

# AMNESTY INTERNATIONAL

## Public Statement

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## **Russian Federation: Continuing Council of Europe scrutiny of Russia's human rights record is vital**

Amnesty International welcomes the debate of Russia's human rights record taking place at the Parliamentary Assembly of the Council of Europe (PACE) today and urges PACE to take this opportunity to further the respect of human rights in the Russian Federation.

The debate centres on the examination by the PACE Monitoring Committee of Russia's progress in honouring the obligations and commitments it undertook on joining the Council of Europe in 1997. While Russia has made good progress in relation to some commitments, such as ratifying key human rights instruments, the introduction of a new Criminal Procedure Code and the transfer of responsibility for the prison administration from the Ministry of the Interior to the Ministry of Justice, the human rights situation in other areas, in particular in relation to the ongoing armed conflict in the Chechen Republic, is dire.

Therefore, Russia must continue to be a high priority for scrutiny by the international community, and the Council of Europe must continue to play a key role by monitoring and reporting on the human rights situation in Russia, including in Chechnya. In addition, cooperation activities between Council of Europe human rights bodies and the relevant Russian government authorities should be encouraged.

In particular, Amnesty International has called on the Secretary General of the Council of Europe to ensure that his office monitor and regularly report to the Committee of Ministers on the on-going human rights situation in Chechnya, and to ensure that the reports are made public.

Amnesty International also calls on PACE to ensure that monitoring and public reporting on the human rights situation in and around the Chechen Republic continues, and whenever appropriate, condemn and take steps to facilitate the ending of gross violations of international human rights and humanitarian law.

Amnesty International continues to urge the Russian authorities to implement the recommendations made to them by all bodies and mechanisms of the Council of Europe including the Parliamentary Assembly, the Commissioner for Human Rights, the Venice Commission, the European Commission against Racism and Intolerance (ECRI) and the Committee for the Prevention of Torture (CPT), and to immediately authorize publication of all reports of visits to the Russian Federation, including to the North Caucasus region, by experts of the CPT.

### **Background**

Since acceding to the Council of Europe over eight years ago, Russia has taken some important steps to

improve the protection of human rights. These include the ratification of key human rights instruments such as the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, and the European Framework Convention for the Protection of National Minorities.

On the national level, Russia's achievements undertaken in line with Council of Europe commitments include the introduction of a new Criminal Procedure Code, and the transfer of responsibility for the prison administration to the Ministry of Justice.

However, much remains to be done.

Russia has yet to abolish the death penalty *de jure*, and ratify Protocol No. 6 to the EHCR, providing for the abolition of the death penalty in time of peace, despite committing to sign the protocol within one year and ratify within three years from the time of accession to the Council of Europe in 1997. Russia has failed so far to complete the reform of the Procurator's office in line with Council of Europe standards on the role of the Procurator's office. Only in May 2005, the Minister of Justice announced that steps were underway to transfer all pre-trial detention facilities currently under the jurisdiction of the Federal Security Service (FSB) to the jurisdiction of the Ministry of Justice. In 1997, Russia had committed to withdraw the right of the FSB to possess and run pre-trial detention centres. Restrictive registration procedures continue to violate the Russian Constitutional provision on freedom of movement within the country, in contravention of Russia's commitment to the Council of Europe to guarantee the effective exercise of this right. While Russia has adopted a law on alternative military service, it is in effective punitive and discriminatory for those individuals wishing to exercise their right to conscientiously object to military service by carrying out an alternative service that is genuinely civilian in character.

In 1997, the Russian Federation committed to bring to justice those found responsible for human rights violations, notably in relation to events in Chechnya. However, since that time, not only has a second armed conflict started, with serious human rights abuses by both sides, there have also been almost no effective investigations into any of the widespread human rights violations. These violations include extrajudicial killings, "disappearances", torture, including rape, and ill-treatment by members of the Russian and Chechen security forces, and indiscriminate killings of civilians. Russian and Chechen officials are increasingly admitting that "disappearances" and killings are taking place. For example, most recently on 15 June 2005, *Interfax* reported that the head of the Chechen government's committee for protection of constitutional rights of citizens, Nurdi Nukhazhiev, admitted to the presence of 52 mass graves in Chechnya. However, such admissions by state officials have yet to be accompanied by effective investigations and prosecutions of those reasonably suspected of responsibility for such crimes.

Moreover, many of those individuals who have dared to seek redress for violations against themselves or their loved ones through the avenues open to them at the local, national and international levels have faced serious reprisals for doing so. Amnesty International has documented a number of cases of reprisals against applicants to the European Court of Human Rights or their relatives, including killings and "disappearances", in the North Caucasus region.

Amnesty International's other ongoing concerns throughout the Russian Federation include incidences of mass arrests, arbitrary detention, and torture and ill-treatment in places of detention, and impunity for murder and physical assault on members of ethnic and national minorities and on foreign nationals.