

URGENT ACTION

IMPRISONED ACTIVIST MUST BE RELEASED IMMEDIATELY
On 31 October, the Supreme Court of the Chechen Republic ruled that the term of Ruslan Kutaev's imprisonment must be reduced by two months but did not quash his conviction. Ruslan Kutaev is a prisoner of conscience and must be released immediately and unconditionally.

At the appeal hearing, **Ruslan Kutaev** once again protested his innocence. In particular, he pointed out that he had never signed the personal search record produced by the police which stated that he had heroin on him at the time of his arrest on 20 February 2013. The Court rejected all requests from his defence team to conduct handwriting examination in order to establish the authenticity of the signature. Ruslan Kutaev also publicly named a high ranking official who had participated in his torture and had threatened to kill him, putting a knife to his throat. Earlier, the authorities refused to investigate his allegations of torture. In his final word, Ruslan Kutaev noted that the Chechen authorities exerted pressure on all those participating in the trial, but he called on the judges nonetheless to try to be as impartial as possible in these circumstances.

While the Court ruled that Ruslan Kutaev's prison sentence be reduced by two months and excluded the additional one year of "freedom limitation" (travel and other non-custodial restrictions) and the fine imposed by a lower court, it did not quash the conviction. Furthermore, the Court ruled that a warning should be submitted to the Nizhni Novgorod Bar Association about "repeated violation of lawyers' ethics" by Ruslan Kutaev's lawyer Petr Zaikin. The Court further decided that it will request the Investigation Committee of the Chechen Republic to investigate whether the lawyer's speeches in court were libellous against two senior Chechen officials, the Deputy Minister of the Interior of the Chechen Republic, Apty Alaudinov, and the Chechen Government Chairman, Magomed Daudov.

Please write immediately in Russian or your own language:

- Expressing your disappointment regarding the Chechen Supreme Court decision not to quash Ruslan Kutaev's conviction and calling on the authorities to release him immediately and unconditionally;
- Urging the authorities to conduct an immediate, impartial and effective investigation into the allegations of torture and other ill-treatment, and the alleged fabrication of evidence against him;
- Urging the authorities to ensure that torture and other ill-treatment are never used as means of extracting "confessions" or information, that statements obtained through torture and other ill-treatment are never admitted in any judicial or other proceedings (except to prove that torture/ill-treatment took place), and that all safeguards against the use of torture provided for in the Russian and international human rights law are fully observed in criminal procedure.

PLEASE SEND APPEALS BEFORE 25 DECEMBER 2014 TO:

Prosecutor General

Yurii Yakovlevich Chaika
 Prosecutor General's Office
 Ul. Bolshaia Dmitrovka, 15a,
 125993 Moscow, GSP-3
 Russian Federation

Fax: +7 495 987 58 41/+7 495 692 17 25

Salutation: Dear Prosecutor General

Chairman of the Investigation Committee

Aleksandr Ivanovich Bastrykin
 Investigation Committee of the Russian
 Federation
 Tekhnicheskii pereulok, dom 2
 105005 Moscow, Russian Federation

Fax: +7499 265 90 77; +7499 265 97 75

**Salutation: Dear Chairman of the
 Investigation Committee**

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 66/14. Further information:

<http://www.amnesty.org/en/library/info/EUR46/043/2014/en>

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 INTERNATIONAL**



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ADDITIONAL INFORMATION

Ruslan Kutaev is a well-known civil society activist from the Chechen Republic in the North Caucasus, the Russian Federation. On 25 February, the Head (President) of the Chechen Republic Ramzan Kadyrov reportedly stated on public television that Ruslan Kutaev had been arrested because of his involvement in an “unauthorised” conference in memory of the victims of deportations from the Caucasus under Stalin 70 years ago. Then, the entire ethnic Chechen population and members of several other ethnic groups were forcibly transferred from the Caucasus to Central Asia and other distant parts of the then Soviet Union as a punitive measure for their purported support of the occupying German forces during the Second World War. Many people were killed and scores died during the transfer or upon arrival due to harsh conditions. The deportees were not allowed to return until after Stalin’s death.

Ramzan Kadyrov reportedly ordered that the activities commemorating the victims of Stalin’s deportation should be held not on 23 February, the day when the deportation began and when the victims are commemorated each year, but instead on 10 May – the day on which Ramzan Kadyrov’s father Akhmat-Kahdzhi Kadyrov, was killed in a bomb attack in 2004. In other North Caucasus republics commemorative events were reportedly deferred to 24 February or forbidden by local authorities. Independent commentators suggested that this was done to avoid such events coinciding with the official closing ceremony of the Olympic Games in Sochi on 23 February 2014.

In spite of the warnings, on 18 February Ruslan Kutaev and other activists and scholars held a conference titled “The deportation of the Chechen people. What it was and whether it is possible to forget?” The next day, 19 February, those who took part in the conference were summoned by a senior member of Ramzan Kadyrov’s administration for a meeting with Ramzan Kadyrov at which he reportedly verbally reprimanded them. Ruslan Kutaev was the only one who did not go.

Just two hours before his arrest on 20 February 2013, Ruslan Kutaev called the human rights NGO Committee against Torture stating that pressure against him was mounting after the conference and he expected to be arrested soon. Ruslan Kutaev was arrested in Gekhi in the Chechen Republic, by a group of some 20 armed men, among whom reportedly were Ramzan Kadyrov’s personal security guards and men with no identifying insignia. The prosecution claims that Ruslan Kutaev was arrested in the street for a “random check” during which heroin was found on him, but he claims that the arrest took place in a private household and that he had no drugs. During court hearings, the police officers who detained him contradicted each other on the circumstances of his detention. Also, one of the witnesses for the prosecution reportedly stated that Ruslan Kutaev was not detained on the street, as the police had claimed, but in the backyard of his house.

According to Ruslan Kutaev’s lawyer, after his arrest he was taken to a building of the Presidential Administration in the centre of Grozny, where he was placed in a cellar, undressed, beaten, and tortured using electric shocks. He was also threatened that his family would be at risk if he did not confess. A member of the NGO Committee against Torture was able to visit Ruslan Kutaev three days after his arrest and documented his severe bruising. Amnesty International has also seen video footage taken in custody, in which Ruslan Kutaev can be seen with large bruises on his body and a broken rib sticking out under his skin. Ruslan Kutaev informed his lawyers that he was suffering from severe pain in his head and jaw. A medical report issued on 13 March stated that one of his ribs was fractured. According to Ruslan Kutaev’s lawyer, after his arrest members of his family continued to receive threats. His trial was marred by numerous procedural violations and the apparent disregard of evidence from the defence. In April, his defence lawyers requested to open an investigation into allegations of use of torture against Ruslan Kutaev. However, an investigator ruled that this request was rejected.

Name: Ruslan Kutaev

Gender m/f: m

Further information on UA: 66/14 Index: EUR 46/052/2014 Issue Date: 13 November 2014