

PUBLIC

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EXTRA 37/02

Forcible Return/Fear for safety/
Fear of torture or ill-treatment

3 May 2002

GERMANY/

RUSSIAN

Rustam Alimkhanov(m), aged 20

FEDERATION

Amnesty International is concerned for the safety of Rustam Alimkhanov, an ethnic Chechen whose asylum application has been dismissed by the German authorities as "manifestly unfounded". He is at imminent risk of being forcibly returned to Russia, where he would be at serious risk of torture or ill-treatment.

The Berlin-based Treatment Centre for the Victims of Torture has confirmed that Rustam Alimkhanov is suffering from post-traumatic stress disorder as a result of psychological trauma he suffered in the first and second Chechnya conflicts and is a suicide risk.

In September 2001, Amnesty International received reports that the Russian authorities were issuing conscription orders to Chechen males aged between 18 and 27. While Rustam Alimkhanov was in Germany, an order to serve in the Russian army was sent to his family home in Chechnya on 11 February.

Rustam Alimkhanov has stated that, as an ethnic Chechen he would not, for reasons of conscience, be able to serve in the Russian army. Although the Russian Constitution guarantees the right to conscientious objection, Russian law does not uphold this right. In addition to concerns on the widespread practice of torture and ill-treatment of all conscripts in the Russian army, Amnesty International is concerned that ethnic Chechens may be at heightened risk of such violations.

BACKGROUND INFORMATION

Amnesty International opposes the forced return to Russia of Chechen asylum-seekers on several grounds. The ongoing conflict in Chechnya renders the republic unsafe. In repeated raids on Chechen towns and villages across the republic, Russian security forces have subjected the civilian population, and especially young men, to extra-judicial execution, forced "disappearance", torture and ill-treatment.

Amnesty International does not consider conditions exist outside of Chechnya that would guarantee the safety of internally displaced Chechens. They continue to suffer from the enforcement of the *propiska* or the 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. Russian law enforcement authorities carry out discriminatory document checks to verify individual's registration status. This is mostly done on the basis of their appearance, and disproportionately targets ethnic Chechens, particularly young men. These men are often detained, where they are at risk of ill-treatment and are forced to pay a bribe to secure their release.

Russian authorities use the absence of a valid residence permit to deny Russian citizens, and in particular people from the Caucasus, basic rights and, in some cases, physically return them back to their legally registered address within the country. Chechens returned to Russia are likely to be

forcibly returned to Chechnya where they would be at risk of serious violations of international human rights and humanitarian law.

Across the Russian Federation, Russian authorities have reportedly ceased registering internally displaced Chechens from the conflict as forced migrants. Without registration as forced migrants, such persons are not entitled to shelter, health care, education and other basic social benefits.

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

- Urging the German authorities not to forcibly return Rustam Alimkhanov to Russia where he would be at risk of torture or ill-treatment;
- Urging the German authorities not to forcibly return Chechen asylum-seekers who have fled the conflict until their safe return with dignity can be guaranteed;
- 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:

Registration Office of Berlin
Landeseinwohneramt Berlin
Friedrich Krause Ufer 24
Referat IV B2
13353 Berlin, Germany
Fax: + 49 30 9025 9450
Salutation: Dear Sir/Madam

Senate for the Interior, City of Berlin
Dr. Ehrhart Körting
Senator für Inneres
Klosterstr. 47
10179 Berlin, Germany
Fax: + 49 30 9027 2715
email: senator@seninn.verwalt-berlin.de
Salutation: Dear Dr Körting

Federal Office for the recognition of foreign refugees
Bundesamt für die Anerkennung ausländischer Flüchtlinge, Aussenstelle
Berlin,
Streitstr. 86
13587 Berlin, Germany
Fax: + 49 30 3558 2199
Salutation: Dear Sir/Madam

COPIES TO:

Federal Minister of Interior:
Bundesinnenminister Otto Schily
Alt Moabit 101 D
10559 Berlin, Germany
E-Mail: poststelle@bmi.bund.de
Fax: + 49 30 3981 2926

and to diplomatic representatives of Germany accredited to your country.
PLEASE SEND APPEALS IMMEDIATELY.