

PUBLIC

AI Index: EUR 46/061/2004

18 November 2004

UA 312/04

Fear of torture / ill-treatment

RUSSIAN FEDERATION

Viktor Knaus (m), aged 15

Fifteen-year-old Victor Knaus has reportedly been beaten and threatened by Russian police in order to force him to confess to the murder of two young boys. Evidence allegedly extracted under duress may be used in the trial against him, which is likely to begin within weeks.

On 29 May, the bodies of two 11-year-old boys were found in the town of Petrov Val, in the Volgograd region of the Russian Federation. During their inquiries, the police questioned a number of children without the presence of a guardian or psychologist, in contravention of Russian law. One of the children reportedly mentioned Viktor Knaus's name. The police then searched Viktor Knaus's home, finding a shirt and pair of shorts containing blood stains. Although his mother said that the shirt belonged to another of her children, who had cut his finger when wearing the clothes, Victor Knaus was detained on 1 June.

Viktor Knaus's mother and a lawyer were present during the two sessions of questioning that took place over the next two weeks. According to his mother, he appeared to be extremely frightened during both sessions. On 15 June, he reported that he had been beaten by four men, two of whom were wearing police uniforms and two wearing plain clothes, and that they had ordered him to sign a confession. During the questioning he complained about pain in his chest and his nose started bleeding but neither was he given any medical aid, nor was the questioning halted.

The police investigator reportedly told him that if he admitted to the crime, he would get a conditional sentence of two years. On 30 June, he signed a statement admitting to the murder. In the statement he gave an account of the events which led to the death of the two boys, an account that according to a representative of a local human rights organization was "inconsistent and unrealistic". Victor Knaus told his lawyer that he signed the confession because he feared he would be beaten up again.

When Viktor Knaus met his mother again on 10 August, in the presence of an investigator, he claimed that he had been treated well. In a letter sent to his mother from the pre-trial detention centre, he stated that he had never been beaten up and that no one had pressurized him into signing a confession. However, his mother believes that he was ordered to write the letter.

At the moment he is awaiting trial, which may start in December 2004 or January 2005.

BACKGROUND INFORMATION

International human rights law states that no one - whether child or adult - should be subjected to torture and other cruel, inhuman and degrading treatment or punishment. In addition, children are entitled to special protection, based on the duty of the state to secure the best interests of the child. According to Russian law they should not be questioned by members of the law enforcement agencies without the presence of a legal guardian, a lawyer and a specialised psychologist. These measures are supposed to protect the child from any means of inserting psychological or physical pressure on a child in the process of investigation. Amnesty International has researched cases in the Russian Federation in which children have been ill-treated and threatened in order to force them into signing a confession.

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

- expressing concern at reports that Viktor Knaus, detained in the town of Petrov Val in the Volgograd region, was beaten and coerced into confessing to the murder of two young boys;
- urging that no confession extracted under duress will be used the trial against him, and that allegations that he was subjected to physical and psychological pressure will be thoroughly and impartially investigated;
- urging that those who have been found responsible for acts of torture and ill-treatment are brought to justice;
- reminding the authorities of their obligation to provide special protection to children in accordance with Russian and international human rights law.

APPEALS TO:

Procurator General of the Russian Federation

Vladimir Ustinov
General Procuracy of the Russian Federation
Ul. Bolshaia Dmitrovka, 15a
Moscow, 103793
Russian Federation
Faxes : **(+7) 095 292 88 48**
Salutation: **Dear Procurator General**

Procuracy of Volgograd Region

Leonid Beliak
Procurator
Pl. Lenin, 8
Volgograd, 400131
Russian Federation
Faxes: **(+7) 844238 52 90**
Salutation: **Dear Procurator**

Commissioner for Human Rights

Mikhail Tarantsov
Pr. Lenina, 9
Volgograd, 400098
Russian Federation
Faxes: **(+7) 844 238 83 62**
Email: **upl@volganet.ru**
Salutation: **Dear Commissioner**

COPIES TO:

Vladimir Lukin
Commissioner for Human Rights of the Russian Federation
Ul. Miasnitskaia, 47
Moscow, 103084
Russian Federation
Faxes: **(+7) 095 207 39 77**
E-mail: **press-sl@ropnet.ru or via web <http://ombudsman.gov.ru>**
Salutation: **Dear Commissioner**

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

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 30 December 2004.