Russian, English or your own language:

- expressing concern for the safety of Makhmadsalors Delilovich Masaev, who was reportedly abducted by men in camouflage on 3 August in Grozny, Chechnya;
- expressing concern that the armed men were law enforcement officials and that Makhmadsalors Masaev has been arbitrarily detained and is being held incommunicado where he is vulnerable to torture and other ill-treatment as reprisal for his efforts to seek justice;
- urging that he be released immediately and unconditionally if he is not to be charged with a recognizable criminal offence, in line with internationally recognized standards of fair trial:
- reminding the Russian federal and Chechen authorities that Makhmadsalors Masaev should be accorded full protection of Russian and international law, including immediate access to a lawyer of his choice and for his relatives to be informed of his whereabouts.

Appeals to:

Prosecutor General of the Russian Federation

Yuri CHAIKA

Office of the Prosecutor General of the Russian Federation

UI. B. Dimitrovka 15a

125993 Moscow, Russian Federation **Fax:** + **7 495 692 17 25**

Salutation: Dear Prosecutor General

President of the Chechen Republic

Ramzan KADYROV

Chechen Government and Presidential Administration

Grozny

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Salutation Dear President

COPIES TO:

Abdulkakhir Israiilov

Vice Chair of the Chechen Government and Chief of the President's and Chechen Government's Administration

Chechen Government and Presidential Administration

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364051 Chechen RepublicRussian Federation

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Victor Kuznetsov

Procurator of the Chechen Republic

Office of the Public Procurator of the Chechen Republic

UI. Garazhnaia 9b, Grozny, 364000, Chechen Republic, Russian Federation

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and to diplomatic representatives of Russian Federation, Chechnya accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 17 September.