

PUBLIC

AI Index: EUR 46/033/2005

UA 225/05

Fear for safety/fear of torture or ill-treatment/"disappearance"

30 August 2005

RUSSIAN Airat Vakhitov (m)
FEDERATION Rustam Akhmiarov (m)

Amnesty International is extremely concerned for the safety of former Guantánamo prisoners Airat Vakhitov and Rustam Akhmiarov, who are believed to have "disappeared" on 27 August in the capital Moscow. It is not known where they are being held and there are fears that they may be at risk of torture or ill-treatment.

According to reports, on 27 August, at least two men including an officer from the local police department arrived at the Moscow flat of Geidar Dzhemal, Chair of the Islamic Committee of Russia, where Airat Vakhitov and Rustam Akhmiarov were staying. The two men were then reportedly detained and taken away in handcuffs. Their whereabouts are unknown, although there are unofficial allegations that they have been taken to the town of Naberezhnie Chelni in the Russian Republic of Tatarstan. Spokespeople for the police and for the Federal Security Services (FSB) have reportedly denied having any information about their detention.

The two men were among eight Russian inmates held at Guantánamo Bay. Airat Vakhitov was taken there in 2002, having spent over a year in US custody in Afghanistan. Amnesty International does not know when Rustam Akhmiarov was taken to Guantánamo Bay. Seven of the eight Russian inmates were subsequently transferred from Guantánamo Bay to Russia in late February 2004. Amnesty International expressed concern at the time that they were at risk of facing human rights violations on their return, including torture, ill-treatment and incarceration in conditions amounting to cruel, inhuman and degrading treatment. (See follow ups to UA 356/03, AMR 51/147/2003, 4 December 2003).

At the time of the transfer to the Russian Federation, the US State Department said that "The United States has transferred seven Russian nationals detained at Guantánamo to the control of the Government of Russia to face criminal charges relating to their terrorist activities during an armed conflict. The transfer is the result of discussions between our two governments over the past year, including assurances that the individuals will be detained, investigated and prosecuted, as appropriate, under Russian law and will be treated humanely in accordance with Russian law and obligations."

Soon after the detainees arrived in Russia, prosecutors filed criminal charges against them, including of having links with "illegal armed gangs". However, the case against the men reportedly fell apart because of the lack of evidence against them. The US authorities are said to have been taken by surprise by the men's release. They were held for four-and-a-half months in the Bely Lebed (White Swan) detention centre in the Stavropol region of southern Russia before being released in late June 2004. A spokesperson for the Office of the Procurator General is reported to have said that "the case against them is closed".

In June 2005, Airat Vakhitov gave Amnesty International detailed testimony about his experience of the treatment of inmates in US custody. He said that Guantánamo Bay inmates were subjected among other things to prolonged detention in solitary confinement in cold punishment cells, sleep deprivation, sensory deprivation, deprivation of food during day-long interrogation sessions, beatings and harassment and intimidation, including sexual harassment of male inmates by female personnel. These allegations relating to the treatment of detainees at the US detention facility are consistent with the testimony of many other detainees.

Cruel. Inhuman. Degrades us all.

Stop torture and ill-treatment in the "war on terror"

For more information on AI's campaign see <http://web.amnesty.org/pages/stoptorture-index-eng>

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

- expressing concern for the safety of Airat Vakhitov and Rustam Akhmiarov who are thought to have been detained by law enforcement officers in Moscow on 27 August and subsequently “disappeared”;
- reminding the authorities of their obligation to promptly, thoroughly and impartially investigate the suspected “disappearance” of Airat Vakhitov and Rustam Akhmiarov, to determine the whereabouts and fate of the two men, take steps to protect their life and safety, and to bring anyone reasonably suspected of a crime in relation to the case to justice;
- reminding the authorities of their obligations to protect Airat Vakhitov and Rustam Akhmiarov from cruel, inhuman or degrading treatment, in line with Russia's obligations as a state party to the International Covenant on Civil and Political Rights (ICCPR), of which article 7 states, “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”;
- if they are in the custody of the security forces, urging the authorities to ensure that they are released immediately and unconditionally unless they are charged with a recognizably criminal offence, in which case they should immediately be granted access to a lawyer of their choice, and medical assistance.

APPEALS TO:

Procurator General of the Russian Federation

Vladimir USTINOV

General Procuracy of the Russian Federation

Ul. B. Dimitrovka 15a

103793 Moscow K-31

Russian Federation

Fax: + 7 095 692 8848 (if someone answers say "fax please")

Salutation: Dear Procurator General

Minister of Internal Affairs of the Russian Federation

Rashid NURGALIEV

Ministry of Internal Affairs of the Russian Federation

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117049 Moscow

Russian Federation

Fax: +7 095 237 4925 or +7 095 230 2580

Salutation: Dear Minister

COPIES TO:

Procurator of the Republic of Tatarstan, Russian Federation

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Russian Federation

Fax: +7 8432 91 1846

Ombudsman of the Russian Federation

Vladimir Lukin

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Chair of the Human Rights Commission of the Russian Federation

Ella Pamfilova

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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 October 2005.