

# URGENT ACTION

## CHECHEN TORTURE VICTIM FACING NEW THREATS

**The investigation into Islam Umarpashaev's four-month incommunicado detention has begun to make real progress, which has increased the risk of retaliation by the people responsible against him, his family and those who support his case.**

**Islam Umarpashaev** was taken from his home in the Chechen capital Grozny (Russian Federation) on 11 December 2009 by law-enforcement officials who showed no identification and wore no insignia. His family filed an official complaint, which resulted in a flagrantly ineffective investigation by local investigators; in January 2010 they made an application to the European Court of Human Rights (ECtHR). Following his release on 2 April 2010, Islam Umarpashaev alleged that he had been secretly detained and tortured at a building belonging to the Special Police Force (OMON) of the Chechen Ministry of Interior.

The Russian human rights group "Joint Mobile Group" (JMG) has accompanied and provided legal support to Islam Umarpashaev in his pursuit of justice and has documented serious shortcomings in the official investigation. He and his family have received threats from those responsible, pressurizing them to withdraw their complaints. For several months, Islam Umarpashaev sought refuge elsewhere in the Russian Federation, but he has recently returned to Chechnya. On 30 July, he was granted witness protection, under which he is accompanied by an armed police officer during the course of investigative activities in Chechnya which require his presence, but not at any other time. According to the JMG, on 17 August one of these officers assisted a senior Chechen OMON commander to organize a meeting with Islam Umarpashaev and his father, where he threatened them with reprisals unless they withdrew their complaints.

The JMG has repeatedly asked the federal authorities on behalf of Islam Umarpashaev to transfer responsibility for the investigation to officials based outside Chechnya. Their request was twice refused before being granted in early 2011. Since then, the investigation has made real progress in identifying some of the people who unlawfully detained and tortured Islam Umarpashaev and in collecting strong supporting evidence. This has increased the risk of reprisal, particularly as none of the OMON officers identified as perpetrators has been suspended from duty, and some of them are reported to have warned the investigation team against trying to visit the OMON compound where he was detained. Islam Umarpashaev's immediate family have recently left Chechnya for safety reasons. However, he and his legal team from the JMG feel that they have to be present for the investigation to proceed.

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

- Expressing concern for the safety of Islam Umarpashaev, his family and his legal team, and urging the authorities to take effective action to ensure their full and adequate protection;
- Urging the authorities to ensure that the investigation into the unlawful detention and ill-treatment of Islam Umarpashaev is completed promptly, and bring those responsible to justice;
- Urging them to suspend those officials suspected of being responsible for his unlawful detention and ill-treatment from duty immediately.

### **PLEASE SEND APPEALS BEFORE 1 APRIL 2011 TO:**

Prosecutor General

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 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 accredited to your country.** Please check with your section office if sending appeals after the above date. This is the first update of UA 149/10. Further information: <http://www.amnesty.org/en/library/info/EUR46/024/2010/en>

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### ADDITIONAL INFORMATION

Islam Umarpashaev is one of many people who have been subjected to enforced disappearances, torture and ill-treatment by members of law enforcement agencies in Chechnya, who act with near total impunity. Those who try to bring perpetrators to justice have put themselves in grave danger. One man, Makhmadsalors Masaev, who spoke publicly about how he had been unlawfully detained in 2006 in Tsenteroi by forces under the command of Ramzan Kadyrov, was abducted in Grozny by men in camouflage on 3 August 2008 and has not been seen since. In January 2009, 27-year-old Chechen Umar Israilov was shot dead in Vienna by men believed to be Chechen operatives. He had sought refuge in Austria after filing complaints with the Russian authorities and the ECtHR about the unlawful detention and torture he was subjected to in Tsenteroi in 2003, some of it allegedly by Ramzan Kadyrov himself. On 15 July 2009, Natalia Estemirova from the Russian human rights NGO Memorial, who had documented numerous human rights violations in Chechnya, was abducted outside her home in Grozny. Her body was found on a roadside in neighbouring Ingushetia with numerous bullet wounds.

According to Islam Umarpashaev, he was chained to a radiator in the basement of a building belonging to the local OMON for the duration of his unlawful detention, and repeatedly beaten. Just before his release, his captors handed him over to Oktyabr'sky district police in Grozny. The police told him to testify that the time he had spent in captivity he had actually been on vacation outside Chechnya, and demanded that his family withdraw their application to the ECtHR. Fearing for his safety, Islam Umarpashaev left Chechnya for another region in the Russian Federation, but returned on a number of occasions when summoned by local investigators. He is currently residing in Chechnya to assist the investigation.

Witness protection arrangements were introduced for Islam Umarpashaev and his father, and extended to just one of the three members of the JMG working on his case in Chechnya. This protection is inadequate; the pressure and intimidation against them has continued and the recent progress in the investigation is believed to have increased the threat they face. The independent newspaper Novaya Gazeta reported that the OMON commander identified by Islam Umarpashaev as one of the people who had tortured him had apparently threatened to open fire if the investigation team attempted to visit his compound and collect evidence, though such a visit took place in early February.

The JMG is led by the human rights organization Committee against Torture based in Nizhnii Novgorod. It works to end impunity for crimes committed by law-enforcement agencies in Chechnya.

Further information on UA: 149/10 Index: EUR 46/006/2011 Issue Date: 18 February 2011

