

UA 323/01 "Disappearance"/fear of torture and ill-treatment,

including

RUSSIAN FEDERATION/ Eset (Zargan) Yahyaeva (f), 45

CHECHEN REPUBLIC Milana (Ainat) Betirgirieva (f), 21

Russian soldiers seized the two women named above during a raid on a house in the Chechen village of Serzhen-Yurt on 9 November. The soldiers threatened to rape and kill five girls who were sleeping in another room of the house. Amnesty International fears the two women's lives are in danger, and that they are at risk of torture and ill-treatment, including rape, in custody.

Eset Yahyaeva (also known among her relatives as Zargan) and her niece, Milana Betirgirieva (also known as Ainat), were staying at the house of Eset's sister, Zalpya Iblueva ("Aslambek Sharipov" Street, 70) to prepare for a neighbour's daughter's wedding. Russian soldiers in masks broke into the house at around 4am. Five girls aged 14-18 were sleeping in a separate bedroom.

According to witnesses, the soldiers switched off the electricity in the house. One of the girls began crying for help, but the soldiers threatened to kill all of them if they made any noise. Then the five girls were forced to lie next to each other on one bed. Several of the soldiers shone torches on the girls' faces and discussed loudly which were the prettier ones. Then the soldiers threatened to rape them. Apparently an officer then entered the room and ordered the soldiers not to touch the girls. The soldiers reportedly searched the house and ordered the girls to give them any money and weapons they had, while continuing to threaten to kill them. The soldiers ordered the girls to lie still and left the house.

When the girls finally came out of the bedroom, they discovered that Zargan and Ainat were missing. They found some of the women's clothes, including Ainat's skirt and a blouse, in the street in front of the house.

BACKGROUND INFORMATION

Many Chechen civilians have "disappeared" after being detained by Russian forces. The victims include women and girls suspected of being related to fighters or of assisting them. The bodies of some of the "disappeared" have been found in unmarked dumping sites or mass graves. Many appear to have suffered torture, including rape, or violent death. Forty-year-old Nura Lulueva and her cousins Markha and Raisa Gakaeva and Aset Elbuzdukueva were arrested during a raid on a market in Grozny on 3 June 2000. Their blindfolded bodies were found on a dumping site in Dachny village, near the Russian military base at Khankala, on 4 March 2001.

Amnesty International has gathered numerous reports of male and female detainees who have "disappeared" being raped, beaten with hammers and clubs, given electric shocks or being sprayed with tear gas while in the custody of the Russian federal forces. Amnesty International learned from witnesses that a 14-year-old girl, originally from Urus-Martan, died in detention at the Chernokozovo detention facility at the beginning of 2000, allegedly as a result of being ill-treated and tortured, including being repeatedly raped, by guards.

In November 2001 Amnesty International representatives at the border with Chechnya gathered corroborating witness testimony regarding a recent pattern of Russian soldiers raping pregnant Chechen women who had been detained during military raids on their homes.

A number of civilians reported the case of 30-year-old "Zainap" (for her own protection we have not used her real name) from the village of Kurcheloy. They said that Russian forces came to her home on 18 October 2001 to arrest her husband, but could not find him. "Zainap" was eight months pregnant, but the soldiers allegedly took her to the Temporary Department of Internal Affairs (VOVD), alongside the military command post in the village of Kurcheloy. Two women witnesses, who were detained along with "Zainap", stated that she was repeatedly gang-raped and ill-treated by Russian soldiers, and suffered a miscarriage as a result.

The Russian forces released "Zainap" in mid-November, in exchange for 10 machine-guns, which they demanded from her relatives. On her release she reportedly had to undergo surgery. In line with the strong cultural taboo against rape in Chechen society, "Zainap's" husband refused to take her back; witnesses reportedly quoted him as saying: "After them, I do not need her. She is dirty now..."

On 26 June 2001, three Russian soldiers reportedly began beating a man in his house in the village of Shali. They kept his wife in a separate room. When his wife's sister, who was nine months pregnant, tried to stop the soldiers beating him, they reportedly gang-raped her. During the rape, the woman began to give birth. The soldiers called her sister into the room to help deliver the baby. Two of the soldiers apparently wanted to kill the baby, but the third stopped them, because his own wife had given birth earlier that day.

According to witnesses, the woman who had given birth was immediately hospitalized with severe injuries incurred while she was raped. She and her family moved to another region of the Russian Federation, fearing further persecution. The family reportedly filed an official complaint and were told verbally that the three soldiers involved had been disciplined, but have not been told that any official criminal investigation has been opened.

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

- urging the Russian government to immediately make public the whereabouts and state of health of Eset (Zargan) Yahyaeva and Milana (Ainat) Betirgirieva, and to release them immediately;
- urging the authorities to immediately initiate a criminal investigation into the "disappearance" of the two women and to bring those responsible to justice in a court of law;
- urging the Russian government to immediately make public the names and whereabouts of everyone detained in the various detention facilities and so-called "filtration camps" in Chechnya, and the charges against them.

APPEALS TO:

President of the Russian Federation, Vladimir PUTIN
 Rossiyskaya Federatsiya, g. Moskva, Kreml
 Prezidentu Rossiyskoy Federatsii, Russian Federation
Telegrams: PUTINU V., Kreml, Moskva, Russia
Faxes: + 7 095 206 8510
Email: president@gov.ru
Salutation: Dear President

Director General of the Federal Security Service of the Russian Federation
Nikolay PATRUSHEV,

Rossiyskaya Federatsiya, 101000 g. Moskva
Bolshaya Lubyanka 1/3
Federalnaya Sluzhba bezopasnosti Rossiyskoy Federatsii, Russian Federation
Telegrams:Generalnomu direktoru FSB, PATRUSHEVU N., Moskva, Russia
Faxes:+ 7 095 975 2470
Salutation: Dear Director General

Procurator General of the Russian Federation, Vladimir USTINOV
Rossiyskaya Federatsiya, 103793 g. Moskva K-31
Ul. B. Dimitrovka, d15a, Generalnaya Prokuratura Rossiyskoy Federatsii
Russian Federation
Telegrams:Generalnomu prokuroru, USTINOVU V., Moskva, Russia
Faxes:+ 7 095 292 88 48
Salutation: Dear Procurator General

COPIES TO:

Foreign Minister of the Russian Federation, Igor IVANOV
Rossiyskaya Federatsiya, g. Moskva 121200, Smolenskaya-Sennaya pl., 32/34
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Special Representative of the President on Human Rights and Freedoms in the Chechen Republic Vladimir KALAMANOV
Rossiskaya Federatsiya, 103132 g. Moskva, Staraya ploshad pod. 6,
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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 30 January 2002.