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Russian Federation: Justice must be done

Amnesty International calls on the Russian authorities to take steps to improve their record of bringing to justice people suspected of grave human rights violations in the Chechen Republic, in the course of full and fair trials.

"Prosecutions for grave human rights violations in Chechnya are few and far between, and many investigations appear to be conducted in a superficial manner and then suspended. The Russian authorities must show a clear political commitment to promote and protect fundamental human rights for everybody, and they must give an unequivocal message that violations of human rights will not be tolerated," Amnesty International said today.

Failure to investigate adequately allegations of violations by Russian forces, and bring those responsible to justice, has created a climate in which Russian security forces believe that they can continue to violate the fundamental rights of the civilian population in Chechnya with impunity. Amnesty International's continuing concerns about this failure come against a background of recent developments in two well-known cases which have actually proceeded to prosecution. They are the re-trial of Colonel Yury Budanov, charged with the murder of a Chechen woman, and the trial of Sergei Lapin, a special police officer charged in connection with the abduction and torture of a Chechen man.

A military court in the southern Russian town of Rostov-on-Don ruled that the re-trial of Colonel Budanov would start on 21 April. On 31 December 2002 Colonel Budanov had been relieved of criminal responsibility for the abduction and murder of an 18-year-old Chechen woman named Kheda Kungaeva on grounds of "temporary insanity". The verdict was annulled by the Russian Supreme Court on 28 February 2003.

On 14 April 2003 the court hearing of special police (OMON) officer Sergei Lapin will take place in the North Caucasus town of Piatigorsk on charges of forcible abduction, torture and ill-treatment of a Chechen civilian, Zelimkhan Murdalov. Lapin has brought a suit against the procuracy for indicting him with these charges. He was reportedly first charged in January 2001; in May 2002 he was released from pre-trial detention and later criminal proceedings against him were suspended after he was declared to be suffering from bad health. In the meantime, two other OMON police officers have reportedly been identified by witnesses as also being involved in the case, but have yet to be charged.

Background

On the night of 26 March 2000 Kheda Kungaeva was abducted from her home in the village of Tangi-Chu by Russia soldiers under the command of Colonel Yury Budanov. Colonel Budanov stated that he suspected Kheda Kungaeva of possessing information about Chechen fighters and took her to his tent for

interrogation. It has been widely reported that in the course of the investigation Colonel Budanov had admitted killing Kheda Kungaeva, but had stated that he strangled her during interrogation in a state of "temporary insanity". An official post mortem concluded that Kheda Kungaeva had been raped before her death. However, this finding has been ignored by the prosecution which charged Colonel Budanov with murder and abuse of power, but has failed to charge anyone with rape.

Zelimkhan Murdalov left his home in the Chechen capital Grozny on 2 January 2001, saying he would be back in an hour. That was the last his family ever saw of him. His father discovered that a young man matching his description had been detained in the centre of the city. Police told him that his son was detained on charges of possessing cannabis and was later released. However, detainees who had been held in the same cell as Zelimkhan Murdalov reportedly said that when they saw him a day after his arrest he was unconscious after being severely beaten, and his body was mutilated. A criminal case was opened in January 2001 into Zelimkhan Murdalov's "disappearance", but his father still does not know the fate or whereabouts of his son.

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