

EXTRA 76/96

Fear of refoulement

21 May 1996

**DENMARK Anna Mkrtychan and Alexander Mkrtychan, asylum-seekers  
from Chechnya**

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Anna Mkrtychan and Alexander Mkrtychan, asylum-seekers from Chechnya in Denmark, face forcible return to the Russian Federation on 28 May 1996, where they may be at serious risk of arbitrary detention, ill-treatment or torture.

Anna Mkrtychan, an English teacher, interpreter and philologist and her husband, Alexander Mkrtychan, a dentist, both ethnic Armenians and residents of the Chechen capital, Grozny, have been issued with a deportation order to return to Moscow on 28 May, after their applications for asylum in Denmark were rejected on appeal.

Anna Mkrtychan and Alexander Mkrtychan arrived in Denmark on 24 December 1993 and sought political asylum. Both claimed to have been harassed in Grozny due to their opposition to then Chechen President Dzhokhar Dudayev's government. Alexander Mkrtychan claimed that he was beaten on the street and in his dental clinic by unnamed assailants because of his ethnicity and the fact that he objected to military service. Anna Mkrtychan's political association with a Moscow journalist, Dmitry Krikorjants, who was reportedly later murdered in his flat in Moscow, placed her life at particular risk and forced them both to flee first to Moscow and subsequently to Denmark.

Both fled Grozny on 12 October 1993 to the Russian town of Mineralnye Vody, and arrived in Moscow on 14 October. In Moscow, they claimed to have been threatened by the Russian special police forces (OMON) on account of their ethnicity and reportedly only avoided being forcibly returned to Grozny by paying bribes to OMON officers. From Moscow, they eventually obtained visas for Denmark and travelled to Copenhagen on 24 December 1993, where they applied for refugee status.

Their application was rejected on 13 May 1996 by the Danish Appeals Board and the date of 28 May was set for their forcible removal to Moscow, on the basis that while it may not be safe for them to be returned to the Chechen Republic, it would be safe for them to be returned to another part of the Russian Federation. The Appeals Board discounted the argument that Chechen residents would be at risk of serious human rights violations in other parts of the Russian Federation, a position with which Amnesty International disagrees.

**BACKGROUND INFORMATION**

Massive human rights violations have taken place within the context of the armed conflict in the Chechen Republic. From the beginning of the conflict, in December 1994, Russia has shown a marked disregard for the rules governing armed conflict and protection of the civilian population. An estimated 20,000 to 30,000 civilians have been killed in the conflict, many of them as a result of indiscriminate attacks by Russian Federation forces on densely populated residential areas. The Russian Presidential Commission on Human Rights stated that the total number of war-related deaths in the capital, Grozny, alone can be estimated at approximately 27,000 people. Men, women and children have been victims of extrajudicial executions and hostage-taking. Torture and ill-treatment have also taken place, particularly in so-called "filtration camps". Hundreds of people have been detained without trial. Allegations of

rape have been made against the Russian forces. Forces loyal to Chechen President Dzhokhar Dudayev, reportedly killed in April 1996 by the Russian army, have also been responsible for human rights abuses, including hostage-taking and deliberate and arbitrary killings. Despite two peace initiatives, in July 1995 and in March 1996, the conflict and human rights violations against civilians continue.

Amnesty International has received numerous reports of torture and ill-treatment in police custody in the Russian Federation, with an apparent pattern of persecution and ill-treatment of members of ethnic minorities, specifically those from the Caucasus, including the Chechen Republic.

In November 1995, two ethnic Armenians were arrested, beaten and tortured by officers from the Moscow District Department for Combatting Organized Crime (RUOP). At the police station, one of them was reportedly hung from the ceiling by handcuffs and beaten on the chest in an effort to force him to sign a confession of guilt. Sultan Kurbanov, a 31-year-old Chechen resident in Moscow was arrested on 16 January 1996 by two policemen who came to his apartment, claiming he was wanted for questioning at the police station. Instead he was driven to a warehouse depot and beaten with truncheons and sticks by about 10 police officers who got out of a bus parked nearby. He was hit repeatedly including on his legs, head and face, by what he described as metal weapons. On 23 April 1996, 10 masked armed members of RUOP entered the home of Said Selim Bekmurzayev and his family, ethnic Chechens, refugees from the conflict in Chechnya. Said Selim Bekmurzayev and his son Sultan Bekmurzayev were beaten by the officers, who accused the two men in collusion with the Chechen fighters, and then were arrested and taken to the Moscow City Department of Internal Affairs, where they are held in present and have not yet been charged with any criminal offence.

Consequently, Amnesty International believes that members of ethnic minorities, specifically those from the Caucasus, including the Chechen Republic, may be at risk of serious human rights violations in the Russian Federation and should not be forcibly returned.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in Danish, English, German or your own language:**

- urging the Danish authorities not to forcibly return Anna Mkrtychan and Alexander Mkrtychan to the Russian Federation where they may be at risk of serious human rights violations;
- pointing out that the persecution of members of ethnic minorities, especially those from the Caucasus and including those from the Chechen Republic, by Russian law enforcement officials, is a continuing phenomenon in the Russian Federation;
- reminding the Danish authorities of Denmark's obligation under the internationally recognized principle of *non-refoulement* as enshrined in Article 33 of the 1951 Convention relating to the status of Refugees, to which Denmark is a party, not to forcibly return anyone to a country where he or she may be at risk of serious human rights violations.

*PLEASE BRING TO THE ATTENTION OF THE REFUGEE COORDINATOR IN YOUR SECTION.*

**APPEALS TO:**

Niels Helveg Petersen,  
Minister for Foreign Affairs,  
Asiatisk Plads 2,

1448 Copenhagen K, Denmark

**Faxes: +45 31 540533**

**Telexes: 31292**

**Telegrams: Foreign Minister, Copenhagen, Denmark**

**Salutation: Dear Minister**

Bjørn Westh,

Justitministeriet

Sloßholmsgade 10,

1216 Copenhagen K, Denmark

**Faxes: +45 33 933510**

**Telexes: 15530**

**Telegrams: Justice Minister, Copenhagen, Denmark**

**Salutation: Dear Minister**

Birthe Weiss,

Minister for the Interior,

Christiansborg Slotsplads 1,

1218 Copenhagen K, Denmark

**Telegrams: Interior Minister, Copenhagen, Denmark**

**Faxes: +45 33 111239**

**Salutation: Dear Minister**

and to diplomatic representatives of Denmark accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 28 May 1996.