

RUSSIAN FEDERATION: ILL-TREATMENT OF ETHNIC MINORITIES CONTINUES

On 14 May 1996 Amnesty International approached the Procurator General of the Russian Federation, the Minister of Internal Affairs, the Procurator of Moscow City, and the Head of Moscow City Department of Internal Affairs about two recent incidents of alleged ill-treatment of ethnic Chechens in Moscow and the subsequent detention of two of them. The organization has received numerous reports of ill-treatment in police custody in the Russian Federation. Amnesty International is concerned about the apparent pattern of persecution and ill-treatment of members of ethnic minorities, specifically those from the Caucasus, by law enforcement officials in Moscow.

It has been reported that on 22 March 1996, at around 9pm, between 10 and 13 armed masked men in camouflage uniforms led by a police officer without a mask entered an apartment at ul. Onezskaya without identifying themselves. The apartment was home to two Chechen families, a total of five adults and six children, all refugees from the conflict in the Chechen Republic. The armed men allegedly took away the passports of the adults and with no apparent reason started beating the men, kicking and punching them with truncheons and gun butts.

According to the victims, they were beaten for an hour in front of their wives and small children. The officer in charge allegedly also hit one of the women, Raisa Abdurahmanovna Gunaeva, and threats were made to beat the other women. It was reported that one of the children, A. Takaeva, aged 12, who had just been released from hospital, went into shock and needed emergency medical help. The armed men allegedly cut off the telephone line and did not permit the Chechens to call for an ambulance. They also allegedly threatened to kill everyone in the apartment because they were of Chechen origin. According to the victims, U.A. Akaev was threatened that he would be killed for his public opposition to the war in Chechnya, including participation in anti-war demonstrations.

Medical personnel allegedly refused to send an ambulance to assist the victims for two days after the incident. Only on 25 March at 3pm an ambulance reportedly came and took one of the victims, Salambek Hamzatov, to city hospital No 67, where he was admitted with serious bruises and broken ribs resulting from the beatings. The doctors reportedly refused to register the wounds and bruises of the rest of the Chechens and to assist them. The same day, the Chechen families managed to get a consultation with the district physician, Dr I.V. Beikova, from polyclinic No. 81.

Shortly after the incident, the whole group of Chechens reportedly moved out of Moscow to another city, fearing for their lives and hiding from further persecution.

The second incident concerns the treatment of two Chechens, residents of Urus-Martan and refugees in Moscow: Said Selim Bekmurzayev, aged 52, a factory director, a father of five children and an opponent of President Dudayev's government, and his son Sultan Bekmurzayev, aged 24, a student at the State university in Grozny, who were allegedly beaten at their apartment and then detained on 23 April 1996 in Moscow by officers of District Department for Combatting Organized Crime (RUOP). They are held currently on the premises of the Moscow City Department of Internal Affairs on Petrovka, 38.

According to reports, on 23 April 1996, at 3pm, about 10 masked and armed men entered the home of the Bekmurzayevs at ul. Golubinskaya and without identifying themselves or showing any order from the procurator began severely beating the father and the son and accusing them of collusion with the Chechen fighters. According to an eye-witness account from Said Selim Bekmurzayev's wife, Diznat Bekmurzayeva, her husband and son were hit repeatedly on the head with the handles of pistols and the butts of machine-guns by the masked men, who later took them to an unknown destination. The family heard nothing about their whereabouts until 30 April 1996, when they received information that the two are being held at the Moscow City Department of Internal Affairs and have not yet been charged with any criminal offence.

The family learned that Said Selim Bekmurzayev and Sultan Bekmurzayev have been detained under Presidential Decree No. 1226 of 14 June 1994: "Urgent measures to defend the population from banditry and other manifestations of organized crime". Under the provisions of this decree a person suspected of involvement in organized crime may be detained for up to 30 days without charge. This conflicts with Article 22 of the Russian Constitution which stipulates that a person may not be held for more than 48 hours before a court rules on the legality of their detention. Article 9 of the International Covenant on Civil and Political Rights (ICCPR), to which Russia is bound as a successor state to the USSR, also states that "anyone who is arrested or detained on a criminal charge shall be brought promptly before a judge", and that "anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful".

The presidential decree also makes no mention of the right of the accused to access to a defence counsel during the period spent in detention. Prompt access to a defence lawyer of one's own choice is recognized as a key factor in international fair trial standards.

Amnesty International is concerned about the allegations of beatings and ill-treatment of the group of Chechen civilians on 22 March and of the two Chechen men, Said Selim Bekmurzayev and Sultan Bekmurzayev by members of the RUOP on 23 April. The organization urges the authorities to investigate the circumstances of Said Selim Bekmurzayev's and Sultan Bekmurzayev's detention and the allegations of beatings and ill-treatment of the two Chechen families and their relatives. Amnesty International seeks the authorities' assurances that such investigations will be comprehensive and impartial, with the results made public. If anyone is identified by the investigation as being responsible for the ill-treatment they should be brought to justice.

Amnesty International also requested further information from the relevant authorities on the detention of the two Chechen men, specifically on whether they have been charged and if so what the charge or charges are against them; whether they have been granted access to a defence lawyer of their own choice; and whether they have yet appeared before a judge competent to rule on the legality of their detention. ENDS.../