

Public Statement

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Russian Federation: Summary of concerns on the human rights of women and girls

The following summary has been prepared based on a briefing submitted by Amnesty International to the 26th Session of the UN Committee on the Elimination of Discrimination Against Women. It highlights Amnesty International's concerns about abuses of the rights of women throughout the Russian Federation, including in the context of the armed conflict in the Chechen Republic.

Amnesty International continues to receive regular reports of violence against women in custody, amounting to torture and ill-treatment. The organization is also concerned at the failure of the state to provide adequate protection to women against violence perpetrated by non-state actors, including in the context of domestic violence and trafficking of women. In the armed conflict in Chechnya, women have suffered a variety of human rights abuses including rape, arbitrary detention, extrajudicial and summary execution. Women and children also comprise the vast majority of those living in harsh, unsanitary and insecure conditions in camps for displaced persons in Chechnya and neighbouring Ingushetia.

1. Human rights violations against women in the context of the armed conflict in the Chechen Republic

Both parties to the conflict in Chechnya continue to commit serious abuses of human rights and breaches of international humanitarian law,

although Russian forces are responsible for the majority of recorded violations.

Women are particularly vulnerable to these violations that include: arbitrary detention; torture and ill-treatment, including rape in custody; "disappearance"; indiscriminate or direct attacks on civilians during military operations; and extra-judicial executions. These practices have not lessened since the early, more intensive months of the war (October 1999–May 2000), but rather appear to have become a routine part of Russian security forces' operations.

Abuses of international humanitarian law by Chechen fighters include failing to take necessary precautions to protect civilians during attacks on Russian positions. They routinely attack and kill civilians, including women who work for the Russian-sponsored local administration in Chechnya, often using roadside mines. Chechen fighters reportedly have unlawfully killed captured Russian soldiers as well as subjecting them to torture and ill-treatment. In the inter-bellum years (1996–1999) armed criminal gangs in Chechnya kidnapped foreign aid and other workers, including women, and subjected them to torture, including rape, ill-treatment and unlawful killing.

Torture and rape in detention

Russian forces continue to detain people in Chechnya at checkpoints and in the territories under their control. Most people are detained during raids on populated areas or during identity checks on civilian convoys travelling from Chechnya to neighbouring Ingushetia. Russian law, despite a Constitutional Court ruling to the contrary, requires all persons in the country to possess up-to-date registration documents and a residence permit, the absence of which is used as a pretext for detention. Russian forces also base detention on vague and arbitrary suspicions of belonging to an armed Chechen group or being related to Chechen fighters. Bribes,

in the form of money and/or weapons are then extorted from the detainee's family to facilitate their release. Detained persons are then sent to detention facilities that often amount to little more than pits in the ground. There they are denied access to relatives, lawyers or the outside world. Survivors of these facilities report that torture is routine and systematic; there were numerous reports of male and female detainees being raped, beaten with hammers and clubs, given electric shocks or being subjected to tear gas.

Rape of pregnant women by Russian forces

In November 2001, Amnesty International representatives gathered corroborating witness testimony regarding a recent pattern of rape in detention of pregnant Chechen women by Russian forces. These women were reportedly detained following military raids on their homes.

"Disappearance" of women and girls following detention, including during military raids

"Disappearance" commonly occurs following detention or during military raids on populated areas by Russian forces. The victims include women and girls suspected of being related to fighters or of having assisted them. The bodies of some of the "disappeared" have later been found in unmarked dumping sites or mass graves, many bearing signs of torture and/or violent death.

Lack of accountability for crimes against civilians in Chechnya

Investigations and prosecutions of violations of human rights and international humanitarian law committed by government forces against civilians in Chechnya remain inadequate and ineffective. The procuracies are the only agencies in Russia authorized to investigate crimes

committed by federal forces in Chechnya and to prosecute those responsible. Very few of the cases concerning crimes against civilians are investigated, and even fewer actually lead to convictions. According to official statistics published in 2001, out of a total of 393 criminal cases investigations were completed into just 38 cases and only 15 people were convicted. Information from the Special Rapporteur on violence against women says that only one alleged perpetrator has been arrested and charged with sexual assault.

Internally displaced women and children

Women and children comprise the majority of some 160,000 persons internally displaced by the conflict. They are currently enduring a third winter in harsh living conditions in tent camps, a former pig farm and a chicken factory in Ingushetia. Representatives of the federal authorities have repeatedly threatened to forcibly return internally displaced persons to Chechnya and to cut humanitarian aid. Amnesty International knows of at least one such forcible return of internally displaced persons to Chechnya in 2000.

II. Torture and ill-treatment of women in custody

Women are included among the victims of torture and ill-treatment in custody throughout the Russian Federation. Perpetrators of torture and ill-treatment among the police enjoy a broad degree of impunity with little likelihood of prosecution for their actions. This climate of impunity actively dissuades the victims of such violations to file complaints. Further, prosecutors are notoriously reluctant to take into consideration allegations made by women claiming they had experienced sexual harassment, intimidation, torture or ill-treatment in police custody.

Discrimination based on race or ethnicity: Torture and ill-treatment of Chechens outside of Chechnya

Amnesty International has received a number of reports about incidents of torture and ill-treatment by police of Chechens and other people from the Caucasus taken into custody following routine identity checks on the street or in their homes across the Russian Federation. The organization is not aware of any criminal investigations by the authorities into these allegations. Torture and ill-treatment are often used to induce a detainee to sign a "confession" relating to possession of drugs and weapons. In other cases, the ill-treatment appears to be racially motivated. Alleged victims of torture and ill-treatment in custody were mainly Chechen adult men, but cases of ill-treatment of Chechen women were also reported.

III. Human rights defenders and independent journalists

Human rights defenders and independent journalists are often targeted by authorities for speaking out on issues of corruption or simply doing their job. Large numbers of these individuals in Russia are women.

IV. Women and girl prisoners

Amnesty International continues to receive credible reports about conditions in penitentiaries and pre-trial detention centres in the Russian Federation which amount to cruel, inhuman or degrading treatment. In April 2001 the Russian human rights commissioner, described the prison situation as "horrible" and said that pre-trial detention centres had become "hotbeds of epidemics" and that some judges "continue to be guided by the categories of the past", which fuelled overcrowding and exacerbated the conditions of detention in Russia's prisons. He cited as an example a case where a man was sentenced to four years' imprisonment for stealing two chickens.

Hundreds of thousands of people awaiting trial continue to be held in grossly overcrowded conditions; according to official government information nearly five million people enter and leave the prison system annually; over 10,000 inmates die each year and over 100,000 have tuberculosis.

In 2001, approximately 40,000 women and girl prisoners were held in 35 remote prison colonies for women, that dated from the Stalin era. There are only three prison colonies for convicted girls in the whole of the Russian Federation which makes it very difficult to maintain links with their families or to receive material support from them. In these colonies, mothers with children up to the age of three are held in separate facilities. In addition, 20,000 women and girls are held in pre-trial detention facilities; only three such facilities are solely for female detainees. Reports indicate that the population of these detention facilities exceeds their capacity by 150 per cent; in detention facilities in the cities of Moscow and St. Petersburg the reported population to capacity rate is about 300 per cent.

Amnesty International has received specific complaints about conditions for women in pre-trial detention as well as prison colonies for convicted women prisoners. Complaints included allegations of ill-treatment by guards, in particular during pre-trial detention. Mothers and their children under the age of three are imprisoned in a separate blocks, some with very limited visitation rights. There are general concerns about inadequate nutrition, poor hygiene and health conditions. Menstruating women are not provided with sanitary supplies and instead resort to using rags or the stuffing of their mattresses. HIV positive women and women addicted to drugs in pre-trial detention facilities reportedly are not provided with appropriate medical care.

V. Human rights abuses against women by non-state actors

Violence against women in the family

The economic crisis engendered by transition over the last decade has placed a significant proportion of families below the poverty line. Economic distress has exacerbated alcohol abuse leading to increased strain in Russian families, and an upsurge in domestic violence in which women are most often the victims. Police officers are reportedly reluctant to involve themselves in what they perceive as purely domestic disputes and domestic violence is not currently recognized as a distinct crime.

Amnesty International has urged the Russian authorities to take measures to protect women from domestic violence, which include introducing the necessary legislation recognizing domestic violence as a distinct crime and to facilitate the filing of domestic violence related complaints.

Trafficking of women

The Russian government has previously acknowledged that Russian women have been trafficked to third countries, often under the guise of a well-paid job. Amnesty International is concerned that some of these women have become victims of human rights abuses, including being held against their will, subjected to torture and ill-treatment, and unlawful killing.

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