

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Russian authorities must halt harassment of human rights defenders in the Chechen village of Krasnaya Turbina

Amnesty International has called on the Russian Prosecutor General Yury Chayka to conduct prompt, impartial and thorough investigations into events surrounding the situation in Chechen capital Grozny's suburb of Krasnaya Turbina. In mid-August, according to news reports, the local residents were subjected to police harassment, unlawful detention and in some cases beatings after more than 162 villagers called on the Russian Prosecutor's office to investigate alleged abuses carried out against their young neighbours, Magomed Taramov and Dzhamalai Tazbiev.

These two young men from the Chechen capital Grozny's suburb of Krasnaya Turbina were allegedly detained in January 2017 and remained in detention until March without being charged. During this time, according to their testimonies in the court, they were tortured to force them to "confess" to having committed terrorism-related crimes.

According to the independent *Novaya Gazeta* newspaper, relatives and neighbours of Magomed Taramov and Dzhamalai Tazbiev appealed to the Prosecutor General's office asking for an investigation of the young men's allegations on 16 August. The following day, the Chechen police reportedly raided the houses of petitioners forcing them to drop their complaint and orchestrated a public show of repentance by Krasnaya Turbina residents. Shortly afterwards, Magomed Taramov and Dzhamalai Tazbiev, seemingly under duress, gave up the services of their lawyer and re-iterated their initial confessions.

Amnesty International is concerned by allegations of torture and other ill-treatment, arbitrary detention, interference in the right to legal assistance, and intimidation against those who have sought to bring these violations to public attention.

Magomed Taramov and Dzhamalai Tazbiev case

According to the *Novaya Gazeta* article, Magomed Taramov, 19, and Dzhamalai Tazbiev, 20, were, detained in January 2017. They and their families allege that they have been in detention in Grozny's Staropromyslovskii Police Station since January which Chechen officials deny.

Officially, Magomed Taramov and Dzhamalai Tazbiev were detained in March after the arrest warrant was drawn up and they "freely admitted" their guilt in planning to join ISIS which is punishable by Russian law. The trial which started on 8 August was

attended by inhabitants of Krasnaya Turbina and relatives of the two men. Both men alleged in court that they had been tortured and forced to confess.

According to the lawyer, the Prosecution case contained very little evidence that the two young men had harboured any intentions of joining ISIS, and was based on their testimony and the testimony of other suspects. On 16 August, 162 relatives and neighbours of Magomed Taramov and Dzhamalai Tazbiev appealed to the office of the Prosecutor General of Russia. They called on him to investigate the young men's allegations that they had been tortured and that the case against them had been fabricated. All 162 people showed remarkable courage in raising this issue with the office Prosecutor General and signed the petition with their names and addresses.

Intimidation of relatives

Following the publication of information about the petition in *Novaya Gazeta* on 17 August, the police reportedly raided the houses of all those who signed, unlawfully detaining many people and forcing them to drop their complaint. The independent lawyer employed by the families to defend the young men told Amnesty International that he was also detained and the young men were forced to renounce his services and to "confess" once again under duress to the crimes they were accused of.

It was reported that around 70 inhabitants of Krasnaya Turbina were forcibly taken by bus to an audience with Heda Saratova, member of the Human Rights Council under the Chechnya Head Ramzan Kadyrov. She later told the media that she had an audience with these people in the presence of police officers during which the Krasnaya Turbina inhabitants allegedly claimed that they had signed the petition addressed without knowing what it was. They also signed a new petition asking for protection of their rights and apologizing for their earlier actions.

Given the circumstances, it could be concluded that this later petition was written under duress. It has become a common practice in Chechnya for people who complain or express dissenting views to be forced to apologize and repent publicly. Such actions have become an integral part of the thriving climate of impunity in the Republic.

Torture and other ill-treatment

Both young men have alleged in court that they were tortured to force them to confess after their initial detention in January 2017. Magomed Taramov described to the court the torture he had been subjected to in some detail: he alleged that he was tortured for 5 – 6 days during which time police officers beat him with a metal rod, applied electric shocks, subjected him to mock executions and tied a plastic bag over his head to suffocate him.

Torture and other ill-treatment are forbidden under Russian and international law. The right to freedom from torture and other ill-treatment or punishment is absolute and no exceptional circumstances whatsoever.

Amnesty International urges the Russian authorities to conduct a prompt, impartial and independent investigation into the allegations of torture and other ill-treatment in this case in accordance with Russia's international human rights obligations. If the allegations are proved to be correct the two men must be offered an effective remedy and reparation and those found to be responsible must be brought to justice.

Arbitrary Detention

According to relatives and neighbours, Magomed Taramov and Dzhamalai Tazbiev were detained on 27 January 2017 by officers from Staropromyslovsky police station, however, an arrest warrant was only drawn up in March. It is unclear on what basis the two men were detained between 27 January and the date in March when the arrest warrant was drawn up.

The detention of the two men appears to be in violation of Article 92 of the Criminal Procedural Code which stipulates that an arrest warrant must be drawn up within three hours of detention. Article 301 of the Russian Criminal Code also prohibits unlawful arrest or detention as does the European Convention to which the Russian Federation is a party.

Amnesty International urges the Russian authorities to investigate the allegations that Magomed Taramov and Dzhamalai Tazbiev were detained illegally from 27 January to March, and if the allegations are confirmed to ensure that those responsible are brought to justice, and that Magomed Taramov and Dzhamalai Tazbiev are offered commensurate remedy and reparation.

Access to competent legal assistance

On the night of 17 August, Vladimir Rutkovsky, one of two lawyers employed by the relatives of the two young men to defend them, was taken to Staropromyslovsky police station. He told Amnesty International that he was held there for three hours and during that time his clients Magomed Taramov and Dzhamalai Tazbiev were brought to him in handcuffs along with two witnesses who had appeared in court. Vladimir Rutkovsky said that the witnesses had bruises and were clearly injured while his clients were very demoralized. In the presence of the police officers and the witnesses they told him that they no longer required his services.

Amnesty International is concerned that the two men may have been coerced into renouncing the services of an independent lawyer in favour of the services of a state appointed lawyer. It also appears that Vladimir Rutkovsky may have been subjected to pressure or otherwise intimidated.

He told Amnesty International that his car was followed as he left Chechnya and he received a large number of phone calls to his mobile phone from unknown numbers so as to make the phone unusable. The organization has long been aware of the problem of harassment against lawyers operating in the North Caucasus and in 2013 we published a report documenting pressure against lawyers in the region.

Amnesty International urges the Russian authorities to investigate why Magomed Taramov and Dzhamalai Tazbiev dismissed their independent lawyer and if it is found that they did so under duress, those found to be responsible should be brought to justice. They should be offered access to a lawyer of their choice for the duration of the trial. Vladimir Rutkovsky should be protected from further harassment and any action taken against him should be investigated.

Reprisals against human rights defenders

The relatives and inhabitants of Krasnaya Turbina who signed the petition to Prosecutor General's office were doing so in the interests of defending the rights of Magomed Taramov and Dzhamalai Tazbiev and as such Amnesty International considers them to be human rights defenders who should benefit from the protection required from states as described in the UN Declaration on Human Rights Defenders. On 17 August, *Novaya Gazeta* newspaper reported that Salman Taramov, father of Magomed Taramov and Magomed Tazbiev, the uncle of Dzhamalai Tazbiev were called to Staropromyslovsky police station where they were beaten up.

States have the ultimate responsibility to protect human rights defenders and to prevent and effectively address allegations of human rights violations and abuses committed against them by thoroughly, promptly and independently investigating such human rights violations and abuses and bringing the suspected perpetrators to justice.

Amnesty International urges the Russian authorities to investigate the allegations that Salman Taramov and Magomed Tazbiev were ill-treated by police officers from Staropromyslovsky police station.

Failing to react adequately to the alleged human rights violations in Krasnaya Turbina will only reinforce the endemic climate of impunity in Chechnya.

Public document

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