

UA 282/98 Ill-treatment of a human rights defender / Fear for safety

30 October 1998

RUSSIAN FEDERATION Vasiliiy RAKOVICH, aged 38 (_____)

There are fears for the safety of Vasiliiy Rakovich, a prominent human rights lawyer and Chairman of the Krasnodar Regional Association for Human Rights, after he was attacked and beaten up on 23 October 1998.

Amnesty International believes that the attack on Vasiliiy Rakovich was politically motivated and connected to his work as defence lawyer for another human rights defender, Vasiliiy Chaikin, who is currently being tried by the City Court of Stanitsa Leningradskaya in Krasnodar region. The organization also believes that the attack was carried out with the knowledge of the local authorities.

Vasiliiy Rakovich was attacked on the street during the lunch break of the Vasiliiy Chaikin case court hearing on 23 October, by two men in civilian clothes who carried a baseball bat and a brick. Witnesses say one of the men shouted: "Now we will kill you for our brother Tsaturyan!" before hitting him on the head and torso. After the attack, which reportedly lasted for several minutes, the two men ran away. Vasiliiy Rakovich was subsequently hospitalized with severe head and body injuries. He was released from hospital on 28 October and is currently undergoing medical treatment at home.

Sergey Tsaturyan, whose name was reportedly mentioned by one of Vasiliiy Rakovich's attackers, is a criminal investigator in the Office of the Procurator for Leningradsky District of Krasnodar Region. He is also the chief investigator in the Vasiliiy Chaikin case. Vasiliiy Rakovich has insisted that a criminal case be opened into allegations that witnesses' testimonies in the Vasiliiy Chaikin case have been obtained by Sergey Tsaturyan under duress.

On 28 October the Leningradsky District Department of Internal Affairs (ROVD) reportedly opened a criminal investigation into the ill-treatment of Vasiliiy Rakovich.

BACKGROUND INFORMATION

Before he became involved in human rights, Vasiliiy Rakovich worked as an investigator at the Office of the Procurator for Leningradsky District. He was dismissed in 1992 after reportedly making public statements about corruption of senior officials in the Office of the Procurator. A criminal case which was reportedly opened against him in 1992 was closed shortly after due to a lack of evidence. However, Vasiliiy Rakovich's dismissal was not reversed.

Vasiliiy Rakovich's client, Vasiliiy Chaikin, a human rights activist, was arrested on 19 April 1997 and charged under Article 134 of the Russian Criminal Code (sexual relations with minors) and Article 242 (production and dissemination of pornographic materials). The accusations against him were based on the testimonies of several women who claimed that he had sexual relations with them when they were underage. Vasiliiy Chaikin has denied these accusations.

According to Vasiliiy Rakovich, eight of Vasiliiy Chaikin's alleged victims reportedly stated in court that the investigator, Sergey Tsaturyan, threatened them into testifying against Vasiliiy Chaikin. Two of the women reportedly withdrew their previous statements completely, claiming that they were obtained under duress.

Russian human rights groups maintain that the arrest and charges against Vasiliiy Chaikin were politically motivated and connected to his activities as a human rights

defender and a critic of the local authorities. Amnesty International has been monitoring Vasiliiy Chaikin's case closely since April 1997. The organization is currently investigating the allegations that his arrest is based solely on his work as a human rights defender and for peacefully exercising his beliefs. If Amnesty International's own findings prove these allegations, the organization will consider him to be a prisoner of conscience.

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

- calling on the authorities to urgently take all steps to ensure Vasiliiy Rakovich's safety;
- calling for the findings of the criminal investigation into the ill-treatment of Vasiliiy Rakovich to be made public and anyone found guilty to be brought to justice;
- urging the authorities to initiate a prompt and impartial investigation into the allegations, maintained by Vasiliiy Rakovich during the trial of Vasiliiy Chaikin, that confessions by witnesses and victims had been obtained under duress in the course of the preliminary investigation;
- reminding the government of the Russian Federation of its commitment to the Universal Declaration of Human Rights, in particular Article 19: "Everyone has the right to freedom of opinion and expression."

APPEALS TO:

The Chairman of the Krasnodar Krai Court, Chernov, Aleksandr Dmitreevich
Rossiskaya Federatsiya, 350020 g. Krasnodar, ul. Morskava 3, Krasnodarskiy rayonniy sud, Predsedatelyu Chernov

Telegrams: Russian Federation, 350020 Krasnodar, Predsedatelyu Krasnodarskogo rayonnogo suda

Faxes: +7 8612 54 92 88 or 54 92 11 or 54 92 18

Salutation: Dear Chairman

The Krasnodar Krai Procurator, Shkrebets, Anatolii Nikitovich, Rossiskaya Federatsiya, 350020 g. Krasnodar, Rayonnaya Prokuratora, Prokuroru Shkrebets

Telegrams: Russian Federation, 350020 Krasnodar, Prokuroru

Faxes: +7-8612-68-25-52

Salutation: Dear Procurator

The Leningradsky District Procurator, Lysenko, Pavel Mikhailovich, Rossiskaya Federatsiya, g. Stanitsa Leningradskaya, Krasnodarskiy Krai, Prokuratura Leningradskogo Rayona Krasnodarskogo Kraya, Prokuroru Lysenko, Pavel Mikhailovich

Telegrams: Russian Federation, g. Stanitsa Leningradskaya, Krasnodarskiy Krai, Prokuroru

Faxes: +7-861-45-33-185

Salutation: Dear Procurator

Procurator General of the Russian Federation, Yuriy SKURATOV, Rossiyskaya Federatsiya, 103793 g. Moskva K-31, Ul. Dimitrovka, d. 15a, Prokuratura Rossiyskoy Federatsii, Generalnomu prokuroru Skuratovu Yu.

Telegrams: Russian Federation, 103793 Moskva, Generalnomu prokuroru Skuratovu

Fax: + 7 095 925 18 79 or + 7 095 292 88 48

Salutation: Dear Procurator General

President of the Russian Federation, YELTSIN, Boris Nikolayevich, Russian Federation, g. Moskva, Kreml, Presidentu Rossiyskoy Federatsii Yeltsinu B.N.

Telegrams: President Yeltsin, Moscow, Russian Federation

Faxes: + 7095 206 51 73

Salutation: Dear President

COPIES TO: Foreign Minister of the Russian Federation, Igor IVANOV, Rossiskaya Federatsiya, g. Moskva 121200, Smolenskaya-Sennaya pl. 32/34, Ministerstvo inostrannykh del RF, Ministru Ivanovu I..

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 December 1998.

"Everyone has the right to freedom of opinion and expression."

Article 19, Universal Declaration of Human Rights

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