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Public Statement

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Russian Federation: Russian police officer found guilty of crimes against the civilian population in the Chechen Republic

Amnesty International welcomes the conviction and sentencing of Sergei Lapin, member of a special federal riot police unit (OMON) from the Khanty-Mansiisk region in the Russian Federation, by the Oktiabrskii District Court in Grozny in the Chechen Republic. For the first time a member of the Russian federal forces has stood trial in Chechnya itself for human rights violations against the civilian population. Sergei Lapin had been involved in the torture and "disappearance" of 26-year-old Zelimkhan Murdalov, who was detained on 2 January 2001 in Grozny. The court on 29 March 2005 found Sergei Lapin guilty of intentional infliction of serious harm to health under aggravating circumstances (article 111, part 3 of the Russian Criminal Code); exceeding official authority under aggravating circumstances (article 286, part 3) and forgery by an official (article 292). He was sentenced to 11 years' imprisonment in a strict regime prison colony. On release he will be banned from working for agencies under the Ministry of Internal Affairs for three years. In addition, the court sent a special ruling to the head of the Khanty-Mansiiskii OMON, reportedly criticising the conduct of the OMON unit serving in Chechnya in broader terms. Other individuals responsible for the torture and "disappearance" of Zelimkhan Murdalov have yet to be identified and brought to justice.

Amnesty International has closely followed the case and campaigned for those who were found responsible for the "disappearance" of Zelimkhan Murdalov to be brought to justice. Amnesty International's section in Norway provided finances for the legal support in this landmark case.

Sergei Lapin was initially detained and taken into pre-trial detention in January 2002. He was released in May of the same year pending trial. The trial started in October 2003 after intensive efforts of the family of Zelimkhan Murdalov to see justice done. The investigation found that on 3 January 2001 Zelimkhan Murdalov was taken into a cell in the district police of Oktiabrskii district by Sergei Lapin and another unidentified official. There Sergei Lapin had beaten Zelimkhan Murdalov with a truncheon. Zelimkhan Murdalov was also subjected to electric shock treatment while in detention. Witnesses told the court that while in the cell, Zelimkhan Murdalov could hardly stand and lost consciousness several times. His arm was broken, his ear torn and he had received a concussion to his head. The next day Sergei Lapin and some as yet unidentified colleagues took Zelimkhan Murdalov out of the cell and since then his fate and whereabouts remain unknown.

Zelimkhan Murdalov's family faced harassment and intimidation for seeking justice and his mother and sister had to leave the country in search of security. Zelimkhan Murdalov's father Astemir Murdalov told Amnesty International that he is still searching for information about his son's fate.

Throughout the armed conflict in the Chechen Republic, Amnesty International has been concerned about the climate of impunity prevailing there and has called on the Russian authorities to bring

to justice perpetrators of human rights violations. However, very few effective measures have been taken. Only very few cases of "disappearance", torture and ill-treatment or extrajudicial execution have reached the Courts. Many Chechen civilians have decided to turn to the European Court of Human Rights as the Russian judicial system has failed to show real commitment to punish those who commit human rights violations in the North Caucasus. While this ruling is of great importance not only for the family of Zelimkhan Murdalov, but for many other people in the Chechen Republic, who have been subjected to human rights violations and war crimes, much more needs to be done. Russian and Chechen officials give about 2000 as the official figure for "disappearances" since late 1999 and unofficial estimates are as high as 5000 "disappeared". Amnesty International and other human rights organizations working in the region have found evidence of the involvement of federal and Chechen forces in a large number of such cases of "disappearances".