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Russian Federation-Chechnya Only an international investigation will end impunity The UN Commission on Human Rights must act now

As the UN Commission on Human Rights is scheduled to open its discussions on Chechnya today, Amnesty International is urging the Commission to demand accountability for the grave and persistent human rights violations committed in the region.

The organization is urging the Commission to establish without delay an international investigation into violations of human rights and humanitarian law in Chechnya as the only effective answer to impunity.

The Commission, as a defender of human rights, has an obligation to remind the Russian authorities that no country is above the law. Membership of the Security Council does not exonerate a state from its obligation to protect human rights, or permit it to ignore a resolution adopted by the Commission.

Faced with reports of massive violations of human rights, the Commission last year adopted a resolution on Chechnya. However, the Russian Federation has refused to consider these recommendations, claiming that "the aforementioned resolution is totally unacceptable to Russia".

The government of the Russian Federation has proved that it lacks the political will to investigate human rights abuses in Chechnya. It

continues to reject the findings of independent human rights organizations on torture and ill-treatment, while it refuses access to Chechnya for human rights monitors and independent media.

International investigation is particularly needed because the three national bodies established by the Russian government to deal with violations of human rights and criminal law in Chechnya have not given results to date. None of these bodies have a mandate to undertake investigations. The Russian government has not established any other agency with prosecutorial authority to investigate crimes against civilians in Chechnya.

Amnesty International is concerned that only 62 out of the 740 criminal cases reportedly instituted against Russian servicemen in Chechnya deal with human rights. The rest of the criminal cases are mainly related to internal matters, such as bullying in the army. Not a single investigation has been opened against officers of the Ministry of Internal Affairs or army servicemen for torture. To date not a single Russian serviceman or police officer has been convicted in a court of law for committing crimes against civilians in Chechnya.

Amnesty International is convinced that any domestic investigations into claims of human rights abuses will continue to prove ineffective. Last year, the Commission made a gesture to the Russian government by recommending a national-led effort to bring the perpetrators to justice. The Russian government ignored it and continued with business as usual. Now the time for experiments is over and the Commission must live up to its own standards of accountability and justice by establishing an international investigation.

Amnesty International is also concerned about the lack of consistency and transparency in the information about criminal

investigations given by the Russian authorities. In a statement to the members of the Commission in March 2001, the Russian government claimed that eight cases have reached court, while the Russian Chief Military Procurator stated on 22 March 2001 that 20 cases have been referred to the courts. Amnesty International is not aware of the specific nature of the charges in these cases because they have not been made public.

The Office of the Special Representative of the President of the Russian Federation for Human Rights in the Chechen Republic, Vladimir Kalamonov, has received 12,000 complaints filed by civilians, 1,200 of which concern arbitrary arrest and "disappearances". Yet as of January 2001 the procuracy has launched fewer than 150 investigations into "disappearances". Often such investigations are quickly closed, although over a thousand people who have "disappeared" during the conflict are still missing.

These efforts are inadequate given the magnitude of the crimes that have been perpetrated, including three well-known massacres that took place earlier in the conflict and the continuing torture in detention, and also the volume of civilian complaints filed.

The organization believes that the international investigation into crimes against civilians in Chechnya must take the form of a team of independent international experts and investigators, including forensic and medical specialists, who should be mandated to undertake the collection of testimonies from individual victims, as well as the examination of places of detention and the sites of mass graves in Chechnya. The findings of such international investigation will provide the factual basis for future judicial prosecutions into particular crimes and will speed-up the process of ensuring that the perpetrators are brought to justice in a court of law.

Background

Between the two sessions of the Commission, Amnesty International continued to document violations by Russian forces in Chechnya, including: arbitrary detention, torture and ill-treatment, "disappearance", extrajudicial executions, and indiscriminate or direct attacks on civilians during military operations.

These practices have not lessened since the early months of the war, but rather have become a routine part of Russian operations. Chechen fighters violated humanitarian law by failing to protect civilian immunity during attacks on Russian positions, by attacking civilians who work in the local administration in Chechnya, and by ill-treating and killing Russian soldiers they have captured.

*Russian forces on "cleansing operations" (in Russian, *zachistka*) in towns and villages continue to arbitrarily arrest and use disproportionate force against civilians. According to the Ministry of Internal Affairs, by the end of last summer 15,000 people in Chechnya had been detained in relation to the conflict. Most are reportedly beaten or subjected to torture while held in incommunicado detention often in makeshift pits in the ground on locations where Russian military units are stationed or near Russian military check-points; bribes are almost always extorted from their relatives in exchange for their release.*

Men, women and children have also been tortured, including raped, in detention in "filtration camps". Over a thousand simply "disappeared" in custody. The dead bodies of some people who have "disappeared" after being detained by Russian forces are later sold to the relatives by the military or are found in mass graves. Bombing and

shelling continues in several districts, and land mines have killed and maimed countless civilians.

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