

URGENT ACTION

CHECHEN MAN AT RISK FOR SEEKING JUSTICE

Islam Umarpashev was held in incommunicado detention for four months in Chechnya, Russian Federation. He is now at risk of further human rights violations, including enforced disappearance, because his family has complained about his unlawful detention.

Islam Umarpashev, aged around 24, was detained on 11 December 2009 by armed black-uniformed law enforcement officials at his home in Grozny, Chechnya. They reportedly refused to identify themselves, explain the reasons for his arrest or tell his family where they were taking him. The relatives did not hear from Islam Umarpashev for nearly four months after that. They filed a complaint with the local prosecutor's office. However, the investigation into his disappearance was ineffective, and in February 2010, the family filed a complaint with the European Court of Human Rights (ECtHR) regarding Islam Umarpashev's enforced disappearance.

Islam Umarpashev was released on 2 April 2010, but the authorities never confirmed his detention. According to Islam Umarpashev, he had not been questioned nor charged with any crime. He believes he had been held captive in a police building, and described being kept in the basement chained to a radiator, being beaten on the first day, and not being allowed to shave or cut his hair during the whole period of his detention.

According to Islam Umarpashev, just before his release, his captors handed him over to Oktyabr'sky district police. As a condition for his freedom, the police demanded that he falsely testifies that, rather than having been detained, he had been on vacation in the neighbouring republic of Dagestan and that his family withdraws their complaint from the ECtHR.

Fearing for his safety, Islam Umarpashev immediately left Chechnya and went to another part of the Russian Federation. He testified about the circumstances of his arbitrary detention to an official from the Investigation Department under the Procuracy (SKP) in the region where he is currently in hiding. In the meantime, the SKP for Chechnya is insisting that he comes to Grozny to testify as a witness. Allegedly, a member of the SKP for Chechnya was present when the police discussed the conditions for Islam Umarpashev's release.

PLEASE WRITE IMMEDIATELY in Russian, English or your own language:

- Expressing concern about the safety of Islam Umarpashev and his family and urging the federal Russian authorities to guarantee and ensure their safety;
- Urging the Russian authorities to conduct an immediate, effective and impartial investigation into the alleged arrest and arbitrary detention of Islam Umarpashev, make its results public, and bring those responsible to justice;
- Urging them to give Islam Umarpashev an opportunity to give full testimony about his case to the SKP officials without having to return to Chechnya where he does not feel safe and where he is concerned about the SKP officials' impartiality.

PLEASE SEND APPEALS BEFORE 14 AUGUST 2010 TO:

Prosecutor General of the Russian Federation

Yurii Ya. Chaika

Ul. Bolshaia Dmitrovka, 15a

Moscow GSP-3

125993 Russian Federation

Fax: +7 495 692 17 25

Salutation: Dear Prosecutor General

Chairman, Investigation Committee under the Office of the
Prosecutor General of the Russian Federation

Aleksandr Bastrykin

Technicheskii per. 2

Moscow

105005 Russian Federation

Fax: +7 495 265 90 77

Salutation: Dear Chairman

Also send copies to diplomatic representatives of the Russian Federation accredited to your country. Please check with your section office if sending appeals after the above date.

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ADDITIONAL INFORMATION

Shortly after Islam Umarpashev left Chechnya in April 2010, his father and brother were reportedly detained for several hours and told they would only be released if Islam Umarpashev returned to Grozny. The human rights organization *Committee against Torture* in Nizhnii Novgorod, which is supporting the family's case at the European Court of Human Rights, have called on the Moscow-based Head of the SKP of the Russian Federation to conduct an investigation into Islam Umarpashev's arbitrary detention without him having to testify to the SKP in Chechnya. This request to investigate Islam Umarpashev's case without him being present in Chechnya has been rejected. Reportedly, the family are facing further pressure, and a member of the local NGO, *Committee against Torture*, has also received threats over the phone.

A report of the Rapporteur to the Parliamentary Assembly of the Council of Europe (PACE), Dick Marty, published in May 2010, documented a number of ongoing human rights abuses in the Chechen Republic, including arbitrary and unlawful detention, torture and ill-treatment as well as enforced disappearances. The report also raised concern about the difficulties many people face when seeking justice for such human rights abuses.

Amnesty International has learnt about a number of cases of individuals who faced intimidation and physical risks for seeking justice for the human rights abuse they or their relatives had been subjected to. In 2008, Amnesty International interviewed Makhmadsalor Masaev, a man who had been unlawfully detained for several months in Chechnya. Unlike many victims of unlawful detention in Chechnya, Makhmadsalors Masaev sought redress for this human rights violation and spoke openly about it to the press. On 3 August 2008 he was abducted by men in camouflage uniform in Grozny and has not been seen since. It is believed that he was subjected to enforced disappearance.

Amnesty International has received information about other similar cases in which victims of human rights violations and their families in Chechnya have faced pressure for seeking justice.

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