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Russian Federation: Update on the situation regarding Chechens and in the Chechen Republic following the October hostage taking incident in Moscow

The conflict in the Chechen Republic has been characterized by serious violations of international human rights and humanitarian law. Amnesty International has actively researched numerous, consistent and credible reports that Russian forces have been responsible for widespread human rights violations such as 'disappearances', extrajudicial executions and torture, including rape – see for example the organization's latest report *The Russian Federation: Denial of Justice* (AI Index: EUR 46/027/2002), published October 2002.

Chechen forces are also reported to have violated international humanitarian law. Chechen fighters who have been operating in and around populated areas have reportedly failed to take measures to protect civilians. They are also said to have targeted civilian members of the pro-Moscow administration in attacks that have resulted in dozens of fatalities, and carried out other kidnappings and hostage taking of civilians.

This short update looks at the situation following the events at a Moscow theatre last month, when a group of some 50 people described as Chechens took hostage over 700 people during a performance of the musical 'Nord-Ost' in the evening of 23 October. The hostages were released, and the majority of their captors killed, after Russian forces stormed the theatre in the early morning of 26 October. Some 120 hostages died, at least 117 reportedly as a result of the incapacitating gas used by Russian forces during the operation to release them.¹

In the wake of the hostage incident in Moscow, the situation in and around Chechnya – including the camps for internally displaced persons in Ingushetia – appears to have deteriorated further. Moreover, there are reports that Chechens in Moscow and other Russian cities are being singled out by the authorities as scapegoats and risk persecution. The following is an update on the situation in Moscow, the camps in Ingushetia and in Chechnya itself, compiled by Amnesty International delegates in Moscow.

Prior to the hostage incident

In the months leading up to the outbreak of the hostage taking on 23 October there had been no significant improvement in the human rights situation in Chechnya since the publication of Amnesty International's report mentioned above. According to some sources, it had even deteriorated in some

¹ Amnesty International unequivocally condemned the hostage taking as a violation of the Geneva Conventions, and expressed its condolences to all who suffered as a result (see press releases EUR 46/050/2002 and EUR 46/052/2002 of 24 and 26 October respectively). The organization is also calling on the Russian Federation authorities to conduct an independent and impartial investigation into events at the theatre, including into the circumstances of all deaths.

respects, as the intensified activity of the Chechen fighters (including the shooting down of a Russian army helicopter on 19 August which resulted in more than a hundred deaths) further hardened the attitude of the federal forces towards the local population.

The so-called ‘zachistki’ – mopping up or sweeping operations by Russian security forces – continued to be accompanied by serious human rights violations. While the larger operations seemed to be carried out in a slightly less brutal manner, people were still being arbitrarily detained, tortured, made to ‘disappear’ and, reportedly, in some cases, extrajudicially executed. Looting and extortion remained part of the larger picture. Various decrees, including Order no 80 which was issued in March 2002 and Decree no 46 from 2001, are supposed to provide better protection for civilians. They have not only proven inadequate in themselves but, reportedly, Russian forces have consistently failed to respect them.²

In general, the situation in Chechnya was and is characterized by the absence of the rule of law. Investigations of crimes against civilians committed by federal forces remain few and far between, and even fewer cases are ever taken to court.

The village of Tsotsin-Yurt, for example, has been one of the prime targets for military sweeping operations. More than 40 raids – the latest two in July and September – are reported to have taken place over the past two years. According to the non-governmental organization Memorial, seven villagers died as a result of the July raid.³

On 1 October 2002, the head of the pro-Moscow administration, Akhmad Kadyrov, claimed that the time for large scale ‘special operations’ in Chechnya was over. However, according to press reports, he was contradicted by a source in his own administration who claimed that no less than 130 people had been detained in the previous 24 hours in towns such as Urus-Martan and Vedeno. Other forms of ‘special operations’ have been on a lower scale, but no less devastating for the victims. Russian forces have also targeted specific addresses (compared to the zachistki that concern whole villages) and detained individuals -- according to local sources, there is little difference between such actions and ‘disappearances.’

Russian forces are often reported to have used their fire power indiscriminately against civilian targets. Following a visit to the republic in August 2002, Human Rights ombudsman Oleg Mironov described how a town was hit by heavy artillery at night – allegedly as a consequence of practice shooting. Three were killed and twenty wounded. Oleg Mironov also said that Russian soldiers looked like ‘real bandits’.

Human rights organisations such as Memorial, which are still operating in Chechnya, are working under extremely difficult and dangerous conditions. In July 2002, for example, the Memorial office in Grozny was raided by unknown men in uniform. International human rights monitors are severely restricted when attempting to enter the republic.

² See, for example, pp 71-73 of the Amnesty International report *The Russian Federation: Denial of Justice*, AI Index: EUR 46/027/2002.

³ Russian military raids on the village of Tsotsin-Yurt, in which the civilian population have reportedly been subjected to torture and ill-treatment and “disappearances”, have been reported over a period of time. On 24 March, for example, two members of the Russian security forces were reportedly killed by Chechen fighters in the village, which is about 40km east of the capital, Grozny. The following day, Russian forces surrounded and raided the village, preventing anyone from entering or leaving. During the blockade, which lasted until 1 April, Russian forces detained approximately 300 men and subjected them to torture and ill-treatment. Most of the men were later released, with some reportedly paying bribes to secure their freedom. However, at least 15 men were reportedly taken away by Russian forces and have since “disappeared”. See for example the entry on the Russian Federation in Amnesty International’s *Concerns in Europe January – June 2002*, AI Index: EUR 01/007/2002.

Internal displaced persons

A significant number of internally displaced persons – more than 100,000 – still live outside Chechnya, mostly in the neighbouring republic of Ingushetia. Their main reason for not wanting to return has been lack of security in Chechnya itself. While the feared involuntary mass repatriation did not take place in late September this year⁴, such persons have been subjected to constant pressure – psychological as well as material - to return to the Chechen Republic.

After the hostage taking incident

Moscow

Following the events in the theatre centre on Moscow's Melnikov Street, Chechens living in Moscow are not only being checked when moving around the city, but the police are visiting private homes where Chechens are registered, checking their registration documents and demanding explanations in writing as to what they are doing in Moscow and how long they are going to be there. A number of Chechens have been detained, some allegedly on falsified drugs charges (according to reports a small amount of narcotics is 'suddenly' found by a police officer) in what resembles the behaviour of the authorities in the wake of the apartment bombings in 1999.⁵

While the police refuse to reveal whether they have received specific orders for a crackdown on Moscow Chechens, non-governmental sources are certain that this is the case. Svetlana Gannushkina, whose organisation 'Civic Assistance' offers material and legal aid to Chechens and other nationalities, said that she suspects that an order has come from very highly placed officials. Since the hostage taking, for example, her organization has received over 40 approaches from Chechens alleging abusive behaviour on the part of law enforcement officials in Moscow.

It is difficult to assess how many Chechens have been checked, interrogated or detained in the period following the hostage taking – some reports speak of scores detained for short periods. What is certain is that life for ordinary Chechens in Moscow has become even more difficult – especially for those who do not have the necessary funds to pay bribes or who otherwise lack the necessary contacts who may intervene on their behalf with the authorities.

It is almost impossible to assess how many people will be affected by such an operation, but it is safe to say that tens of thousands of Chechens are living in Moscow – according to one estimate, there are 50,000 of them in the Russian capital, and many of them do not have registration documents.

⁴ On 29 May the newly elected president of Ingushetia, retired FSB General Murat Zyazikov, and the pro-Moscow head of the Chechen administration, Akhmad Kadyrov, signed an agreement affirming that "all Chechen refugees should be brought back home from Ingushetia before the end of September [2002]." According to reports, at that time there were some 150,000 displaced people in Ingushetia alone, living in camps in conditions described by the Joint Working Group on Chechnya of the Council of Europe in September 2001 as "dire and very precarious". The refusal of internally displaced persons in Ingushetia to return to Chechnya, despite the poor conditions in the camps and lack of state aid, is indicative of the security situation in Chechnya that places civilians at risk of torture and ill-treatment at the hands of Russian security forces.

⁵ In September 1999 law enforcement officials and local authorities in Moscow and other big cities launched what appeared to be a massive intimidation campaign mainly targeting Chechens. Reports suggested that in Moscow in September alone up to 20,000 non-Muscovites were rounded up by police and some 10,000 expelled from the city. There were reports that Moscow law enforcement officials, including those working with the passport and visa department, had received verbal orders to detain and refuse registration to ethnic Chechens. There were a number of reports of torture and ill-treatment of Chechens and other people from the Caucasus by police, and that police planted quantities of drugs and gun cartridges on detainees in order to secure convictions. See for example the Amnesty International report: *Russian Federation: Chechnya -- For the Motherland*, (AI Index: EUR 46/46/99).

Amnesty International has welcomed the statement made by President Vladimir Putin on 25 October, in which he cautioned against a surge in anti-Chechen sentiment following the hostage taking incident, and the organization is continuing to urge the Russian authorities to ensure that Chechen and other ethnic minorities are not victims of arbitrary treatment.

Chechen Republic

The situation in Chechnya is currently extremely tense. There are conflicting reports as to the extent of the Russian military's reaction to the hostage taking, and even the government does not seem to be consistent in its statements. On 3 November 2002 Defence Minister Sergei Ivanov announced that there would be no more withdrawals of Russian forces from Chechnya and indicated that a major 'anti-terrorist operation' was under way. Two days later, President Vladimir Putin declared that there would be no massive military operations, but rather specific operations aimed at specific 'terrorist' targets. Neither statement bodes well for the civilian population.

One 'anti-terrorist' operation has reportedly been ongoing in the south-western part of Chechnya, possibly to combat the forces of Chechen commander Ruslan Gelayev. The operation may include the use of fighter jets and heavy artillery.

Reports from the Chechen capital of Grozny claim that major 'sweep' operations have been taking place in various parts of the city as well as its suburbs. Such reports quote the population as saying that these 'zachistki' have become increasingly brutal and amount to 'terror'.

In general, security has increased with the federal forces setting up more checkpoints (which, according to one source, leads to the locals having to pay more in bribes to get through them) and the Chechen population fears the worst. There are also reports of an increase in the number of arrests.

Internally displaced persons

Human rights groups and aid organizations are increasingly concerned about the situation in the camps for internally displaced people in Ingushetia. There is enormous pressure on these people to return home, and this pressure is being applied from high ranking officials, including the prime minister of the Moscow backed Chechen administration who has stated that he wants them back by December. Such statements are made despite the fact that there is a lack of the necessary infrastructure in Chechnya itself to receive them.

Security around the camps for displaced people in Ingushetia has been tightened, as troops from the Russian Federation Ministry of Internal Affairs are reported to be keeping a close eye on the camps. They have set up checkpoints and control everyone who goes in and out of the camps. So far this has happened in a fairly orderly fashion, although the displaced people themselves are understandably nervous. They have organised a system among themselves so that only those who are registered go out of the camps, while the unregistered ones stay inside.

Aleksandr Cherkassov of Memorial, who has just returned from Nazran in Ingushetia, believes that there is a risk that the camps will be closed. One very good reason to close them down, he said at a press conference following his return, is that to the outside world, they are the most visible reminders of the war in Chechnya. Once the camps disappear, the outside world will see 'no more TV-images about Chechnya', because the republic itself is so difficult to enter.

Russian Federation requests the extradition of Akhmed Zakayev from Denmark

On 30 October Akhmed Zakayev, an envoy of the Chechen President Aslan Maskhadov, was detained in Copenhagen, Denmark – where he was attending the World Chechen Congress – following an extradition request from the authorities of the Russian Federation.⁶ Amnesty International is seeking assurances from these authorities that Akhmed Zakayev not be subjected to torture or ill-treatment, or the death penalty, if the Danish authorities extradite him to the Russian Federation.

An Amnesty International delegation met officials from the Russian procuracy in Moscow the following day, and also sought assurances that, if extradited, Akhmed Zakayev, would receive a fair trial in line with international standards.

The organization is calling on the Danish authorities to ensure that Akhmed Zakayev is not extradited without firm guarantees that these rights will be respected. As in all cases of this kind, the organization is also monitoring Akhmed Zakayev's conditions of detention at present, including his right to confidential communications with his lawyer and access to the outside world.

⁶ See AI Press release **Russian Federation: Amnesty International calls for assurances on Zakayev case**, AI Index: EUR 46/057/2002 (Public), News Service No: 194 , 30 October 2002.