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**The Situation in the North Caucasus**

**Autumn 2007 - Spring 2008**

Although the situation in the North Caucasus differs markedly across its various republics and regions, the area as a whole has one of the worst human rights records in Russia. The armed confrontations that continue to plague the region have had a negative impact upon the human rights situation; nonetheless, it is important to note that the character of these confrontations has changed considerably during the past few years. It is now difficult to use the word “war” to describe this conflict. Militants today rarely carry out large-scale operations; instead of open confrontation, they prefer to engage in shelling and ambushes as well as targeted attacks on “siloviks” and officials.

Only once during the last six months have militants seized a village – the village of Alhazurovo in the Chechen Republic, on the night of March 20. There, the militants burned the administration building and killed seven law enforcement officials while suffering three losses among themselves.

Insurgents have firm control only over a small piece of territory in the Republic of Dagestan. Nonetheless, these settlements and the neighboring territories are being actively “mopped up” by security forces.

However, armed opponents of the Russian Federation have gone underground and have succeeded in infiltrating several republics in the North Caucasus (the Republic of Chechnya, the Republic of Dagestan, the Republic of Ingushetia, Kabardino-Balkaria Republic), and they are actively using tactics such as ambush attacks, mine explosions and fougasses. And more and more often, they are implementing them in settlements or on territories adjacent to them.

**The Republic of Ingushetia**

The events in this republic provide a clear illustration of the fact that such a crisis cannot be resolved through so-called “managed democracy,” a system in which the state’s power does not stem from the people’s will, the opposition lacks the legal possibility to influence the situation, and human rights abuses continue.

The years devoted to the “counter-terrorism operation” in the North Caucasus witnessed the Republic of Ingushetia (RI), once a peaceful and stable region, turn into a zone of active military confrontation. The armed underground movement has appeared and become implanted in the republic. The allegations made by Russian law enforcement agencies that displaced militants from Chechnya are operating on the territory of Ingushetia are untrue. The vast majority of those killed in Ingushetia as insurgents, as well as those arrested there on charges of alleged involvement in illegal armed groups, were local residents.

Since the second half of 2007, the situation in the Republic of Ingushetia has intensified dramatically. On the one hand, it is evident that insurgents have become more active, which is something that has not been observed before. They attack representatives of the government, mine roads and settlements, and shoot at military columns and posts. The RI prosecutor told “Memorial” that in 2007, the number of attempts on the lives of security forces officers had increased by 85% as compared to the previous year.

On the other hand, the government officials flagrantly violate human rights during “special operations.” Instead of building a flexible and reliable security system, aimed mainly at preventing violence in the republic, “siloviks” continue their vicious practices: they shoot, abduct and torture people, thereby ensuring a regular inflow of volunteers into the armed underground movement. Their crimes remain wholly unpunished.

As a result, the situation in Ingushetia is developing into a vicious cycle. The arbitrariness of the “siloviks” incites mass protests among the local residents; the authorities try to suppress these protests, but their actions only intensify the estrangement of the society from the ruling powers. This results in an enhanced support base for the armed underground movement. When it comes to dealing with the increasingly active nature of the militants, various agencies and security structures operate in the region totally uncontrolled, and often they do not coordinate these operations between themselves. Ultimately, this becomes an advantage for the armed underground movement, members of which use the same methods as those who fight terrorism, and thus become difficult to distinguish and catch. Typically, it is impossible to know for sure who travels in the cars with missing license plates – “siloviks,” or militants.

The authorities of the republic do not even attempt to influence the situation or to protect the population against the arbitrariness of the “siloviks.” On the contrary, they forcibly repress the actions of the protestors and declare that the journalists who describe the reality of the situation are the “destabilizing force.”

In these circumstances, authorities have announced the triumphant victory of the party of power twice – in December 2007 (parliamentary elections) and March 2008 (presidential elections). According to their claims, over 97% of registered voters voted for “United Russia,” and over 94% of registered voters voted for Medvedev.

The following are clear for any unbiased observer who has spent a certain amount of time in Ingushetia:

* Given the present situation, such a high voter turnout is impossible;
* Given the present situation, such a unanimous vote is impossible.

It is doubtful that such elections “results” can boost the credibility of the authorities in the eyes of the republic's residents.

The election of representatives to Ingushetia’s parliament took place at the same time as the election of the president of the Russian Federation. “United Russia” absolutely dominated the election campaign, and other parties attempted to follow its lead and try to publicly shame the organizers of street demonstrations. The local branch of the federal “Yabloko” party was excluded from the elections, although it has never attempted to cooperate with protest movements.

In fact, the real civil opposition in Ingushetia has been marginalized; it is now excluded from political parties and elections. Organizing street protests is the only available course of action.

Mass protests, which sometimes result in direct clashes with police and soldiers, are a new phenomenon for Ingushetia. Obviously, the vast majority of protesters does not support militants, share the separatist ideology, or seek to impose Islam on the public administration system. These people only ask that the federal and republican authorities stop the practice of illegal violence. They also protest against election results they consider to be falsified.

In the report we prepared for the previous round of EU-Russia consultations on human rights, we informed our audience about a number of such actions. In particular, we wrote about the rioting that took place on September 19, 2007, in the center of the city of Nazran, which was sparked by the announcement of the abduction of two RI residents by state authorities. Then the protesters managed to obtain their release, and a criminal proceeding was initiated (see below).

On November 9, during a special operation to arrest a militant in the village of Chemulga, FSB officers killed six-year-old **Rahim Amriev.**Eyewitnesses to this event argue that there was no militant in Amriev’s house and that no one shot at the FSB officers. Nonetheless, the FSB officers fired unprovoked and behaved very harshly toward local residents. The next day, an anonymous “organizing committee” appealed to the residents of Ingushetia to go to a nationwide demonstration on November 24 to protest against the arbitrariness that reigns in the country.

It should be noted that, in recent years, the authorities in Ingushetia have prohibited all pickets, rallies and demonstrations under various pretexts. In this regard, the organizers of the demonstration did not even try to apply for permission according to the law, which gave authorities a formal excuse to disperse this mass action. To avoid the demonstration on November 24, Nazran city authorities called on additional military and police forces for back up; they also directed threatening warnings to the alleged organizers of and participants in the demonstration. Nevertheless, several hundred people, mostly youth, came to the square in the center of Nazran, but the demonstration was dispersed.

January 26 witnessed a second attempt to organize a nationwide protest rally. This time the organizers, strictly following the law, applied in advance for permission. In response, the authorities undertook every possible effort to prevent the rally: they did not accept a notice about the upcoming event; they stated that Soglasiya square in Nazran, where the demonstration was scheduled to take place, was too close; they held preventive conversations with the organizers. But nothing helped. Then, on the morning of January 25, the FSB of Ingushetia declared a part of the republic a zone of a counter-terrorist operation “in connection with the information on militants’ preparations to attack.” This zone included Soglasiya square, making any gathering of people there illegal.

Nevertheless, on January 26, a column of demonstrators - up to 200 people, most of them young men and teenagers - tried to break through the police cordons to the square. This was followed by a clash. Police used rubber truncheons, tear gas and electric shock, and youths threw stones prepared in advance and bottles containing ignition compound at the authorities. The demonstrators were dispersed, and many of them were beaten and detained. Soon, near Soglasiya Square, the editorial office of the newspaper “Serdalo” and hotel “Ass” caught fire (the first burned down, the second was not damaged severely). It is not clear who committed these cases of arson.

As a result, more than twenty people were detained and brought to administrative responsibility, and later another eight people were identified as defendants in a criminal case regarding their involvement in the riots (p.2 art. 212 CCRF). Two opposition leaders, Magomed Aushev and Maksharip Evloev, were arrested in February on charges of organizing mass riots resulting in violence and damage to property. Currently they are being held in the Detention Facility in the city of Nalchik. They face the possibility of four to ten years in prison.

The decision to terminate the counter-terrorist operation in RI was announced on February 3. However, law enforcement agencies did not actually have any “counter-terrorist activity” to address. Obviously, by acting in this way, the authorities manipulated counter-terrorism legislation to suppress the manifestations of civil opposition while formally acting in accordance with the rule of law. V.P. Lukin, the Human Rights Ombudsman in the Russian Federation, gave exactly this account of the events. It is also clear that by forbidding and dispersing rallies, the authorities actually provoke the radicalization of the opposition, especially of its youth.

Practically deprived of the opportunity to use legal methods in their political struggle, the opposition resorts to the traditional organizational institutions of the Ingush society. In February and March, at meetings of the teips (Ingush family clans), the attempt to elect an “alternative People’s Assembly” came under doubt from a legal point of view. However, the authorities have prevented the organization of the “fifth extraordinary congress of the Ingush people,” scheduled for March 8 in Nazran, as the establishment of such an “alternative parliament” could be proclaimed there. Additional military and police forces were again placed around the city, and this stopped the delegates from attending the congress. Gilani Imagozhev and Magomed Hazbiev, the organizers, were arrested and brought to administrative responsibility.

Nevertheless, on the same day some delegates held a meeting in the town of Karabulak, which they called an “extraordinary congress of the Ingush people.” The assembly adopted an appeal to Putin and D. Medvedev, stating that “in the republic, the arbitrariness of security services, corrupt official and bribe takers reigns supreme, and unemployment has reached extreme heights, but officials from the central state apparatus make claims about “the dynamic development of Ingushetia.” This appeal cited many instances of the flagrant violations of the law by law enforcement officials during special operations and investigative actions. The document concluded that the civil society of republic is ignored not only by the authorities, but also by “the heads of the central power of Russia,” which again indicates the lack of feedback mechanisms in a “managed democracy.”

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Before and during the mass protests in Ingushetia, authorities actively hindered the work of journalists, human rights activists and independent observers.

The day before and on the day of the meeting on November 24, police officers detained journalists arriving to Ingushetia without explanation, kept them in the building of City Department of Interior Affairs (GOVD) for the entire day, and confiscated their video materials.

On January 26, the following journalists were also detained: D. Galperovich (“Radio Svoboda”), V. Varfololmeev and R. Plyusov (radio “Echo of Moscow”), Olga Bobrova (“Novaya Gazeta”), among others. They were kept in the office of GOVD until the evening, and then the eight detained journalists were forcibly taken to the territory of North Ossetia. Two activists of HRC “Memorial,” E. T. Akiyev and E. Sokiryanskaya, were also detained. FSB officers did not allow a lawyer to be present. Only after six (!) hours of detention and repeated calls from Moscow to the prosecutor's office of RI was a lawyer was admitted, and then human rights activists were released.

On January 26, Said-Hussein Tsarnaev, a photojournalist with RIA “Novosti,” and Mustafa Kurskiev, a correspondent from the newspapers “Zhizn” and “Tvoy den,” took photos of the burning editorial office of the newspaper “Serdalo.” These journalists were detained and beaten by policemen. They were accused of the arson and then taken to the GOVD, where they were kept for more than a day without any food or water. During the night Kurskiev felt ill and doctors were called for him, but lawyers weren't admitted. The journalists were released only on the evening of January 27, thanks to the active intervention of “Memorial” activists and the journalist community. All the charges against these journalists were dismissed.

However, the most outrageous episode occurred on the night of November 23. At about 23:30, three members of filming group of the TV-channel “Ren-TV” - Artem Vysotsky, Stanislav Goryachev and Karen Sahinov - and a human rights activist and chairman of the Council of HRC “Memorial” Oleg Orlov were abducted from the hotel “Ass,” which was guarded by the police. About an hour prior to this incident, the armed guards were removed from the hotel following a telephone call. The police left by a service car sent for them. Then, masked armed men in camouflage raided the hotel. They introduced themselves as “Antiterror Forces officers.” They purposefully went to the rooms occupied by the journalists and the human rights activist and, after threatening them with weapons, stole all of their documents, records, video materials, computers, filming equipment and outer clothing. Then four half-clothed and barefooted people with black bags on the heads were loaded into a car and taken away to the border with Chechnya. Here they were thrown into a field, threatened with shooting, and then beaten. The abductors demanded that the journalists and the human rights activist leave the republic and “not appear before their eyes anymore.”

The circumstances of this abduction clearly indicate that the abductors were directly connected to the security services. Nevertheless, the prosecutor in the case refused to describe what happened as a criminal act committed by officials.

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Previously, “Memorial” reported that “siloviks” carry out extra-judicial executions during their special operations in Ingushetia, and people are allegedly shot while they are in the process of being arrested. After these murders, the “siloviks” state that the detainee had offered armed resistance, but in some cases, witnesses claim the contrary.

The use of this tactic is possibly due to the fact that the security agencies that have engaged in counter-terrorism operations in the North Caucasus in recent years have been instructed to fight the practice of “disappearing people,” which harms the reputation of the Russian Federation. In 2007, the number of abductions was reduced, but such abductions have not ceased completely in places such as Ingushetia and the Chechen Republic. Therefore, if there is no evidence of his guilt, the suspect is neither abducted (as he would have been earlier) nor subject to judicial proceedings (as expected by law); rather, he is simply killed during detention. Two examples:

On January 30, 2008, two local residents, Jabrail Mutsolgov and Ramzan Nalgiev, were killed on the outskirts of the village of Surhahi. They were driving a car, and the road was blocked by a minibus containing armed men who opened fire without warning. The dead bodies of Mutsolgov and Nalgiev were removed from the car, which was then blown up. The victims were peaceful civilians who were living in their homes in the area during this period. Mutsolgov worked in the Pension Fund of the Republic. Before this incident, law enforcement authorities had never tried to interrogate or detain either of them.

On February 1, Yusup Chapanov was shot in the center of Nazran while returning from a mosque after Friday prayers. According to witnesses, he was assaulted on the street by armed men; he was shot at point-blank range by unidentified assailants carrying assault rifles. Unauthorized searches were later carried out at Chapanov’s house.

On February 2, during an interview with the radio station “Echo of Moscow,” P. Pronko, the press secretary of the UFSB of Ingushetia, stated the following about the killings: *“Thanks to our mission to terminate the very existence of militants in the Republic of Ingushetia, we have already ‘stamped out in the outhouse’ three of them, in the words of President Vladimir Putin.”*

Such cynicism on the part of a state representative in Ingushetia can only be described as provocative in such a charged atmosphere.

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“Memorial” has reported many times on the abductions which occurred in Ingushetia over the past six years. Typically, there is solid (in some cases, undeniable) proof of the involvement of members of state security services in these crimes.

In some cases, the abductors released their abductees following interrogations accompanied by torture; in other cases, the abductees disappeared without a trace.

On September 19, due to mass protests in the city of Nazran, abductors were forced to release RI residents Magomed Osmanovich Aushev and Magomed Maksharipovich Aushev and deliver them “from hand to hands” to police officers in Chechnya. This story was repeated in autumn 2007 and winter 2007/2008.

The Prosecutor’s Office initiated a criminal case in connection with the abduction of Aushevs. Generally, the investigation of such cases is quickly suspended because of the “inability to disclose persons held as defendants.” In this case, thanks to the publicity the incident received, the struggles within the security services and perseverance of the abductees’ relatives (especially on the part of M.M. Aushev's father), the investigation appeared to trace the abductors. They were found the place where were holding the abductees.[1](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote1sym)

It came to light that the abductees were detained, interrogated and tortured in the village of Goyty in the Chechen Republic, in secret prisons located in a building formally belonging to the ROVD (District Department of the Interior Ministry) of the Urus-Martan district. The Aushevs identified the building and cells where they had been kept. The inscription on the wall of one of the cells shows that it had contained Hussain Magomedovich Mutsolgov, a resident of the Republic of Ingushetia, who was abducted in the city of Nazran on May 5, 2007. His fate is still unknown.

According to Maksharia Ausheva, the investigation found that other residents of Ingushetia had also been held in these cells: Ahmed Muhamedovich Kartoev, a resident of the city of Nazran, who was abducted on May 22, 2007, and Ibrahim Muhamedovich Gazdiev, a resident of the city of Karabulak, who was abducted on May 13, 2007. The fate of both is still unknown.

Thus far, however, no one has been held charged with the crimes. There is reason to suspect that the investigation is now “blocked” by an order from superior authorities.

At this moment, all the known crimes carried out by the “security structures” on the territory of Ingushetia remain unpunished. Here are just a few examples:

No one has been held responsible for the mass beating of residents in the village of Ali-Yurt during a “mopping up operation” on July 28, 2007.

A criminal case has not been initiated in connection with the extra-judicial execution of Apti Dalakov in the city of Karabulak on September 2, 2007.

With regard to the ROVD killing in the city of Malgobek, a criminal case was initiated against the detainee Murad Abdul-Kadyrovich Bogatyrev (he was charged with the abuse of power), but the investigation was suspended “in connection with the non-establishment of a person to be brought as a defendant.”

A criminal case was also initiated in connection with the murder of six-year-old Rahim Amriev on November 9, 2007, during the special operation in the village of Chemulga, but thus far no one has been held responsible.

Virtually all cases of abductions on the territory of RI remain undisclosed.

The list goes on and on.

**The Chechen Republic**

Over the past year and a half the situation in the Chechen Republic has noticeably stabilized. There has been a notable decrease in the number of illegal arrests and abductions.

Abductions, which often followed by the disappearances of those abducted, constitute one of the worst human rights violations in the Chechen Republic (CR).

“Memorial” has details of some 2700 cases of “disappearances” in the CR since the end of 1999 (in this number we include those cases in which the body of “disappeared” person was later found). The circumstances surrounding the majority of the abductions point to the involvement of state representatives and militants who cooperated with them. More than 90% of criminal cases initiated against abductions are not disclosed. Criminal proceedings are suspended in the vast majority of the cases (more than 80%) “in connection with the non-establishment of the person to be brought to trial as a defendant.”

Based on extrapolation from our obviously incomplete information and on our analysis of official information, “Memorial” maintains that between 3000 and 5000 people have disappeared as a result of abductions, illegal arrests and detentions since the beginning of “the counter-terrorist operation” in the autumn of 1999. Unfortunately, for the moment, it is impossible to cite more precise figures.

The inability to determine the fate of a disappeared person renders his relatives permanently scarred by the entire tragedy, which makes them susceptible to the propaganda of the insurgents.

At that, we can state that the number of abductions we have recorded over the past six months has declined when compared with the same period two years ago.

**Table: Number of abductions monitored by Memorial****[2](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote2sym)**

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| --- | --- | --- |
| Period: from May to October | Abducted, number of individuals | Of them: |
| Freed by abductors or on ransom | Found murdered | Dis-appeared | “Discovered” in detention facilities |
| 2005-2006 | 122 | 63 | 12 | 36 | 11 |
| 2006-2007 | 53 | 29 | 3 | 12 | 9 |
| 2007-2008 | 12 | 7 | - | 5 | - |

Such dynamics can be partially attributed to the fact that violence has become more latent and is monitored by neither human rights activists nor by law enforcement forces, because in many cases the relatives of abductees prefer not to speak out. But the main reason is that the abductors themselves have drastically reduced their activities.

Human rights organizations have repeatedly noted that abductions in the Chechen Republic (CR) are controlled by the authorities. Over the recent years, abductions were carried out, in most cases, by the personnel of various security services created in the process of the “Chechenization” of the conflict. There is evidence that in January 2007, R. Kadyrov gave strict instructions to the leaders of the security services he controls to halt the abductions.

At that, we should note that this criminal practice has unfortunately not stopped entirely, as demonstrated by the following examples:

On February 6, Ayndi Akuev and Alihan Magomadov were abducted in the village of Goy-Chu in Urus-Martan district of the CR by officers from unidentified security services. According to A. Akuev, the abductors encouraged them to cooperate, and the abductors took them home the same day. The next day, Ayndi was taken away again by people in military uniform and, after two more days, he was released. After the second abduction he and his family refused to comment on the incidents.

On January 28, “siloviks” abducted a Beslan Elmurzaev, a local resident, in the village of Chernorechye, near Grozny. In the presence of a large number of witnesses, they abducted Beslan from his own apartment without explanation and took him to an unknown destination. While trying to determine where he was and who took him there, his sister was beaten by one of the “siloviks” with an assault rifle so badly that she fainted. As of April 2008, the fate of B. Elmurzaev is still unknown.

For several years, human rights organizations have described the Chechen Republic as a region in which torture has became a widespread and common practice. One of the critical elements of this “torture system” is the MVD RF (Ministry of the Interior of Russian Federation) the Intelligence and Investigation Bureau № 2 (ORB-2), which is not affiliated with the MVD of the Chechen Republic and is not subordinate to R. Kadyrov.

In the summer of 2007, republican authorities were able to obtain a change in the leadership of ORB-2 based on information supplied by human rights organizations. Following this change, many staff members were dismissed. The new head of bureau promised to change the way in which the ORB-2 operates as well as “to work in close collaboration with the republican law enforcement structures.”

Since then “Memorial” has not received any reports of torture in ORB-2 and, in general, the number of cases of torture by law enforcement structures in the Chechen Republic has declined sharply.

Nevertheless, during the last six months human rights organizations have received information that illegal places of detention and torture continue to operate in Chechnya. One of these sites is located in the village of Goyty and is described in “The Republic of Ingushetia” section of this report.

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Rehabilitation of settlements in the CR is proceeding at a rapid pace. Cities and villages, including those in the mountains, are all being rebuilt. The reconstruction of infrastructure in the mountainous Vedeno district is scheduled for 2008. Many villages are now even supplied with gas, even if they had not been supplied with it before the war.

The construction is financed by funds allocated from the federal budget as well as by extra-budgetary sources and loans.

Several cases of astonishing bureaucratic arbitrariness have appeared during the reconstruction. An example of this is the demolition of building №. 14 on Tukhachevsky St. in Grozny. The building was seriously damaged during the hostilities, but in 2007 most of the apartments were still occupied. In April 2007, the residents were asked to leave the building temporarily so that it could be repaired, but they did not want to relocate because most of them had virtually nowhere to go and the authorities did not supply them with temporary housing, as demanded by law. Thus, district administration officials evicted the building’s inhabitants with the help of police; and the belongings of some residents were simply thrown out from the window. The building was fenced in and reconstruction work began. However, on February 28, 2008, the decision was made to demolish the building. Residents were told that it was impossible to do all the work to restore the house by May 2008, the established deadline for restoration, and therefore the building would need to be demolished. Within a few days, the building was gone, the trench was covered, and the fence was removed. Until now, neither the district nor the city authorities provided any shelter to the former residents. Currently, almost all them are renting places to live. They are in a very precarious situation, since almost all of them are unemployed, and recently owners of apartments have increased rents.

Late payment of builders’ salaries remains a burning issue, as quite a large number of workers had not been paid their wages for 2007. According to official statistics, wage arrears in Chechnya have declined by 14% as compared with the middle of 2007 but still comprise 865 million rubles.[3](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote3sym)

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Since December 2007, authorities of the CR have intensified the process of the “elimination” of dormitories that had previously served as temporary accommodation centers (TACs) as well as the return of their inhabitants, internally displaced persons (IDPs), back to their areas of origin.

Much of the housing fund in the CR was destroyed during the war. Currently, CR authorities are not yet able to provide homes to all people who require them. Therefore, the HRC “Memorial” has repeatedly stated that the TACs must be maintained and supported by the Federal Center until the housing problem faced by IDPs are solved.

The closure of TACs has been carried out according to the instructions of CR President R. Kadyrov. The main argument in favor of this policy is the supposedly degrading impact that the refugees’ environment has on Chechen culture.

Analysis of the situation shows that rights of IDPs were grossly violated during the process of the dismantling of TACs. “Voluntary” declarations of deregistration were, for the most part, written under intense pressure. There were documented cases of people being forcibly evicted from their dormitory rooms, their belongings thrown out; sometimes these were accompanied by beatings. Many people, especially women, were forced to put their signature on the statements prepared by administration employees in order to avoid incidents between their men and armed officers. In this way, the authorities achieved a significant reduction in the number of IDPs.

Many flats allocated to the most desperate IDPs have already received a number of applications, each of which included the relevant documents.

People understood that they could be forcibly evicted from dormitories without receiving any alternative accommodation. After the protests by dormitory residents and the intervention of human rights organizations, CR authorities have taken certain steps to arrange housing for those most in need of it. In particular, they proposed accommodations for six month, charging 18000 rubles per family. Nonetheless, most families were not satisfied with this option, as it only provided a temporary solution to the problem. By then, many were unable to find housing for rent because of a lack of available options or prohibitive prices, which reduced the possible duration of residence. People were tired of so many involuntary moves and demanded a long-term solution to their housing problems. In response, the administration started to give out so-called “warranty letters,” which took on an obligation to provide shelter to families evicted from dormitories. Only time will tell how these promises will be fulfilled

Despite the rapid reconstruction of buildings and the general revival of Chechnya, thousands of people remain without any shelter, nor can they hope to receive it in the foreseeable future.

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One of the most notable recent developments in the Chechen Republic is the increasingly active intervention by state authorities into all aspects of society, including the private lives of its citizens. These actions are carried out under the banner of the “moral regeneration of society.” Under this slogan, religious (Islamic) values and the norms of traditional Chechen culture are often administratively imposed.

The leaders of the CR support the incorporation of religious teachings into school curricula.[4](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote4sym) Religion has already been forcibly introduced into schools, as schoolchildren already study Islam and adats (traditional laws and norms of behavior of mountaineers).

In mid-October 2007 the prosecutor's office of the CR appealed the government's decision to create a state Islamic institute based in lyceum № 1 in Grozny. According to the prosecutor's office, a religious educational institution can not be state-sponsored.

Since the end of 2007, the requirement for women to wear headscarves in public places has become even more widespread. Officials and security guards employed by government agencies monitor the strict enforcement of this requirement and often allow rudeness and tactlessness. In doing so, they usually refer to the decision of the president of the CR, which no one has actually seen in writing. However, R. Kadyrov has indeed verbally repeated this rigid requirement many times.

The new rules are applied not only to teachers and students of educational institutions, journalists and state television presenters, officials of the ministries and administrations, but also to visitors of all these institutions.

Thus, on her way to a meeting with a teacher at a university, a Russian “Memorial” activist was stopped by security guards, who asked her to put on a headscarf. They explained to her that according to the orders of the president, women could not be on the territory of the university without headscarf, regardless of her nationality. When asked to provide a written order, the security guard accompanied the visitor to the university administration, where the vice-rector for academic affairs gave an explanation. He said that the University Academic Council introduced some elements of a uniform by its decision. “*Chechnya is an Islamic republic with its own national mentality,*” said the vice-rector. However, he refused to show the Academic Council's decision requiring all women to wear headscarves at the university, referring to the fact that the official documentation is provided only in response to official requests.

Such requirements are in direct opposition not only to the norms of the Russian constitution, but also to article 11 of the constitution of the Chechen Republic, which runs: “1. The Chechen Republic is a secular state. No religion may be established as a state or mandatory religion. 2. Religious associations are separate from the state and equal before the law.”

On January 9, 2008, at a meeting with leaders of local TV stations, the CR president expressed his displeasure with the morality of broadcasts and movies shown on Chechen TV networks. He demanded that TV channels allocate special time for religious broadcasts inorder to explain the foundations of traditional Islam and to discuss the dangers of Wahhabism.

The television is completely controlled by the republic's leadership.

No less than 80% of news stories on all republican television channels broadcast stories about the republic’s president, his job, or his private and family life. Criticism or at least investigations into societal problems in the CR virtually do not exist.

The independent press and NGOs face increased pressure. For example, in January 2008 the editorial staff of the socio-political independent newspaper “Chechen Society” was forced out of its office in Grozny’s House of Press due to remarks made by its editor-in-chief Timur Aliyev, in which he questioned the high voter turnout at the elections for the State Duma of Russia. Immediately after the publication of these comments, officials of the Ministry of the Press of the CR demanded that the heads of “Chechen Society” vacate their office in the Republican House of the Press in two hours. At the same time, another office of an independent newspaper (“Voice of the Chechen Republic”) edited by Satsita Isayeva, the wife of Aliyev was shut down.

On December 12, the NGO “Union Non-Governmental Organizations” was expelled from the House of the Press. The formal reason given was that the head of the organization, Taisa Isayeva, refused to obey to the requirement to wear a headscarf. Meanwhile, in a private conversation, one of officials of the Ministry of the Press admitted to the members of this NGO that the leadership did not like that its website had published information about the incident with the newspaper “Chechen society.”

A few days later, Timur Aliyev accepted the proposal of Ramzan Kadyrov to be his adviser on information policy.

In mid-January, the Prosecutor's Office began the process of dismantling the office of the British Centre of Peacemaking and Social Development in Chechnya. The main mission of this organization is to spread the ideas and values of peacemaking, non-violent conflict resolution, human rights defense and humanitarian assistance.

On February 22, at the initiative of Ramzan Kadyrov, a meeting between HRS “Memorial” activists and the leadership of the CR took place. In this meeting the President of CR called on human rights activists to cooperate with the authorities in the republic. Natalya Estemirova, the representative of the local office of “Memorial,” was invited by the administration of Grozny to chair the Public Administration Council on human rights.

However, on March 31, the president of CR said that he withdrew Estemirova from this post for her assertions about inadmissibility of using administrative pressure to oblige women to wear headscarves, made in an interview with the television channel REN-TV.

**The Republic of Dagestan**

The social and political landscape of Dagestan is different from that of the neighboring republics of the North Caucasus. The population of Dagestan includes numerous ethnic groups –unlike the almost mono-ethnic Chechnya and Ingushetia—and this creates a multiplicity of social forces at work in the republic, presupposing the accommodation of their interests and the resolution of emerging conflicts and tensions. This on the one hand impedes the centralization of power at the republican level and prevents the emergence of an authoritarian regime. On the other hand, this “accommodation of interests” in Dagestan often happens informally and illegally, which results in power struggles between clans. Political murders occur regularly.

The quality of life in the republic is among the lowest in the Russian Federation, while corruption is unprecedented even for the very corrupt North Caucasian region.

For almost two decades Dagestan has been caught in a low-intensity confrontation between armed groups and security services and their opponents, the various criminal-political groupings.

Since the late 1990s an armed underground which fights federal and local security services has been active in the republic. Members of this armed underground commit terrorist acts, attack military convoys, plant explosives, and kill security servicemen, military servicemen and prosecution officers. These attacks frequently lead to casualties among the civilian population. In order to fight the armed groups, a large number of security servicemen are concentrated in the republic. They carry out “anti-terrorist operations” that are in grave violation of the Constitution and laws of the Russian Federation and international law. They subject residential houses to indiscriminate fire, illegally detain or abduct citizens, illegally incarcerate them in places of preliminary detainment, use illegal methods of interrogation and investigation, such as torture, beatings, other forms of physical and psychological violence, and commit extrajudicial executions.

As in other regions of the North Caucasus, people here are disappearing. Most of the disappeared are originally from families where fundamentalist Islam is practiced. This means that they are suspected by "siloviki" of having connections with militants. The scale of abductions and disappearances is incomparably smaller than in neighboring Chechnya. Unlike Chechnya and Ingushetia, where the kidnappers arrive at homes heavily armed, in masks, and detain their suspects in front of numerous witnesses, in Dagestan these abductions seem to be carefully planned, take place without witnesses and other “unnecessary fuss”: the person is taken from their house and never returns. And in some cases there is clear evidence of involvement of security service personnel in the abduction

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In summer 2007, the relatives of disappeared and abducted residents of Dagestan created the public movement “**Mothers of Dagestan”.** According to them, since the beginning of 2007 21 people have been “disappeared” in Dagestan.

Memorial has details of eight such cases of disappearances in 2007, all of which occurred in the first half of 2007. The Prosecutor's Office of RD instituted 25 criminal cases on the facts of abductions.

After the summer of 2007, human rights organizations involved in this issue gained significant media attention and republican authorities have publicly expressed the need to vigorously fight this criminal practice. For a time, the disappearances appeared to have stopped.

But on the night of January 31, 2008 in Makhachkala officers of unidentified security services abducted again two young men, Dzhabir Kamalutdinov and Shamil Omarov. Armed men in camouflage uniforms and masks took them away to an unknown destination

From 4 to 6 February, relatives of the abducted, supported by «Mothers of Dagestan» held a protest in the center of Makhachkala. The attention of the media was brought to this case.

On the night of February 7, abductors released the young people not far from home. As the abductees later said, they were kept for about two days with plastic bags on their heads in a room on the coast. Then they were moved to another place, located, according to many salient details, in Chechnya. The abductees were constantly beaten and interrogated. By the questions asked of them, it was clear that they were suspected of having links to the armed underground. Among other issues they were asked about their common acquaintance Amine Abdulkadyrov. Indeed, the abductors promised to deliver him soon to them.

A. Abdulkadyrov spent the period immediately following the abduction of his friends at home with his relatives. When in the night armed men began to break into his house, he immediately called his relative working in the FSB. Armed people showed their documents, and it was revealed that they were MVD officers from Directorate for Combating Organized Crime (UBOP). They left after formally calling Abdulkadyrov to questioning the next day.

Thus, there are serious grounds for suspecting that it was UBOP officers involved in the abduction of S. D. Kamalutdinov and Sh. Omarov, and probably other people. The Prosecutor's Office initiated a criminal case on the abduction, but no charges were pressed.

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After the NGO "Mothers of Dagestan" organized pickets to protect abductees, and after their release, organized a meeting of journalists with Kamaludinov, the chairman of the organization, Gyulnara Rustamovoa, received threats. Then the pressure on her younger brother, Vadim Butdaev, began.

UBOP officers threatened him with"disappearance" if he do not "calm down his sister."

Then they began to detain friends and acquaintances of B. Butdaev. One of them, Eldar Navruzov, disappeared in the morning of March 13, 2008 on the way to work. The next day, on March 14, at 16 hours the house of E. Navruzov's mother was searched. In the order authorizing a search was written that E. Navruzov had been arrested in the night of March 13, and by him was found a grenade. But later in the official order of detention E. Navruzov it was written that he had been arrested at 21 hours on March 14 . Up to March 16 a lawyer hired by relatives was not admitted to Navruzov. When the lawyer was finally allowed to the defendant, it appeared that Navruzov has already "confessed" to commit crimes of a terrorist nature. He told to the lawyer that since his abduction before the formal detention (about one and a half days) he had been tortured, and so he was forced to write a dictated "confession".

Similarly, on March 13, was kidnapped a nephew of Gyulnara Rustamova, German Hidirov. On March 18, was arrested Salavutdin Omarov, a friend and neighbour of Vadim Butdaev. Under torture he was forced to "confess" to commit crimes and to testify against W. Butdaev. As a result, B. Butdaev decided to hide from the law enforcement authorities and he is now declared wanted by police.

Tortures, disappearance of detainees for a few days, after which they "recognized" to have committed the crimes, hindering the work of lawyers – all this has been usual practice for today's Dagestan.

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The life of those who are trying to cope with lawlessness, is under serious threat in Dagestan. On November 21, near his home was fatally shot from a pistol chairman of the local department of the political party "Yabloko", a prominent human rights activist Farid Babayev. It was he who had divulged many cases of abductions and people's disappearances without traces, fabrications of criminal cases, bureaucratic arbitrariness. Babaev obtained the investigation of the case when the police shot a peaceful rally in Dokuzparinsky district of Dagestan in 2005. He made publicly known some terrible facts of corruption in this region.

On suspicion of involvement in the killing of F.babaev were arrested two people, one of which is the son of the head of Dokuzparinsky district.

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In Dagestan, unlike other regions of the North Caucasus, there is some freedom of expression.

Recently, however, it is exerted increasing pressure on journalists.

On February 29, 2008 in the evening in Makhachkala were severely beaten the well-known journalist, writer, correspondent of the newspaper "Svobodnaya Respublica" Zaur Gaziyev and his colleague, Ruslan Habibusov. On the street two cars arrived to journalists, from which alighted 6-7 people and began to beat them without any reason.

Until recently, Zaur Gaziyev worked on the channel RGVK of Dagestan television, he animated a popular information and analytical programe "Another dimension", which mentioned many of sharp problems - gross violations of human rights, corruption, social problems. In October 2007 the channel was closed, and Gaziyev dismissed from television.

In late February, law enforcement officials inspected the independent print media of the republic. Specially designed "working groups" made up, mostly, of UBOP officers, attempted to monitor the financial and economic activities of the newspaper "Svobodnaya Respublica", "Novoe delo" and "Chernovik". Not only questionable grounds and selectivity of this checking, but also the checking structure: why the review of the financial affairs of the newspapers makes the Directorate for combating Organized Crime?

Since September 2007 started to issue a newspaper "Nastoyashee Vremya". Initially, the newspaper positioned itself as independent. It posted sharp material on the events in Dagestan. But then the founders (group of businessmen) began grossly interfere in editorial policy of the edition, on the one hand, prohibiting to print articles critical to "United Russia" and Putin, and on the other hand, demanding to criticize the President of the Republic of Dagestan. In March 2008, the general director of the newspaper Rizwan Rizvanov prohibited the publication of the issue in which journalists published material on violations of freedom of expression by the founders. To protest, the editor-in-chief Andrei Melamedov dismissed, all other journalists have signed a collective appeal to readers and founders of the newspaper.

March 21, in Makhachkala was shot dead the director of the state TV and radio company “Dagestan” "Haji" Abashilov.

**Decisions of the European Court of Human Rights**

Over the past six months, ECHR has come to a decision in six new cases of complaints from residents of Chechnya, and one complaint from residents of Ingushetia.

Thus, the European Court has made 25 decisions in the cases of complaints from residents of the North Caucasus regions (Chechnya and Ingushetia) who suffered during the counter-terrorist operation. All decisions were in favour of the claimants

In every decisions, ECHR has proclaimed Russia guilty of violating the European Convention on Human Rights and Fundamental Freedoms. The complaints were made against disproportionate and unselective use of force, abductions by state representatives, disappearance of detainees, tortures and extrajudicial executions.

What measures are being taken by Russian authorities to implement the ECHR decisions?

Applicants are given monetary compensations in time and in full. Criminal cases are investigated anew. But investigations are made formally and drag on for no good reason.

None of the officials who were clearly involved in perpetrating crimes have gone on trial. There is still no information on people whose abductions were considered by the ECHR, not to mention that no amendments have been made so far in order to change the normative acts outlining security services’ actions in areas of internal conflicts (anti-terrorism legislation, charters of armed forces). Meanwhile, the need for such changes results directly from some ECHR decisions.

Over the past years some applicants have been subject to pressure from authorities after they made their complaints; some were threatened and a few of them were abducted or killed.

**Recommendations:**

Peace and stability are inseparably linked to human rights issues. A clear illustration of this obvious truth is the situation in the North Caucasus.

Peace and stability there (which also includes the respect for the inalienable human rights) in the long-term perspective can be achieved only through political reform that ensures the formation of the authorities in the subjects of the Federation on the basis of the people's will. This political reform is not possible without an end to the suppression of the opposition and the violation of the freedom of speech. Unreasonable restrictions on holding rallies and demonstrations must be removed. An integral part of such reform must also become a real fight against corruption.

However, it is clear that such policies can be implemented only if there is a political will in the Kremlin, and they should not be limited to the North Caucasus but should address all regions of Russia. Currently, the Russian federal authorities lack this political will.

Therefore, now we can talk about only the first and minimally necessary steps.

These minimal steps should be measures aimed at ending the massive and systematic violation of human rights by law enforcement agencies, especially the Ministry of Interior and Federal Security Service of Russia, and removing climate of impunity for crimes against civilians, which is still prevalent in the North Caucasus.

Such measures should include the following in particular:

* Carrying out adequate investigation into cases of human rights violations and bringing the perpetrators to accountability.
* Having the Prosecutor General of the Russian Federation conduct a comprehensive review of the activities of enforcement agencies and the prosecutor’s office in the region. In particular it is essential to look into all cases relevant to the participation of individuals in illegal armed formations, which have been investigated in those republics, and send those cases in which there is evidence of torture and illegal pressure against defendants for re-investigation and re-trial.
* Putting an end to the widespread practice of “temporary disappearances” of detained persons. In order to decrease the risk of torture as well to guarantee the legal rights of the family members of the detained, it is essential to ensure that relatives of the detained or arrested are speedily informed on their whereabouts.
* Instructing members of federal and local enforcement agencies and security services about the absolute necessity of respecting and observing human rights within the framework of their activities as well as about the accountability for following criminal orders of superior instances and employees.
* Ensuring the compliance of the state counter-terrorism activities, both on the level of normative acts and on the level of practices, to the international human rights standards and the international humanitarian law, including the European Convention for Human rights and Fundamental Freedoms, the Geneva Conventions, and the Council of Europe Guidelines on Human Rights and the Fight against Terrorism.
* Providing adequate legal and judicial protection and due compensation to victims of human rights violations.
* Effectively guaranteeing access to places of temporary and pre-trial detention for representatives of international humanitarian organizations, including the ICRC, in order to visit prisoners on conditions acceptable to those organizations.
* Cooperating with the human rights protection mechanisms and agencies of the Council of Europe and the United Nations, including the special procedures of the UN Human Rights Commission and the treaty bodies of the Council of Europe and the UN.
* Effectively cooperating with the Council of Europe Anti-torture Committee.
* Extending the necessary assistance to Russian and international human rights organizations in their human rights monitoring work in the North Caucasus. Cooperating with such organization in eliminating the climate of impunity and improving the human rights situation in the region.

[1](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote1anc) It was told to journalists and human rights activist by abductees themselves and Maksharip Aushev.

[2](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote2anc) This is not exhaustive figures. According to approximate estimations the total number of crimes against civilians in the Chechen Republic may be 3-4 times higher than figures available to the "Memorial"

[3](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote3anc)*IA Kavkaz uzel, 28.1.2008*

[4](http://www.memo.ru/2008/04/18/1804083.html%22%20%5Cl%20%22sdfootnote4anc) *From the interview of R. Kadyrov to the radio "Echo of Moscow", 31.1.2008*