

**PUBLIC**

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**UA 45/06**

**Torture/ ill-treatment/ legal concern**

**RUSSIAN FEDERATION  
(CHECHEN REPUBLIC)**

**Mekhti Mukhaev (m), aged 47, farmer  
Isa Gamaev (m)**

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Mekhti Mukhaev and Isa Gamaev have reportedly been tortured in detention by security forces personnel. Mekhti Mukhaev is facing trial on apparently fictitious charges brought after Isa Gamaev reportedly named him while under torture as member of an armed group. Both men are at risk of further torture or other ill-treatment.

Isa Gamaev was detained on 10 December 2005 in the city of Nalchik, in the North Caucasus Republic of Kabardino-Balkaria, in connection with allegations that he was involved in the conflict in neighbouring Chechnya. In a statement made to the Russian human rights organization Memorial, Isa Gamaev said that he spent three days in detention in Nalchik and was transferred from there to Khankala, the headquarters of Russian armed and security forces in the North Caucasus, where he remained for about 10 days. From there he was transferred to another place of detention. He claims that he was tortured in all these places, including with electric shock treatment. While reportedly under duress, he made a statement to the security forces personnel about his alleged participation in armed opposition groups, naming Mekhti Mukhaev as a member of an armed group. In late December or early January Isa Gamaev was reportedly transferred to the Interior Ministry's Operative and Search Bureau, known as ORB-2, in the Chechen capital of Grozny, and from there to the pre-trial detention centre (SIZO 1) in Grozny, where he was able to send a letter to Memorial about the torture he had been subjected to in detention.

Mekhti Mukhaev, a widower and father of five from the Itum-Kali region of the Chechen Republic, was reportedly arrested on 30 December 2005 while visiting his cousin in the town of Gikalo, near Grozny. At about 1am, a group of men in masks and camouflage uniforms allegedly broke into his cousin's house and took Mekhti Mukhaev to the Regional Police Department (ROVD) of Itum-Kali, where he was charged with hooliganism. The basis for this charge is not known. From there he was taken to the Regional Police Department of the Police in the Chechen town of Shatoi, where he was interrogated. During the interrogation, police officers reportedly beat him and threatened to shoot him while showing him pictures of various people whom they wanted him to identify.

After 11 days in detention at the ROVD in Shatoi, Mekhti Mukhaev was transferred to ORB-2 where his interrogation continued. He was reportedly subjected to electric shock treatment, and his arms and legs were bent back into painful positions. He was beaten with truncheons and was threatened that he would "disappear" if he did not confess to being a member of an armed opposition group. He reportedly lost consciousness several times and was later told by other men sharing his cell that he had been unconscious for about a day. Mekhti Mukhaev told his lawyer that after eight or nine days of such treatment he decided to "admit" to having given food and shelter to members of an armed opposition group.

On 18 January, Mekhti Mukhaev was transferred to SIZO 1. After almost three weeks in incommunicado detention, he was granted access to a lawyer and his relatives learned about his whereabouts. When his relatives visited him, he complained about headaches, pain in his legs, his lungs and his kidneys, which was apparently the result of torture. While detained in the SIZO, Mekhti Mukhaev retracted his confession.

On 1 February both Mekhti Mukhaev and Isa Gamaev were returned to ORB-2, where security forces personnel reportedly beat Mekhti Mukhaev with a chair and with their fists, and kicked him, in order to force him to repeat his "confession". Isa Gamaev was apparently not ill-treated. Human rights organizations who

had received information about the case telephoned ORB-2, and both men were returned to the SIZO the following day.

On 5 or 6 February Isa Gamaev was reportedly again taken to ORB-2, where he was allegedly threatened with rape if he refused to uphold his "confession". Despite Mekhti Mukhaev and Isa Gamaev withdrawing their statements, Mekhti Mukhaev was charged on 8 February with banditism (Article 209 of the Russian Criminal Code) and remains in detention. Amnesty International is concerned that both men may again be subjected to torture in order to uphold their previous "confessions".

Two of Mekhti Mukhaev's relatives, Vakha Mukhaev and his 16-year-old son Atabi Mukhaev, were among four men who "disappeared" after being arbitrarily detained by Russian federal forces during a raid on the village of Zumsoi in Itum-Kali in January 2005. Members of Mekhti Mukhaev's family have since appealed to the European Court of Human Rights regarding the "disappearance" of their relatives. Amnesty International has documented a number of cases where applicants to the European Court of Human Rights have been harassed, were killed or "disappeared" as a result of their attempt to seek justice for the human rights violations they and their relatives suffered.

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

- urging the Russian authorities to ensure Mekhti Mukhaev and Isa Gamaev are not subjected to torture and ill-treatment;
- calling for an investigation into the allegations of torture and ill-treatment of Mekhti Mukhaev and Isa Gamaev, and for those found responsible to be brought to justice;
- reminding the Russian authorities that any investigations against Mekhti Mukhaev and Isa Gamaev should be conducted according to international fair trial standards, and that no evidence extracted under duress should be used in judicial proceedings;
- calling on the Russian authorities to conduct thorough and fair investigations into the "disappearance" of Vakha Mukhaev, Atabi Mukhaev, and two other men, Shakhran Nasipov and Magomed-Emin Ibishev from the village of Zumsoi in January 2005;
- urging the Russian authorities to investigate, prevent and punish any form of harassment of applicants to the European Court of Human Rights.

**APPEALS TO:**

Vladimir Ustinov  
Procurator General  
General Procuracy of the Russian Federation  
Bolshaia Dmitrovka 15d., Moscow, 125993, Russian Federation  
**Fax: + 7 495 921 4186**

**Salutation: Dear Procurator General**

Victor Kuznetsov  
Procurator of the Chechen Republic  
Office of the Public Procurator of the Chechen Republic  
Ul. Garazhnaia 9b, Grozny, 364000, Chechen Republic, Russian Federation  
**Fax: +7 8712 22 31 43 / 22 31 48**

**Salutation: Dear Procurator**

**COPIES TO:**

Vladimir Lukin  
Ombudsperson for the Russian Federation  
Ul. Miasnitskaia 45, Moscow, 107084, Russian Federation  
**Fax: +7 495 207 5337**  
**Email: [press-sl@ropnet.ru](mailto:press-sl@ropnet.ru)**

Rashid Nurgaliev  
Minister of Internal Affairs of the Russian Federation  
Ministry of Internal Affairs of the Russian Federation  
Ul. Zhitnaia 16, Moscow, 117049, Russian Federation  
**Fax: +7 495 237 49 25**

Email: [mvd12@mvdrrf.ru](mailto:mvd12@mvdrrf.ru)

and to diplomatic representatives of the Russian Federation accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 April 2006.