

PUBLIC

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EXTRA 15/02

Refoulement/Fear for safety/
Fear of Torture or ill-treatment

15 February 2002

GERMANY/
RUSSIAN
FEDERATION

Sulim Chadisov (m), aged 24, Student
and 19 Other ethnic Chechens

Amnesty International is concerned for the safety of Sulim Chadisov and up to 19 other ethnic Chechens, who are at risk of being forcibly returned to Russia from Germany following their failed attempts to gain refugee status. Should they be returned, they would be at risk of discrimination, detention, torture and ill-treatment on the basis of their ethnicity.

Student Sulim Chadisov reportedly faces forcible return to Russia from Germany on 16 February. He is currently awaiting deportation from Langenhagen prison, Hannover. He and his family fled Chechnya to Germany in July 2001, after Russian military operations near their village intensified.

Ethnic Chechens remain an extremely vulnerable group in Russia and face routine discrimination from the authorities. During twice-yearly study visits to Moscow from Chechnya, Sulim Chadisov was detained by Moscow police on several occasions.

BACKGROUND INFORMATION

Throughout the current Chechnya conflict, which began in 1999 Russian forces have been engaged in wholesale violations of human rights including grave breaches of the Geneva Conventions and other relevant standards of international humanitarian law. During military raids, or *zachistki*, ostensibly to root out Chechen fighters, Russian forces continue to subject the civilian population to serious violations of international human rights and humanitarian law. Amnesty International and other human rights organizations have gathered corroborating witness testimony that documents violations against civilians during these raids that include arbitrary detention, torture, including rape, and ill-treatment while in detention, forced "disappearance" and extrajudicial execution. In police custody, detention facility personnel routinely extort money and/or weapons from detainees' relatives in order to secure their release.

Amnesty International has documented many cases of ill-treatment and torture of Chechens by Russian authorities, across the Russian Federation including beatings, the planting of weapons or narcotics by police, extortion and prolonged incarceration with minimal legal standards observed.

In particular Chechens displaced by the conflict, continue to suffer from enforcement of the *propiska* or residence permit system. Despite its legal abolition in 1991 under national law and subsequent concurring decisions by the Russian Constitutional Court, authorities throughout major cities in the Russian Federation continue to enforce the *propiska* system. This system strictly regulates where Russian citizens, including ethnic Chechens may legally live, work and receive state welfare (including housing, education and healthcare). There is overwhelming evidence that authorities use the absence of such a permit to deny Russian citizens these rights and in some cases, physically return them back to their legally registered address

within the country. For Chechens returned to Russia, it is likely that they will be forcibly returned to Chechnya where they would be at risk of serious violations of international human rights and humanitarian law. Amnesty International considers the so called "internal flight alternative", which would require internally displaced Chechens to seek refuge within the Russian Federation, to be unduly harsh.

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

- Urging the German authorities not to forcibly return Sulim Chadisov and up to 19 other ethnic Chechens to the Russian Federation where they would be at risk of discrimination, detention, torture or ill-treatment;
- Urging the German authorities to cease all forcible return of Chechens to the Russian Federation;
- Urging the German authorities to ensure that all Chechens have access to a fair and satisfactory asylum procedure under the 1951 UN Convention relating to the Status of Refugees.

APPEALS TO:

Minister of Interior of Lower Saxony
Niedersächsisches Innenministerium
Minister Heiner Bartling
Lavesallee 6
30169 Hannover

Faxes: + 49 511 120 6550

Salutation: Dear Minister

Federal Minister of Interior
Bundesminister des Inneren Otto Schily
Bundesministerium des Innern
Alt-Moabit 101 D
10559 Berlin

Fax: + 49 1888 681 2926

E-Mail: poststelle@bmi.bund.de

Salutation: Dear Minister

COPIES TO:

Administrative Court of Lower Saxony
Oberverwaltungsgericht Hannover
Präsident Dr Dreiocker
Eintrachtweg 19
30173 Hannover,

Fax: + 49 5118 111 100

and to diplomatic representatives of Germany accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 29 March 2002.