

# AMNESTY INTERNATIONAL

## External Document

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## **Russian Federation: Recommendations to second governments and the Council of Europe**

Amnesty International's report *Russian Federation: Chechen Republic - "Normalization" in whose eyes?* (AI Index: EUR EUR 46/027/2004) contains information refuting claims of the Russian government that the situation in the Chechen Republic is normalizing. The report exposes human rights violations carried out by Russian and Chechen security forces as well as by Chechen armed opposition groups and highlights abuses which are spilling over into Ingushetia.

As a signatory to a number of international human rights treaties, the Russian Federation is obliged to respect and protect the human rights of all people within its territory. It is continuing to fail to do so in Chechnya, yet its conduct has been met by muted criticism from other governments and from some inter-governmental bodies.

The report makes a number of recommendations to the government of the Russian Federation; it also calls on the international community to intensify its scrutiny of the situation and put pressure on the Russian Federation to live up to its international human rights obligations. Amnesty International considers it imperative that the human rights crisis in the North Caucasus receives increased attention on the international agenda.

### **Recommendations to second governments:**

- Remind the government of the Russian Federation of its obligations to respect international human rights and humanitarian law;
- Ensure that people who have fled the conflict are not returned to Chechnya or other parts of the Russian Federation unless and until their safe and durable return with dignity is assured;
- Use all avenues of political dialogue with the government of the Russian Federation to reiterate the need for decisive action against perpetrators of human rights abuses;
- Ensure that the issue of the human rights situation in Chechnya is raised in all relevant inter-governmental meetings and bodies, and that appropriate action is taken to facilitate the end to abuses of international human rights and humanitarian law and impunity;
- Support the establishment of an independent international inquiry into "disappearances" in the North Caucasus which have occurred in the context of the two armed conflicts in Chechnya;
- Welcome the fact that the government of the Russian Federation facilitated the visit of the Representative of the UN Secretary General on Internally Displaced Persons in 2003 and call on the Russian government to implement his recommendations as well as the recommendations of all other UN Special Procedures and Treaty Bodies and Council of Europe bodies and mechanisms relating to the situation in and around Chechnya;

Welcome the fact that the Russian government has invited the UN Special Rapporteur on Violence against Women, whose visit to the Russian Federation should be facilitated without further delay;

Call on the government of the Russian Federation to set dates and facilitate the visits of the UN Special Rapporteur on Torture and the UN Special Rapporteur on Extrajudicial Summary and Arbitrary Executions;

Call on the government of the Russian Federation to give unrestricted access to independent international human rights monitors;

Urge the government of the Russian Federation to enhance its cooperation with international and regional organizations, including international and regional human rights bodies. Among other things, call on the government of the Russian Federation to resume, without delay, its negotiations with the OSCE about re-establishing a presence in the region whose mandate includes the monitoring of and facilitating respect for human rights and humanitarian law.

### **Recommendations to the Council of Europe:**

#### *To the Secretary General:*

Ensure implementation and expand the remit of the Cooperation Agreement between the Council of Europe and the government of the Russian Federation made in December 2003. Ensure among other things that the Agreement is expanded to include the establishment of a permanent presence of Council of Europe human rights experts in the region who are enabled to operate without hindrance and with full respect for their security;

Ensure enhanced coordination of the work and activities of all Council of Europe bodies and mechanisms with regard to the conflict in Chechnya;

Bring appropriate pressure to bear upon the Russian government to ensure that the archive files and other resources of the former office of the Special Presidential Representative of the Russian Federation for Human Rights and Fundamental Freedoms in the Chechen Republic are preserved.

#### *To the Committee of Ministers:*

Ensure that the discussion and debate of the human rights crisis in the North Caucasus region of the Russian Federation remains a regular item on the agenda of the Committee of Ministers and Ministers' Deputies. Ensure that such discussion includes reports and follow-up of the implementation of recommendations made to the authorities by all bodies and mechanisms of the Council of Europe including: the Secretary General, the Parliamentary Assembly, the Commissioner for Human Rights, the CPT, the Venice Commission and ECRI;

Insist that the Russian authorities put an end to reprisals against any person made in relation to the filing of an application to the European Court of Human Rights and ensure that all allegations of such reprisals are investigated promptly, thoroughly and independently and that all persons responsible are brought to justice;

In the context of the regular discussions on the conflict in Chechnya and its consequences demonstrate the effectiveness of the Committee of Ministers monitoring procedures, notably by taking action foreseen by the Committee of Ministers' 1994 Declaration on compliance with commitments accepted by member states of the Council of Europe;

Take measures to ensure the initiation of an independent, impartial, international commission of inquiry into "disappearances" which have taken place in the context of the conflicts in Chechnya; Bring appropriate pressure to bear upon the Russian government to ensure that the archive files and other resources of the former office of the Special Presidential Representative of the Russian Federation for Human Rights and Fundamental Freedoms in the Chechen Republic are preserved.

#### *To the Parliamentary Assembly:*

Ensure that monitoring and public reporting on the human rights situation in and around the Chechen Republic continues. Whenever appropriate, condemn and take steps to facilitate the ending of gross violations of international human rights and humanitarian law;

Continue to urge the Russian government to ensure consistent implementation of the recommendations of the Council of Europe.

*To the Commissioner for Human Rights:*

Continue to monitor the human rights situation in Chechnya and Ingushetia;  
Promote and take action to facilitate the establishment of effective and independent human rights mechanisms in Chechnya;  
Continue to insist that the Russian authorities put an end to reprisals against any person made in relation to the filing of an application to the European Court of Human Rights and ensure that all allegations of such reprisals are investigated promptly, thoroughly and independently and that all persons responsible are brought to justice.

*To member states of the Council of Europe:*

Condemn ongoing grave and systematic human rights violations in the Chechen and Ingushetia Republics and urge the government of the Russian Federation and the authorities in the Chechen Republic to take urgent steps to end extrajudicial executions, the use of secret detention facilities, arbitrary detention, "disappearances" and torture and ill-treatment in Chechnya and take measures to facilitate such steps;  
Put pressure on the government of the Russian Federation to ensure that all past and current allegations of abuses of human rights or international humanitarian law are thoroughly investigated and perpetrators are brought to justice in independent, impartial courts established by law and in proceedings which meet international standards of fairness, and take measures to facilitate such proceedings;  
Support and facilitate the prompt establishment of an independent international expert inquiry into "disappearances" in the North Caucasus which have occurred in the context of the two armed conflicts in Chechnya;  
Take all necessary steps to ensure that the government of the Russian Federation fully implements all recommendations made by the bodies and mechanisms of the Council of Europe including: Secretary General of the Council of Europe, the Committee of Ministers, the PACE, the Commissioner for Human Rights, the Venice Commission, ECRI and the Committee for the Prevention of Torture (CPT), and provide appropriate assistance to facilitate the implementation of these recommendations where necessary;  
Urge the government of the Russian Federation and the authorities in the Republic of Ingushetia to stop attempts to forcibly return internally displaced people from the Chechen Republic, and to provide adequate protection and humanitarian assistance to them in accordance with relevant international standards;  
Insist that the Russian authorities put an end to reprisals against any person made in relation to the filing of an application to the European Court of Human Rights and ensure that all allegations of such reprisals are investigated promptly, thoroughly and independently and that all persons responsible are brought to justice;  
Bring appropriate pressure to bear upon the Russian government to ensure that the archive files and other resources of the former office of the Special Presidential Representative of the Russian Federation for Human Rights and Fundamental Freedoms in the Chechen Republic are preserved;  
Through dialogue with the Russian authorities, pursue the establishment of independent and effective human rights mechanisms, such as an Ombudsperson's office, to receive and process complaints of human rights violations in the region and continue the work of the former Special Presidential Representative's office. It is essential that Council of Europe experts are actively involved in the work of this office with regard to existing and future complaints;  
Urge the Russian authorities to immediately authorize publication of all reports of visits to the Russian Federation, including to the North Caucasus region, by experts of the Committee for the Prevention of Torture (CPT);  
Urge the government of the Russian Federation to grant unrestricted access to Chechnya to independent media and human rights monitors, including from international organizations, as well

as to ensure that human rights defenders working in the area can carry out their legitimate activity in safety and without fear of harassment or intimidation. Make public the findings of any criminal investigations into the killings, as well as torture and ill-treatment of human rights defenders and activists.

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