

1/2015

ENG



UDLÆNDINGESTYRELSEN
DANISH IMMIGRATION SERVICE

Security and human rights in Chechnya and the situation of Chechens in the Russian Federation – residence registration, racism and false accusations

Report from the Danish Immigration Service's fact finding mission to Moscow, Grozny and Volgograd, the Russian Federation

From 23 April to 13 May 2014 and Paris, France 3 June 2014

Copenhagen, January 2015

Danish Immigration Service
Ryesgade 53
2100 Copenhagen Ø
Phone: 00 45 35 36 66 00
Web: www.newtodenmark.dk
E-mail: us@us.dk

1/2015

ENG



UDLÆNDINGESTYRELSEN
DANISH IMMIGRATION SERVICE

Overview of Danish fact finding reports published in 2013 and 2014

Update on security and human rights issues in South- and Central Somalia, including Mogadishu, Joint report from the Danish Immigration Service's and the Norwegian Landinfo's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia, 17 to 28 October 2012

Iran - On Conversion to Christianity, Issues concerning Kurds and Post-2009 Election Protestors as well as Legal Issues and Exit Procedures, Joint report from the Danish Immigration Service, the Norwegian LANDINFO and Danish Refugee Council's fact-finding mission to Tehran, Iran, Ankara, Turkey and London, United Kingdom, 9 November to 20 November 2012 and 8 January to 9 January 2013

Somalia - Security and protection in Mogadishu and South-Central Somalia Joint report from the Danish Immigration Service's and the Norwegian Landinfo's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia 6 April to 7 May 2013

Iranian Kurds; On Conditions for Iranian Kurdish Parties in Iran and KRI, Activities in the Kurdish Area of Iran, Conditions in Border Area and Situation of Returnees from KRI to Iran, Joint report from the Danish Immigration Service's and Danish Refugee Council's fact finding mission to Erbil and Sulaimania, KRI, 30 May to 9 June 2013

Uganda - Situation of LGBT persons in Uganda. Joint report from the Danish Immigration Service's and the Danish Refugee Council's fact finding mission to Kampala, Uganda from 16 to 25 June 2013

Update on security and protection issues in Mogadishu and South-Central Somalia, Including information on the judiciary, issuance of documents, money transfers, marriage procedures and medical treatment, Joint report from the Danish Immigration Service's and the Norwegian Landinfo's fact finding mission to Nairobi, Kenya and Mogadishu, Somalia, 1 to 15 November 2013

Update on the Situation for Christian Converts in Iran, report from the Danish Immigration Service's fact-finding mission to Istanbul and Ankara, Turkey and London, United Kingdom 25 March to 2 April 2014 and 10 April to 11 April 2014

Eritrea – Drivers and Root Causes of Emigration, National Service and the Possibility of Return, Appendix edition, Country of Origin Information for Use in the Asylum Determination Process. Report from the Danish Immigration Service's fact finding missions to Ethiopia and Eritrea, August and October 2014

Table of contents

Abbreviations	3
Introduction and methodology	4
Purpose	4
Background	4
Methodology	5
Recent developments	7
Disclaimer	7
1. General security and human rights situation in Chechnya	9
1.1 Rule of law and avenues to seek redress	12
1.1.1 Cases illustrative of the human rights and rule of law situation in Chechnya	16
1.2 European Court of Human Rights (ECHR) cases concerning ill-treatment, torture and disappearances	19
1.3 Chechens leaving the republic	20
2. Illegal armed groups – size, structure and leadership, recruitment, supporters	23
2.1 Size	23
2.2 Leadership and structure	24
2.3 Activities	25
2.4 Contact with local population	27
2.5 Recruitment.....	30
2.6 Financial support	30
2.7 Links to international Jihad	30
3. Investigation and prosecution of members of the illegal armed groups.....	31
3.1 Police units involved in investigation of illegal armed groups	32
3.2 Campaign against salafism	32
4. Situation of supporters of the illegal armed groups	34
4.1 The scale of court cases involving support to the insurgents	34
4.2 Fabricated criminal cases, forced confessions, detention and ill-treatment.....	35
4.2.1 Typical false or fabricated charges	42
4.2.2 Treatment of alleged supporters and their relatives.....	43
4.2.3 Jury trials.....	44
4.3 Sentences	45
4.3.1 Location for serving a prison sentence	46
4.4 Orders to appear for questioning/police summons (повестка)	46
4.4.1 Forged orders to appear	48
4.5 Duty to report.....	49
4.6 Recruitment of informants.....	50
4.7 Reprisals against informants by the illegal armed groups	51

Security and human rights in Chechnya

4.8 Family members to active members of the illegal armed groups and family members to supporters of the illegal armed groups	51
5. Arrests and prosecution of participants in the first and second war in Chechnya.....	54
6. Physical examination for bruises, scars or signs of torture	55
7. Freedom of movement in Chechnya – check points/road blocks, internal borders.....	56
9. Russian language in Chechnya	58
9.1 Police and court language	59
10. Social and economic situation in Chechnya.....	60
10.1 Employment	60
10.1.1 Unemployment benefits.....	61
10.2 Healthcare	62
10.2.1 Availability of medicine and medical supplies.....	63
10.3 Access to food	64
10.4 Voluntary return.....	64
10.5 Transportation.....	64
11. Issuance of internal and external passports in Chechnya	66
11.1 Statements from FMS in Chechnya	66
11.1.1 Internal/domestic passport	66
11.1.2 External/foreign/international passport	66
11.1.3 New passports	67
12. Transfer/extradition of criminals from administrative entities in the Russian Federation to Chechnya.	68
13. Chechen communities in other parts of the Russian Federation	73
14. Up-date on residence registration in the Russian Federation	75
15. Update on racism, discrimination and xenophobia in the Russian Federation.....	78
15.1 Hate crimes and racially motivated attacks	78
15.2 Regional differences.....	80
15.3 Situation for Chechens	80
15.4 Employment	83
15.5 Housing.....	83
15.6 Extortion, harassment and fabricated criminal cases against Chechens by Russian police	84
Appendix A – Organizations, authorities and persons consulted	87
Appendix B – Terms of Reference	88
Appendix C – Map of Northern Caucasus	89
Appendix D – Map of Chechnya	90
Appendix E – Statistics of victims in Northern Caucasus quarter 1, 2 and 3 in 2014 - Caucasian Knot.....	91
Appendix F - English translation of news reports from Chapter 12	98
Appendix G – Statistics of racially motivated violence and convictions - SOVA	103
Appendix H – Notes from meetings	105

Abbreviations

CAC	Civic Assistance Committee
CAT	Committee against Torture
COI	Country of Origin Information
DIS	Danish Immigration Service
DRC	Danish Refugee Council
ECHR	European Court of Human Rights
FMS	Federal Migration Service
FSB	Federalnaya Sluzhba Bezopasnosti (Federal Security Service)
HRW	Human Rights Watch
ICG	International Crisis Group
IOM	International Organizational Migration
MVD	Ministerstvo Vnutrennikh Del (Ministry of Interior)
NGO	Non Governmental Organisation
OMON	Special Purpose Police Unit
OSW	Ośrodek Studiów Wschodnich (Centre for Eastern Studies)
PPSM-2	Police Patrol and Point Duty Service Regiment
ROVD	Regional District Department of Internal Affairs
SOVA	Center for Information and Analysis
ToR	Terms of Reference
UNHCR	United Nations High Commissioner for Refugees

Introduction and methodology

The fact finding report at hand has been produced by the Country of Origin (COI) Division, Danish Immigration Service (DIS) for use in the asylum determination process. The information included in the report was gathered during a fact finding mission to Moscow, Grozny and Volgograd, the Russian Federation, from 23 April to 13 May 2014 and to Paris, France, on 3 June 2014.

Purpose

The purpose of the mission was to gather COI on matters related to security and human rights in the Chechen Republic of the Russian Federation as well as to update information obtained on previous fact finding missions in 2011 and 2012 to Moscow and St Petersburg regarding the situation of Chechens living in the Russian Federation outside of Chechnya.

The Terms of Reference (ToR) for the mission can be found in Appendix B.

Background

In connection with previous fact finding missions to the Russian Federation, the DIS had applied for a visa to travel to the Chechen Republic. These requests were either denied or left unanswered. However, in 2013 the DIS received a note from the Russian Embassy in Copenhagen containing an invitation to visit the Chechen republic from the Ministry for National Policy, External Relations, Press and Information of the Chechen Republic. Prior to the invitation letter a delegation from the Chechen Ministry for National Policy had visited Denmark.

The DIS accepted the invitation and it was agreed that the DIS delegation should visit the Chechen Republic at the end of April 2014. Before departing to Russia, the delegation held meetings with a representative of the Russian Embassy in Copenhagen in order to inform the local authorities in the Chechen republic about the purpose of the mission, the methodology and the Terms of Reference (ToR).

Before departing for Chechnya, the delegation held several meetings in Moscow with interlocutors well-informed about the security and human rights situation in Chechnya. The purpose of these meetings was to gather information relevant to the ToR and to arrange meetings with independent interlocutors in Grozny who are well informed about the human rights situation.

The three independent interlocutors the delegation consulted in Grozny were all recommended to the delegation by the NGO Memorial in Moscow, International Crisis Group (ICG) in Moscow or a representative of Dosh magazine in Moscow¹. The interlocutors in Moscow thoroughly informed the interlocutors in Chechnya about the purpose of the delegation's mission and the fact that the delegation had been invited to the Chechen Republic by the Chechen Ministry for National Policy. All three interlocutors agreed to meet with the delegation in Grozny. The interlocutors chose the time and place of the meeting.

¹ Dosh (meaning "word" in Russian) is an independent magazine with Russian and English editions covering politics and current affairs in the Chechen Republic and other parts of the Russian Caucasus since 2003. In 2009 Dosh was awarded the Fnac Press Freedom prize by the organisation Reporters Without Borders. The magazine is distributed in Russia, southern Caucasus and several European countries. In Russia Dosh can be purchased in Moscow, Grozny, Nazran, Makhachkala, Nalchik and Karachayevsk. See more at: <http://www.Doshdu.ru/>

Upon arrival in Grozny the delegation noted that the Chechen Ministry for National Policy had arranged official meetings with representatives from the office of the Chechen Ombudsman, FMS, the Public Prosecutor's Office, the Department of External Relations, the Ministry of Education, the Ministry of Health, the Ministry of Interior, the Ministry of Labour in Grozny and Said-Magomed Samadievich Chapanov who was a lawyer in Grozny. These meetings were in accordance with what was requested by the delegation in the meetings with the representative from the Russian embassy in Copenhagen.

The delegation arrived in Grozny on 27 April 2014 and stayed until 2 May 2014.

After departing from Grozny the delegation again consulted interlocutors in Moscow and also in Volgograd. Finally, the delegation also consulted an interlocutor in Paris.

The delegation would like to thank all interlocutors for their kind support as well as for their patience and professional cooperation with the delegation during and after the fact finding mission.

Methodology

The delegation consulted a number of Russian NGO's, well informed journalists, lawyers, an analyst, human rights activists in Grozny, an international NGO, international organisations, a western embassy and Chechen government officials. A complete list of interlocutors can be found in Appendix A, at the end of the report. The list of interlocutors interviewed was selected by the delegation based on the expertise, merit and role of each interlocutor relevant to the Terms of Reference of the mission.

Prior to its departure to Russia, the delegation held a meeting with the Norwegian Country of Origin Information Unit (Landinfo). Landinfo provided valuable information about sources in Moscow and Grozny.

The delegation decided to consult with Mairbek Vatchagaev in Paris for information about the illegal armed groups in Chechnya based on the recommendation from several interlocutors in Moscow.²

Consultations with the interlocutors were held in English if possible. The majority of consultations took place with interpretation from Russian to English and vice versa. In Moscow the delegation used an interpreter recommended by the Danish Embassy in Moscow.

During the official meetings in Grozny the Ministry for National Policy provided an interpreter.

During the meetings arranged by the delegation in Grozny an interpreter selected and trusted by the interlocutors was used. The same applied for the meeting in Volgograd.

In Paris an interpreter was used from a bureau recommended by the Danish Embassy in Paris.

² Mairbek Vatchagaev is the editor The Caucasus Survey, a journal in English and Russian language. According to the website it is "...a new peer-reviewed, multidisciplinary and independent journal, concerned with the study of the Caucasus", www.caucasus-survey.org. He is also a Non-Resident Senior Fellow at The Jamestown Foundation and a regular contributor to the Jamestown publication Eurasia Daily Monitor. See more at http://www.jamestown.org/articles-by-author/?no_cache=1&tx_cablanttnewsstaffrelation_pi1%5Bauthor%5D=239.

The Jamestown Foundation is an "independent, nonpartisan, nonprofit organisation that provides information on terrorism, the former Soviet republics, Chechnya, China, and North Korea [...] The Jamestown Foundation's mission is to inform and educate policy makers and the broader community about events and trends in those societies which are strategically or tactically important to the United States and which frequently restrict access to such information." See www.jamestown.org

Security and human rights in Chechnya

All interlocutors were thoroughly informed of the purpose of the mission and all interlocutors were explicitly informed that the delegation's report would be published on DIS' website, www.newtodenmark.dk, and thus be available to all stakeholders in the refugee status determination process as well as to the general public.

All interlocutors consulted were informed that they would have their statements forwarded for comments, corrections and approval. All interlocutors agreed to receive their statements for comments, corrections and approval. 16 interlocutors approved their statements, which have been included in the report at hand. 8 interlocutors did not respond to the request for comments, corrections and final approval of their statements, despite several reminders and attempts to contact them.

The interlocutors who did not respond are: FMS in Grozny, Representative of the Public Prosecutor's Office in Grozny, Representatives of the Department of External Relations in Grozny, Representatives of the Ministry of Education in Grozny, Representatives of the Ministry of Health in Grozny, Representatives of the Ministry of Interior in Grozny, Representatives of the Ministry of Labour in Grozny and Said-Magomed Samadievich Chapanov, lawyer in Grozny. The statements of these interlocutors are included in the report at hand as they were sent to them.

Each source consulted during the mission was asked for permission to be quoted by name, profession and/or the name of his or her organization. A number of interlocutors requested varying degrees of anonymity or indirect referencing in order not to compromise their identity and to protect their ability to conduct their work in Russia. Consequently in these cases, the delegation asked the interlocutors how a descriptive reference might best be made to them. All interlocutors are referred to according to their own request on this matter.

Two of the interlocutors actively involved in human rights issues requested upon their approval of their statements that some parts of the statements could only be included in the report at hand if referred to in a way that would not reveal their identity or location. This information has been included in the report at hand and referred to as a "human rights activist" or as a "journalist specialized in the Caucasus region (A)". Therefore two more interlocutors appear in the report than was actually consulted.

Altogether the delegation consulted 24 interlocutors in Moscow, Grozny, Volgograd and Paris.

It was found necessary to adjust certain phrases, insert commas and correct minor typing errors in the text included in the report for clarification purposes. Such phrases have been modified slightly in order to avoid otherwise unclear statements. In addition, few minor supplementary or explanatory clarifications are marked with a closed bracket [...].

All notes from the meetings are included in Appendix H in their full extent.

It should be noted that sometimes the sources use different terms and abbreviations when referring to members of the illegal armed groups in Chechnya and the North Caucasus, e.g. "insurgents", "fighters", "jihadist", "militants", "rebels", "members of illegal armed groups" or "freedom fighters". Throughout the report the delegation has used the terminology used by the interlocutors in the approved notes.

Whenever the delegation found it relevant it has included references to already published material up until December 2014.

Recent developments

It is outside the scope of this report to include information about the most recent developments in Chechnya. Therefore the report does not contain information about the incidents in Grozny in October and December 2014³ that came after a time of relative calm in the republic.⁴

In a few cases, statistics retrieved before the publication of the report has been included in Appendices E and G.

Shortly after the delegation returned from Russia in May 2014 the Norwegian Country of Origin Information Unit, Landinfo published a report in Norwegian on the security situation in Chechnya.⁵

Disclaimer

The fact finding report at hand does not include any policy recommendations or analysis by the delegation.

Unless otherwise indicated via a footnote, the report is based entirely on the approved interview notes and/or other documentary material provided by the listed interlocutors.

This report is composed on the basis of carefully selected interlocutors and publicly available sources of information. All sources used are referenced.

The delegation considers that to the best of its knowledge, the list of interlocutors consulted represents a broad selection of sources relevant to the ToR of this mission. However, as with any fact finding mission factors, including time constraints and availability of sources, means that the list of interlocutors consulted should not be considered exhaustive.

This report does not pretend to be exhaustive. Neither is the report conclusive as to the merit of any particular claim to refugee status or asylum. If a certain event, person or organization is not mentioned in the

³ According to BBC News "On 5 October 2014, a suicide bomber blew himself up in a concert hall in Grozny where celebrations were under way, reportedly killing five police officers and wounding 13 other people. On the night of 4 December 2014, police in the capital Grozny reportedly tried to stop a car or cars carrying alleged armed militants. After a shootout, the militants took refuge in a publishing house building while others took over School no 20, also in Grozny. In the ensuing battle, 11 militants were killed and up to 40 policemen were either killed or wounded. According to the Chechen authorities, the attack was organised by Akhmad Umarov, brother of the late leader of the militant Jihadist organisation, the so-called Caucasus Emirate, Doku Umarov." BBC News: Russia Chechnya: Deadly rebel attack rocks Grozny , 4 December 2014. http://www.bbc.co.uk/news/world-europe-30323751#sa-ns_mchannel=rss&ns_source=PublicRSS20-sa

⁴ For an analysis see: Desperate action by fighters in Grozny, Maciej Falkowski, Centre for Eastern Studies (OSW), 2014-12-10. <http://www.osw.waw.pl/en/publikacje/analyses/2014-12-10/desperate-action-fighters-grozny>

⁵ According to the English summary, the "security situation in Chechnya has gradually improved over the years after the first and second Chechen wars. From 2004 until 2007 there was a steady decline in the number of violent incidents in the republic. However, the amount of violent incidents rose again from around 2007, with a peak in 2009. From 2009, the number of violent incidents has further declined. Violent incidents in the neighbouring republics such as Ingushetia, Dagestan and Kabardino-Balkaria have increased, and Chechnya is no longer the most violent republic in the area. The anti-terror operation that was introduced in Chechnya in 1999 was officially declared over in April 2009. Still, counter-terrorist regimes are introduced, especially in the southern parts of the republic. Although Chechen insurgents have been considerably impaired over the years, they still target Chechen police and security forces. Fighting what is left of the insurgency is a primary task for Chechen authorities, which also implies that not only insurgents are at risk of being suspected of belonging to the insurgency." Landinfo - Norwegian Country of Origin Information Centre: Tsjetsjenia: Sikkerhetssituasjonen, 15 May 2014. http://www.ecoi.net/file_upload/1788_1402399063_2879-1.pdf

Security and human rights in Chechnya

report, this does not mean that the event has not taken place or that the person or organization does not exist.

While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain all information concerned. For this reason, it is important to note that information included in the report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented, unless explicitly stated.

The information in the report does not necessarily reflect the opinion of the DIS and makes no political statement whatsoever.

1. General security and human rights situation in Chechnya

UNHCR in Moscow stated that although human rights violations might take place in Chechnya it is not on a scale that could explain the large outflow of Chechens asylum seekers to Europe like the sudden increase of Chechen asylum seekers in Germany in 2013. One would expect an increase of asylum seekers from Dagestan and Kabardino-Balkaria where the security situation is worse than in Chechnya, but that has not happened yet.

Massive human rights violations such as those that took place in Chechnya in 1995-1997 no longer occur in Chechnya. There is in Chechnya no visible harassment by the Chechen police or by Russian soldiers, but it is difficult to assess what goes on underneath the surface. It is clear that everybody have to accept the unchallenged authority of the president.

UNHCR in Moscow expressed great confidence in the human rights related activities of Memorial/CAC. It was added that Memorial's assessment of the situation in Chechnya and the North Caucasus would be quite accurate.

UNHCR in Moscow stated that its office in Vladikavkaz was closed in 2012. Since then UNHCR has no office or representation in North Caucasus. However, UNHCR in Moscow maintains contact with NGOs in the region and regularly hold meetings with NGOS and local authorities in the region. It is the information provided by these NGOs and local authorities that forms the basis of UNHCR in Moscow's information about the situation in North Caucasus.

UNHCR has not produced position papers, eligibility/policy guidelines or Country of Origin Information regarding the Russian Federation or North Caucasus in the past ten years. However, UNHCR supports the publication of asylum related information by Russian NGOs.

A western Embassy stated that while the security situation in Chechnya has improved significantly the human rights situation in Chechnya has steadily deteriorated during the past many years and the fear among the general population has increased to an unprecedented level.

A western Embassy explained that there is a climate of fear in Chechnya and it is very difficult to even talk about the insurgency.

An ICG analyst in Moscow stated that there are no longer major battles between the insurgents and Chechen or Russian forces. The last major insurgency attack was in 2010, when militants attacked Kadyrov's home village of Tsenteroi; the last biggest clash was in Shatoy district on 29 June, 2013. Minor clashes in the forest take place, in which insurgents and Chechen forces are injured or killed. It was added that government statistics on these clashes do not always reflect reality.⁶

⁶ ICG published a report in January 2014 on the human rights and security situation in the Caucasus: ICG - International Crisis Group: Too Far, Too Fast: Sochi, Tourism and Conflict in the Caucasus, 30 January 2014.
http://www.ecoi.net/file_upload/1002_1391196745_228-too-far-too-fast-sochi-tourism-and-conflict-in-the-caucasus.pdf

An ICG analyst in Moscow explained that the Caucasian Knot⁷ report on security incidents. Recently an attack on the Chechen forces resulted in four deaths, but there was no mentioning in the Russian or Chechen newspapers or television. It was added that according to Caucasian Knot, that is considered the best source on this issue, the number of victims (both killed and injured) due to the conflict in Chechnya is still relatively high – in 2013 the number was approximately 100 – and could be compared to the number of victims in Kabardino-Balkaria. It was added that it does not take many insurgents to conduct a suicide bombing, plant a bomb or leave a car bomb that kills a large number of people.

For further statistics from Caucasian Knot by quarter 1, 2 and 3 of 2014, see Appendix E.⁸ No statistics from Caucasian Knot published after 29 October 2014 has been included.

An ICG analyst in Moscow explained that Kadyrov and the Chechen government need an enemy in the shape of the insurgency to keep the large security apparatus going and to unify society.

The level of deep-rooted fear amongst the general population is larger than ever before, even though incidents of violence including cases of kidnappings have decreased in the Chechen Republic in the past five years. The authorities' use of collective punishment of family members to suspected insurgents as well as psychological pressure by e.g. fabricating criminal cases against ordinary people involving narcotics or immoral acts has played a significant role in that regard. It was added that most Chechens feel unsafe even in their own homes because they do not know whom to trust.

An ICG analyst in Moscow stated that Kadyrov in February 2014 on Chechen state television verbally attacked the chairperson of the Committee Against Torture, Igor Kalyapin. Local human rights activists are either subjected to threats or paid by the Chechen government to align with the official policy.

According to Svetlana Gannushkina, Memorial/CAC, the security situation has improved as there are few cases of attacks carried out by the insurgents who are few in numbers inside Chechnya. However, the fear amongst the general population has become so deep-rooted that it has become a part of peoples personality; they have come to the point where they "love the dragon".

Human rights violations in terms of illegal arrests and ill-treatment and torture of people held in incommunicado⁹ detention have worsened. It was added that there are still cases of disappearances, and these cases are not investigated by the local or federal authorities.

⁷ According to their website Caucasian Knot "was founded by the International Society "Memorial" in 2001. [...] "The main aims of the "CAUCASIAN KNOT" are to ensure free access to truthful and non-engaged information about events in the Caucasus; inform the Russian and global community about violations of human rights, situation in armed conflict zones, cases of ethnic or political discrimination and refugees' problems; and provide information support to promotion of civil initiatives and independent mass media." [...] "The main partners of the "CAUCASIAN KNOT" are: the Institute of Human Rights, the "Panorama" Information and Research Centre, website bbcrussian.com and Internet medium "Gazeta.Ru". The edition is funded from various charitable foundations." See more at: <http://eng.kavkaz-uzel.ru/>

⁸ For further information and analysis about the news feed from the Northern Caucasus and the statistics regarding the conflict see: On the periphery of global jihad. The North Caucasus: the illusion of stabilisation, Maciej Falkowski, Centre for Eastern Studies (OSW), 2014-11-14. http://www.osw.waw.pl/sites/default/files/pw_46_ang_kaukaz-polnocny_net.pdf

⁹ According to Human Rights Watch "Incommunicado detention is often understood as a situation of detention in which an individual is denied all access to the outside world, including access to family members, an attorney, or an independent physician." See: <http://www.hrw.org/reports/2005/spain0105/6.htm>

A lot of new buildings have been erected in Grozny and the city has undergone many changes since the destruction caused by the two wars. In Grozny visitors will see brand new cars, people dressed in nice clothes drinking coffee in cafes or eating in restaurants. Visitors who have been invited by the local authorities will hear that everything is fine in terms of the human rights situation and the security situation. In a way that picture is not completely wrong.

In Chechnya, Memorial has offices in Gudermes and Grozny and a contact person in Urus Martan.

When illustrating the general level of fear in the Chechen republic a human rights activist in Grozny (A) referred to the case of four young men who were arrested by the police in January 2014. The men all had long beards that could explain why they were arrested, but there could be other reasons as well. The four young men were neighbors in Grozny. One was released immediately, but the other three men were held incommunicado for two months. During that period of time the families did not contact Memorial in Chechnya for help. Finally, the father of one of the three men came to Memorial and asked for help. Memorial then wrote letters to various authorities in Moscow and in Grozny demanding information on the whereabouts of the three young men. Three days later the three remaining young men resurfaced with the explanation that they had paid a visit to Volgograd.

However, the human rights activist in Grozny (A) is certain that they had been in detention and had been subjected to pressure to present the explanation concerning a trip to Volgograd. There were no marks of torture on their bodies and it is safe to assume that they were under pressure not to tell anyone they had been detained by the Chechen authorities. It is very likely that the four young men will leave Chechnya due to the fear of being arrested once again because they are now in the Chechen authorities' spotlight.

It was stated that once a person has been detained by the police in relation to the insurgency it is very likely it will happen again. The human rights activist in Grozny (A) did not know exactly why the four men were arrested but they all had large beards and it could be that they were suspected of having ties to the insurgency. It was added that two days prior to the arrest of the four young men, another young man was kidnapped by unknown men. This man has not been found yet.

According to a human rights activist the level of fear in the Chechen population is now greater than ever before. The nature of the present regime is totalitarian. The regime does not need to use as much violence as in previous years because of the climate of fear and because it controls the minds of the population. In order to maintain a level of fear amongst the general population, the authorities occasionally need to feed the fear with violence. It could be that the regime tomorrow would feel the need of showing that it is watching and in control of the situation.

A human rights activist explained that another way the Chechen authorities exert pressure on the population is by monopolizing all small businesses. Reference was made to a case from Argun where the small businesses involved in production of stone from the river was one day visited by a group of "kadyrovs men" who destroyed all the buildings and now only one company is involved in this business. It was added that this could happen in every sphere of business in Chechnya.

A human rights activist explained that in addition to the "taxes" paid to the Kadyrov Fond, civil servants in Chechnya have for the past three months paid 10% of their salary to support Crimea.

1.1 Rule of law and avenues to seek redress

A western embassy stated that the fear of getting in contact with the Chechen authorities is so great that even if a family member disappears the relatives would not dare to contact the authorities. Chechens do not contact the authorities if they can avoid it because they fear the authorities and because of the level of corruption. It was added that most of the members of Chechen police and security structures are former insurgents from the wars against the federal Russian forces in Chechnya and they do not behave as proper law enforcement officers are expected to do.

Beside pervasive corruption [that] has reached enormous proportions in Chechnya, there is no rule of law in Chechnya according to a Western embassy. If someone is ill-treated by the authorities there is no place to complain and there are no real avenues to seek redress. The authorities can and do use any pretext if they want to arrest and convict someone for anything related to the insurgency. It is very difficult to see any pattern in terms of who is at risk of being suspected for any crimes in connection with the insurgency.

An ICG analyst in Moscow stated that employment in the Chechen police force depends on bribery and personal networks, including contributing in cash to the Kadyrov Fund. Kadyrov often is called “King” in the Chechen media.

All judges in the Chechen Republic, as well in other regions, in one form or another are federally appointed but almost all of them are Chechen. (Judges of the magistrate courts are appointed by regional assemblies or elected by the residents of the judicial district depending on regional law.) Only in two or three districts courts judges are Russians.

The police as well as the Investigative Committee and the Prosecutor’s Office have to show results in terms of killed militants, investigated crimes or convicted members and supporters of the illegal armed groups. Law enforcement agencies enjoy almost complete impunity and they have carte blanche to do as they please. In particular this includes Chechen OMON and ROVD in Shali District (the previous police chief was Magomed Daudov) and ROVD in Kurchaloi District (Kadyrov’s home district) and in Urus-Martan district; Regiment of patrol police №2 (PPSM-2) named after Ahmad Kadyrov and so-called “oil regiment”.

It was added that most Chechen OMON, “oil regiment” and PPSM-2 officers are poorly educated as they have maybe attended school for only two or three years. Other police units do not have the same kind of power. Contrary to the Chechen OMON, the Investigative Committees have employed quite well educated Chechens who have degrees from university law faculties. Many of these investigators dislike the police impunity system, but they are helpless when confronted with the Chechen OMON or other “untouchable police units” close to Kadyrov.¹⁰

Svetlana Gannushkina, Memorial/CAC, stated that while the Chechen authorities some years ago tried to play along with human rights organizations that is no longer the case. It seems that Ramzan Kadyrov has been given free rein by President Putin, and seen in the light of the recent development in Ukraine and

¹⁰ The ICG published a report in September 2013 on the situation of rule of law in the North Caucasus: ICG - International Crisis Group: The North Caucasus: The Challenges of Integration (III), Governance, Elections, Rule of Law, 6 September 2013. http://www.ecoi.net/file_upload/1002_1379094096_the-north-caucasus-the-challenges-of-integration-iii-226-the-north-caucasus-the-challenges-of-integration-iii-governance-elections-rule-of-law.pdf

Crimea there are no reasons to believe that Kadyrov would be reprimanded by Putin. It was added that corruption is openly taking place and one is witness to a complete breakdown of law and order in the republic.

A representative of Dosh explained that he travels to North Caucasus on a regular basis and stated that he personally would only have trust in three organisations that could provide some actual help to people who have a conflict with the Chechen authorities. The three organisations are: The Committee Against Torture¹¹ (CAT), Memorial and Initiative Centre for the Caucasus i.e. Dosh.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that Dosh Magazine is the only independent magazine in the North Caucasus that writes about Chechnya. In Dagestan another independent news outlet named Chernovik meaning "rough draft" is published on a weekly basis. However, Chernovik does not report on Chechnya.

A representative of CAT explained that the committee does not receive the same number of applications for support compared to 2009-2010. CAT is the leading member of the Joint Mobile Group¹² that provide legal assistance to those who have suffered torture, ill-treatment, or enforced disappearance at the hands of Chechen authorities.

A journalist specialized in the North Caucasus region (B) stated that today the police and other law enforcement structures in Chechnya enjoy complete impunity and the only one who can control them is Ramzan Kadyrov. In short there is no rule of law in Chechnya as in reality the law is under complete control of one person, Ramzan Kadyrov.

A journalist specialized in the North Caucasus region (B) stated that unlike in other republics in the Russian Federation the Chechen Ministry of Interior is under almost complete control of the Chechen authorities and although the heads of the republic ministries and departments are officially appointed by the Federal Ministries in Moscow, Ramzan Kadyrov, unlike the heads of the neighbouring regions, has more influence on local law enforcement officers, which gives him a significant advantage to maintain his power base compared to the other republics.

A lawyer from Grozny stated that in Chechnya laws exist only on paper. Rule of law in Chechnya has broken down completely.

¹¹ According to their website the Committee against Torture is "a Russian non-governmental organization acting in the sphere of human rights protection. [...]The Head-quarters of the Committee against Torture are located in Nizhny Novgorod; there are representations in Chechnya, Mariy El and Bashkiria. Besides, the CAT has a branch-office in Orenburg region. The Committee was founded in 2000 in Nizhny Novgorod by a number of famous Nizhny Novgorod human rights defenders, including the present NGO head Mr. Igor Kalyapin. It was created as a human rights organization with the purpose of exercising public control over the problem of torture application and violent treatment in Russia and granting professional legal and medical aid to torture victims." See more at: <http://www.pytkam.net/about-committee.common-information>

¹² CAT is a member of the Joint Mobile Group (JMG) of Russian human rights organisations in Chechnya set up to monitor the human rights situation. Igor Kalyapin is the founder and President of the JMG. The JMG was formed after the murder of Natalia Estemirova, a member of the Human Rights Centre "Memorial" in Grozny, in July 2009, and has been active in Grozny since the fall of 2009. The JMG comprise NGOs and human rights defenders from across Russia. See: <http://www.hrw.org/news/2013/10/08/russian-group-wins-martin-ennals-human-rights-award>

Security and human rights in Chechnya

It is possible for lawyers to establish good relations with individual police officers in Chechnya. Such relations are very helpful in terms of receiving information about specific cases or incidents relevant to the lawyers. However, it was added that a lot of pressure is applied on defence lawyers by the Chechen authorities. Since 2002 six lawyers have disappeared in Chechnya.

Since Ramzan Kadyrov came to power in 2006 all lawyers working on cases related to the insurgency were informed that they should not put too much effort into these cases. Otherwise, they could risk losing their license to practise law. The lawyer from Grozny was familiar with colleagues who have lost their license in that regard.

Alongside the fear of losing their license some lawyers have also felt under pressure by insurgents and the Chechen authorities not to take on insurgency related cases.

It is difficult to find a lawyer in Chechnya who is willing to take on cases that involve the insurgency. This would include cases of legal defence of people who are accused of providing support to the insurgents. The defence lawyers in Chechnya are afraid of reprisals from the authorities. Very few lawyers in Chechnya dare to conduct a proper legal defence, and they are under pressure from the authorities not to do this. It was added that although everyone in Chechnya will be supplied with a defence lawyer, very few lawyers would take on a case involving support to the insurgency and provide proper legal defence out of fear of losing their license to practice law.

A human rights activist in Grozny (A) stated that although the Chechen republic is officially part of the Russian Federation the head of republic Ramzan Kadyrov “owns” all the people of Chechnya. He states this openly on local television where he would claim that President Putin offered him the Chechen republic as his property.

Chechnya in reality is a totalitarian regime where Ramzan Kadyrov decides on everything. It is impossible to fully apprehend the implications of that unless one is living in Chechnya. It was added that any normal person would prefer not live in Chechnya and that it is understandable that people would try to leave the republic.

A journalist specialized in the Caucasus region (A) explained that anyone who encounters problems with the Chechen police have very limited means of help and assistance. Not even Memorial has the means to assist all those who have reasons to fear the Chechen authorities. If people contact the journalist specialized in the Caucasus region (A) they would be referred to Igor Kalyapin of CAT. Igor Kalyapin is well-known by Chechens after he took on the case of Umarpashaev.

A human rights activist in Grozny (B) stated that there is a dark side to all the newly constructed buildings in Grozny. Some of the people who owned houses and small businesses in the buildings that were demolished to make way for the redeveloped areas e.g. the construction of Mosques and shopping centres have lost their property without proper compensation. In some cases the aggrieved persons have gone to court with their claims for compensation, but even [though the] applicants [the aggrieved persons] submits the evidence that the mayor and the city of Grozny was involved in the demolition of property to pave way for new buildings it had no consequences for the mayor or for the compensation to those who lost their property.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny [the meeting with Chapanov was arranged by the Chechen Ministry of National Policy], explained that he works with all kinds of criminal cases. He has previously worked at the Chechen Prosecutor's Office in Grozny, in the Chechen Investigative Committee. He is a former deputy to the Grozny City Council. Today he is a lawyer and he teaches law at the university in Grozny.

Chapanov explained that it happens that the Investigative Committee takes steps to open a case against police officers based not on evidence but on accusations alone. The police officers are then found not guilty of, for instance, improper detention or for not providing proper documentation in a criminal case. In such cases the person making the false accusation would be penalised. Reference was made to a specific case in which a taxi driver had filed a complaint against police officers for violating the drivers' rights. The court found the police officers not to be guilty. Chapanov explained that the taxi driver only made the accusations to discredit the Chechen police so that he might avoid paying the fine for speeding. However, sometimes police officers do in fact violate the administrative laws.

Statements from the office of the Chechen Ombudsman

Employees of the office of the Chechen Ombudsman in Grozny stated that the Ombudsman institution is tasked with protecting the fundamental rights of the people; contribute to the improvement of the laws of the republic concerning human rights and to work as a link of communication between the Chechen authorities and civil society groups. The Ombudsman institution on a daily basis receives in written form or in person complaints from people who believe that they have experienced some form of injustice or wrong treatment by the authorities. Within the framework of the law, the Ombudsman institution provides assistance to such people. It was added that the Ombudsman institution communicates very well with the state authorities and the institution works closely together with the authorities.

The Ombudsman institution is completely independent of the state authorities in Chechnya. The institution has the power to make recommendations in order to restore the rights of individuals. The vast majority of such recommendations are followed by the state authorities. The Ombudsman institution annually report on the human rights situation in the Chechen Republic to the head of the republic. The annual reports are published on the web site of the Ombudsman institution. It was added that the institution also has the power to report directly to the Chechen parliament if it identifies a massive violation of human rights. Several years ago the Ombudsman institution took that approach regarding the housing situation.

The institution receives all the necessary support from the head of the republic, Ramzan Kadyrov.

Before the counter terrorist operations were declared to have ended, people approached the Ombudsman institution with complaints concerning severe human rights violations. The Ombudsman institution has created a database containing information about approximately 5.000 cases of kidnappings and disappearances, and the institution is still working on bringing those responsible for these crimes to justice. However, today people mostly approach the Ombudsman institution with complaints concerning social problems, moral losses and material losses. In addition, the Ombudsman institution consults and assists with the lawsuits [from the] people who want to complain to the European Court of Human Rights concerning human rights violations during the war in Chechnya.

Security and human rights in Chechnya

Approximately 4.000 people contact the Ombudsman institution annually. It was added that the institution have a well-functioning cooperation with international partners such as the European Union, the Danish Refugee Council, the International Committee of the Red Cross and the International Organization on Migration. It was added that many Chechens in Europe call the institution to receive advice on how to return to the Chechen republic.

The head of the republic is paying close attention to the human rights situation in the republic. The Ombudsman institution explained that police abuse, ill-treatment or torture in pre-detention and forced confession no longer occur in Chechnya. Such things took place during the active phases of the wars in the republic, but today Chechnya is the safest region in the North Caucasus.

Of course, it would not be correct to state that the institution does not receive any complaints at all concerning the police. However, such complaints are quite rare, but when they are received the Ombudsman institution react by opening a case with the Public Prosecutor's Office and the Investigative Commission would conduct an investigation. So far, investigations into allegations of police misconduct have proven to be unfounded.

In some cases it has been necessary to express criticism and recommend solutions to the Chechen police in cases of procedural mistakes. It was emphasized that not all complaints equal a human rights violation. The Ombudsman institution found sufficient reason to express criticism in only 15 % of the approximately 4.000 annual complaints.

Human rights violations take place in every country in the world including in the Chechen Republic. However, the human rights situation in Chechnya has improved radically in recent years and there are fewer and fewer reports of human rights violations owing to the attention paid to the issue by the head of the republic, Ramzan Kadyrov, and the government.

It was emphasized that the institution has sufficient mechanisms to react appropriately to any complaints of human rights violations. The Ombudsman institution was established according to the Constitution of the Chechen Republic and together with the Decree 451 on the Ombudsman institution a solid legal basis has been provided for the institution to fulfill its mandate.

The institution has access to prisons and detention facilities in the Chechen Republic. The ombudsman institution has not received a single complaint concerning of people being exposed to ill-treatment or torture in these facilities. In 2012 a report about a case of ill-treatment came to the knowledge of the Ombudsman institution, but investigation established that no wrong doing had taken place.

Migration is a natural process and as long as Chechens abroad have a legal stay in their country of residence and they behave reasonably, the Chechen government has no problem with migration out of the republic. It was added that Chechens will always return to Chechnya in the end.

1.1.1 Cases illustrative of the human rights and rule of law situation in Chechnya

According to an ICG analyst in Moscow, the case concerning the dismissal of the now former head of the Investigative Department of the Chechen Republic Investigative Committee, Sergei Bobrov, illustrates the way power is exerted in Chechnya. Bobrov tried to do his job and he initiated a large number of investigations of criminal cases including cases concerning honor killings, such as the case of three women

who were found killed near Grozny in May 2013. The three killings were believed to be committed by members of the Shali police force. As a consequence of his dedication to his work, Bobrov received explicit threats, [the] investigator [that] worked with that case was treated [threatened] of being raped by the chief of the Shali Police Department including having it shown publicly. Eventually, Bobrov resigned from his job.

Concerning the situation of people who do not conform to the thinking of Kadyrov, an ICG analyst in Moscow referred to the recent case of the civil society activist Ruslan Kutaev. [Human Rights Watch has reported on the case of Ruslan Kutaev]¹³

On 18 February 2014 Kutaev participated in an academic historical conference held to mark the 70th anniversary of the deportation of the Chechen and Ingush peoples. During the conference the issue of economic compensation to the victims of the deportation was raised. Apparently, this made Kadyrov very angry as he believes that the Chechens deserved to be deported because they supported Germany and Hitler against the Soviet Union during the Second World War. For several years now the issue of Stalinist deportation of Chechens to Central Asia has virtually been banned from public discussion, as are public events on its memorial day, commemorated every year on February 23, which coincides with the Russian national holiday celebrating its military men, the so-called “Day of the defender of the homeland”.

In 2014 the 70th anniversary of the genocidal deportation also coincided with the closing ceremony of the Winter Olympic Games in Sochi. Public memorial events were banned in all three North Caucasus republics where Chechens and Ingush reside. However, in Chechnya a real war on memory was launched. Kadyrov made it clear that no mourning events would take place in Chechnya in February anymore; instead the unified mourning day from now on would be on 10th May, the day when his father was buried.

The following day, a number of the participants in the conference including Kutaev received a phone call to see the head of administration in Chechnya, Magomed Daudov. Kutaev did not respond to this call and on 20 February 2014 he was taken away from his home by a group of police officers. Kutaev was beaten and mistreated by Daudov and the police and he was subsequently charged with possession of three grams of heroin. A few days later Kadyrov said in an interview: “He [Kutayev] held the conference dedicated to the 23 February, that’s why he was detained.” However, Kutayev was sentenced for 4 years in prison.

According to an ICG analyst in Moscow the case of Kutaev is a clear example of a fabricated criminal case and should be seen as a warning to the civil society not to oppose Kadyrov in any way. The case is also illustrative of the psychological pressure that is often applied against family members of persons who have fallen out against Kadyrov. The day after his arrest, Kutaev was shown a fresh photograph of his nephew who lives in Moscow with the implicit threat that the Chechen authorities knew of the whereabouts of even more distant relatives to Kutaev. It was added that the Chechen authorities no longer need to make use of violence because the level of terror is so high and deep-rooted in the Chechen population. Threats are usually sufficient to make people subject themselves to the will of Kadyrov.

¹³ Human Rights Watch, *Russia: Chechen Activist Leader Arrested, Beaten*, 8 April 2014, <http://www.hrw.org/news/2014/04/07/russia-chechen-activist-leader-arrested-beaten>

Security and human rights in Chechnya

As an example of the human rights situation in Chechnya, a human rights activist in Grozny (A) referred to the case of Ruslan Kutaev, age 57, who was arrested on February 20 2014 by the Chechen authorities on politically motivated drug charges. Kutaev was allegedly found in possession of heroin.

An ICG analyst in Moscow referred to the investigation into the murder of human rights activist Natahlia Estemirova and the investigation into the case of Umarpashaev, who was illegally detained by the Chechen OMON as illustrative of the complete impunity enjoyed by Chechen OMON and other police units close to Kadyrov. Both cases have been transferred for investigation outside of the Chechen Republic. Igor Sobol, who is in charge of the inquiries into both cases for the Investigative Department, has been threatened that he would be shot if he came close to the Chechen OMON and nobody responds to his letters to appear for questioning.

Svetlana Gannushkina, Memorial/CAC, explained that the Chechen authorities are free to do whatever they want to do. Reference was made to the case of Islam Umarpashaev who had been kept in safety in Nizhny Novgorod by the Committee Against Torture while his complaint of having been abducted from his home in Chechnya in December 2009 and held incommunicado for several months, and tortured by Kadyrov's men, was investigated by the federal investigative authorities outside of Chechnya. Umarpashaev and his family of ten have now left Russia. Apparently, Umarpashaev had been told by someone that Igor Kalyapin and his team of lawyers in CAT deliberately prolonged his case and that Umarpashaev would benefit from withdrawing his complaint. It was suggested that maybe Umarpashaev had been paid to leave Russia thereby putting an end to an investigation that could ultimately involve Ramzan Kadyrov personally.

A human rights activist in Grozny (B) also referred to an example from Achoi Martan where the local market was demolished by local authorities. After the demolition the construction of new building projects began. The local authorities refused to pay damages to individuals whose shops were demolished. The cases illustrate that the courts do not compensate ordinary people who have lost property and that the Chechen authorities can act with impunity. The court system is not able to intervene and provide protection under the laws to ordinary Chechens. It was added that in one of the cases the judge said he [the judge] could not rule against the authorities as this would be dangerous for him and that he also had to be able to live in the republic.

A human rights activist explained that in order to finance the buying of expensive football players to the Terek football team¹⁴, Ramzan Kadyrov applied pressure on local businessmen in Chechnya to donate money to the purchase. They refused to donate the money and the next day their businesses were demolished by bulldozers. Some of the businessmen filed complaints at the court, but the cases were rejected. In the few cases that were not rejected, the prosecutor found some legal aspects of the businesses that were not in compliance with the law. When the businessmen were warned of this, they subsequently decided not to proceed any further with the case.

A lawyer from Grozny referred to a case from 2012 in Argun in which a colleague was representing a young man accused of having supported the insurgency. The young man was released by the court as there was no evidence to substantiate the charges. After his release, he was apprehended in his home by the Chechen

¹⁴ Football club in Grozny. See website: <http://fc-terek.ru/>

police. He managed to make a phone call and tell what was about to happen before he was taken away. Local residents saw that he was taken from his home by police officers. One week later he was found dead in the river in Grozny. His body showed marks from torture. His lawyer was subsequently accused of knowing that the young man was in fact guilty and that he would join the insurgency as soon as he was released. The police claimed that the young man was now dead because he had joined the insurgency. Other lawyers mobilized support for the young man's lawyer and the case ended without further legal steps being taken against the defence lawyer.

When working on a specific case involving accusations of support to the insurgents, the prosecutor denied a request for access to information filed by the lawyer from Grozny. The prosecutor explained that the request was denied for the lawyer's own safety. It was added that everyone working with cases in the legal system in Chechnya are afraid to get into trouble with the Chechen elite. Even Russians who are employed by the federal authorities and stationed in Chechnya are afraid of the Chechen ruling elite. The lawyer from Grozny knew of two investigators who left their positions because of the injustice they witnessed in Chechnya. Some prosecutors and officers in the Investigative Committee have admitted that they cannot perform their duties and have suggested that the lawyer from Grozny should file complaints with the European Court of Human Rights.

A human rights activist in Grozny (B) referred to a case in which a woman was accused on three different articles of the criminal code. The case was fabricated by the Chechen police for unknown reasons. During the interrogation police officers were present in the room and signalled to the investigator what to do in the case. The investigator chose to follow these instructions.

A human rights activist was involved in the defence of the accused woman. There were several witnesses in the case. When the defence lawyer attempted to register them and include their testimony in the case, the investigator informed the defence lawyer that there was not enough time to register the witnesses. One witness reported to the defence lawyer that the investigator had approached him and told him not to bother being a witness as the case was already decided upon. However, the defence lawyer managed to convince the witness to testify and also managed to get the court to accept the witness's testimony. Subsequently, the human rights activist received a phone call from the judge who proposed a deal in which the woman would be found guilty only of minor offences and with no prison sentence instead of the stipulated seven years imprisonment if the accused was found guilty as initially charged. In the end the accused was happy to accept the deal and the case was closed.

1.2 European Court of Human Rights (ECHR) cases concerning ill-treatment, torture and disappearances

A human rights activist stated that there are no recent rulings from the European Court of Human Rights concerning torture and ill-treatment committed by the current authorities in Chechnya. However, a number of rulings involve killings and disappearances. The official explanation from the European Court of Human Rights is that there has not been sufficient evidence to prove that the local Chechen authorities have been involved in torture and ill-treatment. Several rulings from the Court in Strasbourg have found that the Russian authorities have failed to carry out an effective criminal investigation into the circumstances surrounding cases of ill-treatment and disappearances.

When asked if there are pending cases with the European Court of Human Rights regarding ill-treatment in detention in Chechnya, a human rights activist referred to a case of Suleymanov. In this case the Court did not find sufficient evidence to conclude that Suleymanov had been tortured by the Chechen authorities, but the Court found that the Russian authorities had not conducted a proper investigation into the complaint regarding the disappearance of Suleymanov in May 2011.¹⁵

A human rights activist referred to the case of Turluyeva, the mother of Ibragimov. In that case the European Court of Human Rights found two violations of Article 2: one on account of Russia's failure to protect the life of the applicant's son, and the other owing to the absence of an effective investigation into Ibragimov's disappearance.¹⁶

Finally, a human rights activist stated that the European Court of Human Rights for the first time found the Chechen authorities responsible for an abduction in the case concerning Askhabov v. Russia.¹⁷

1.3 Chechens leaving the republic

UNCHR in Moscow stated that as a consequence of a court ruling in Germany in 2013, the financial benefits for asylum seekers were almost doubled. This could be a part of the reason behind the large influx of Chechen asylum seekers in early 2013. Some would sell all their belongings to pay for the travel to Germany. In some cases entire villages were emptied of its inhabitants because they left for Germany.

¹⁵ *Case of Suleymanov v. Russia*, (Application no. 32501/11), Judgement, Strasbourg, January 2013 (Final 27/05/2013), <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-116078>

The applicant, Doka Suleymanov, is a Russian national who was born in 1940 and lives in Grozny. He alleged that his son, Tamerlan Suleymanov, born in 1982, was ill-treated and abducted by State officials on 9 May 2011, after having been detained two days previously for a few hours by officers from the department of the interior, who pressured him into confessing to the preparation of a terrorist act. The applicant had not had any reliable news of his son since 9 May 2011.

The Court did not find it established beyond reasonable doubt that Tamerlan Suleymanov was ill-treated by State agents. Therefore, the Court was unable to conclude that there has been a violation of Article 3 of the Convention on account of Tamerlan Suleymanov's alleged ill-treatment. However, The Court held that the authorities had failed to carry out an effective criminal investigation into the circumstances surrounding the ill-treatment of Tamerlan Suleymanov, in breach of Article 3 in its procedural aspect.

¹⁶ *Case of Turluyeva v. Russia*, (Application no. 63638/09), Judgement, Strasbourg, 20 June 2013 (Final 07/10/2013), <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-120970>

The applicant, Raisa Turluyeva, is a Russian national who lives in Chechnya. On 21 October 2009, her son was detained by the police. He was last seen in the premises in Grozny of the external guards regiment of the Ministry of the Interior of Chechnya also known as the "oil regiment". He showed signs of beatings on his face and he had difficulty standing up. The Court found two violations of Article 2: one on account of Russia's failure to protect the life of the applicant's son, and the other owing to the absence of an effective investigation into his disappearance.

¹⁷ *Case of Askhabova v. Russia*, (Application no. 54765/09), Judgement, Strasbourg, 18 April 2013, Final 09/09/2013, <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-118601>

The applicant, Tamara Askhabova, is a Russian national who was born in 1951 and lives in Shali, the Chechen Republic (Russia). The case concerned the abduction and disappearance of her son, Abdul-Yazit Askhabov, born in 1983. She alleged that three armed men in masks and military camouflage uniforms had broken into the family home in the early hours of the morning on 5 August 2009, had dragged her son out of bed and had taken him away without any further explanation. He had not been seen since. The Court found that Abdul-Yazit Askhabov must be presumed dead following his unacknowledged detention by State agents on 5 August 2009. The Court found that his death could be attributed to the State and that there has been a violation of the substantive aspect of Article 2 in respect of Abdul-Yazit Askhabov. Furthermore, the Court held that the authorities failed to carry out an effective criminal investigation into the circumstances surrounding the disappearance of Abdul-Yazit Askhabov, in breach of Article 2 in its procedural aspect.

A representative of Dosh explained that there are Chechens who leave Chechnya and Russia due to the economic situation. It would not be correct to state that all Chechens are leaving due to a violation of their human rights.

A visa to Europe could cost approximately 2000 Euro per person. The cost of travelling to Europe should be added to that amount of money. Most Chechens would have to sell all their belongings to be able to accumulate that much money.

A journalist specialized in the Caucasus region (A) explained that Chechens would only leave Russia if they have a really serious problem with the authorities in Chechnya. Most Chechens are not keen on leaving their home, but if they believe that they are in danger because of some serious problem with the Chechen authorities or if the intimidation and small scale harassment become unbearable they would ultimately have to leave Chechnya. It was added that many Chechens choose to stay in Chechnya despite being in an insecure situation.

When asked where Chechens who have a conflict with the Chechen authorities would go if they decide to leave Chechnya, a journalist specialized in the Caucasus region (A) explained that they do not tell anyone where they go, but in general they do not stay in the Russian Federation. They would rather opt for Europe or Central Asia e.g. Kazakhstan. They are afraid of the Chechen authorities and they know that people have been killed by the Chechen authorities even in Austria. It was emphasized that any openly critic of Kadyrov would not be safe in any place in the Russian Federation. Such critics would not only have their personal security to consider but [also] their family members in Chechnya would receive threats and risk physical harm.

People with a less serious conflict would probably choose to go to Moscow or the Moscow Region. A large number of Chechens live and work in Moscow. Many Chechens also worked in construction in Sochi leading up to the Olympic Games. There are other larger communities of Chechens in other large cities working in the construction business and industry.

Khamzat Gerikhanov, Chechen Social and Cultural Association¹⁸, did not doubt that housing and other social benefits in the European countries are attracting some Chechens, and most do not choose to migrate internally in Russia but prefer to seek a brighter future in Europe.

IOM Moscow stated that the main problems in Chechnya today are high unemployment and the republic's poor economy. Most Chechens migrating to Europe are from poor rural areas with limited employment

¹⁸ The Association of Chechen Social and Cultural Unions (Ассоциация чеченских общественных и культурных объединений) tries to provide help in different fields for Chechen migrants in the Russian Federation. The issues that the organization deals with are as follows: Cultural and legal education, Legal aid, human rights problems, problems related to health care, educational system, access to documents, assistance as rendered to the students and young learners, organization of cultural events: lessons, lectures, festivals, concerts and promotion of knowledge on the Chechen culture and history. FFM Moscow 2008, A joint mission by experts from Belgium, Austria and Poland, 10/09/2009, http://www.bmi.gv.at/cms/BMI_Service/Report_FFM_Moscow_2008.pdf

The organisation was founded in 1999 and have had the present name since 2005. Khamzat Gerikhanov explained that since 2005 he has been acting as chief editor of the organisation's newspaper. See joint report from the Danish Immigration Service's and Danish Refugee Council's fact finding mission to Moscow and St Petersburg: Chechens in the Russian Federation – residence registration, racially motivated violence and fabricated criminal cases, August 2012, 4/2012 ENG, <http://www.refworld.org/docid/532c03cd4.html>

opportunities. It was estimated that 80% of the Chechens that leave for Europe are migrating for economic reasons. IOM in Moscow added that the Chechen who go to Moscow, St. Petersburg or other big cities in Russia tend to stay in those cities. The Chechen who have decided to go to Western Europe usually do not travel through Moscow or St. Petersburg.

IOM Moscow stated that according to their information, most Chechens travelling to Europe go to Brest in Belarus. IOM Moscow was not sure if they had to bribe the Belarus border guards as they are free to cross the border to Poland without any obstacles. From the border they are sent to a reception centre for the registration of their asylum application and fingerprints. In front of the reception centre and before the fingerprints are taken and the identity of people has been established, minibuses are waiting offering to transport people to all other destinations in Europe such as Brussels, Vienna, Berlin, and Copenhagen etc.

Statements from the Chechen Department of External Relations

Representatives of the Department of External Relations in Grozny explained that in 2013 more Chechens than usual left for Europe. An investigation was made into the matter. The investigation concluded that there is a large network of human smugglers in Europe and Russia that offers to facilitate people's travel abroad. These human smugglers [traffickers] are telling Chechens what they should tell the immigration authorities in the Western European countries in order to increase the likelihood of being granted asylum.

Thousands of those claiming to be Chechens when applying for asylum in Europe are not even Chechens. The department had learned from stories from Germany that citizens of Pakistan have claimed to be Chechens in connection with their asylum applications. They had even learned a few words in Chechen as well as some basic facts about the republic e.g. the names of some Chechen cities.

In reality the number of Chechen refugees in recent years has decreased. People in Chechnya have now realized that peace has finally come. Actually, tourism is one of the fastest developing sectors in Chechnya. However, it is no secret that there is still unemployment.

Criminal networks spread the false rumour among Chechens that there are many available jobs in Europe. These rumours spread especially rapidly in 2013, and many Chechens believed them and went to Europe in the first half of 2013.

Representatives of the Department of External Relations in Grozny explained that according to their information approximately 80% to 90% of the Chechens asylum applicants in Europe in 2000 were granted asylum, whereas in 2013 only 20% were granted asylum.

Some Chechens are departing from Chechnya to Europe and also to Denmark. Most of them do so because of unemployment in Chechnya and for economic reasons.

Representatives of the Department of External Relations in Grozny found it disturbing that in order to receive a residence permit and access social benefits in European countries, some Chechens are ready to make up stories about how horrible the situation is in Chechnya and that they are being persecuted by the authorities.

The problem is not that these people are leaving Chechnya – everybody enjoys freedom of movement in Chechnya. The problem is that they create a negative image of the republic, making it difficult for the Chechen government to attract foreign investments and create jobs.

2. Illegal armed groups – size, structure and leadership, recruitment, supporters

Mairbek Vatchagaev, editor of the Caucasus Survey explained that only jihad groups are found in Chechnya. There are no other organized armed groups i.e. remnants from the fight for independence in the republic. The jihad group in Chechnya is very small and it only exists because it is in hiding. Unlike the other jihad groups in the neighbouring republics who live and operate as insurgents in the cities, the Chechen jihad groups are found in the forests and the mountains and because of this they are considered by the other jihadist groups to represent the true resistance and they enjoy much respect. If the Chechen jihadists were killed or disappeared, the entire jihadist movement would be endangered.

A journalist specialized in the North Caucasus region (B) stated that the actual number of armed insurgents fighting in the North Caucasus is very low. It was added that the insurgents in Ingushetia, Dagestan and Kabardino-Balkaria are motivated by the idea of the Caucasus Emirate¹⁹ whereas the insurgents in Chechnya to a much larger extent are motivated by nationalistic ideas. The Chechen insurgents are in reality fighting for separatist reasons and the very small groups of insurgents are all that is left from Dudaev's fight for independence in the 1990'ies.

Among Chechens the ideas of world Jihad and radical Islam have almost no followers or supporters when compared to the population in Ingushetia and Dagestan.

2.1 Size

Mairbek Vatchagaev, editor of the Caucasus Survey estimated that there are probably not more than one hundred jihadists in Chechnya.

According to an ICG analyst in Moscow the number of active insurgents in Chechnya is no more than a few dozen who move back and forth across the Chechen administrative border to Dagestan and to a lesser extent to Ingushetia. The Chechen part of the insurgency are weakened and split up in an eastern branch and a western branch with limited cooperation between the two parts.²⁰

¹⁹ According to the Centre for Eastern Studies in Warsaw "The Caucasus Emirate is a virtual Islamic 'state' whose area largely overlaps with the North Caucasus Federal District. It is divided into five provinces (vilayats) whose borders generally correspond to the administrative borders of the republics): Dagestan, Nokhchiycho (Chechnya), Galgayche (Ingushetia), Kabarda-Balkaria-Karachay, and the Nogay Steppe (southern part of Stavropol Krai)²⁶. The vilayats consist of so-called "fronts" (northern, north-western, south-eastern, etc.). The vilayats and the fronts are governed by local emirs (amirs). The Emirate uses its own geographic names, e.g. Grozny is Dzhokhar, Makhachkala is Shamilkala, Kizilyurt is Rabbanikala, etc. Despite this centralised structure, the Emirate is in fact a federation of militant groups enjoying considerable independence, connected by a shared idea and by the fact that they all formally recognise the supremacy of Dokku Umarov [now deceased] [...] The fact that the militants are dispersed, and that it is therefore difficult to co-ordinate the activities of different groups on the one hand makes it impossible for the Emirate to organise a larger-scale operation, such as an attempt at taking control of a town (like the attack on Nalchik in October 2005, during the second Chechen war), but on the other hand makes it difficult for the authorities to combat the insurgency." For more information about the Caucasus Emirate and the situation in the region see: No change in the Russian Caucasus. The winter Olympics amid a local war, Wojciech Górecki, Centre for Eastern Studies (OSW), 2014-01-27: http://www.osw.waw.pl/sites/default/files/praceosw-47-rosyjski_kaukaz_ang-net.pdf

²⁰ In 2012 ICG published a report on the conflict in Chechnya: ICG - International Crisis Group: The North Caucasus: The Challenges of Integration (I), Ethnicity and Conflict, 19 October 2012. http://www.ecoi.net/file_upload/1226_1350913897_220-the-north-caucasus-the-challenges-of-integration-i-ethnicity-and-conflict.pdf (accessed 15 January 2015). Another report was published on the

Security and human rights in Chechnya

Svetlana Gannushkina, Memorial/CAC, confirmed that the number of insurgents inside Chechnya is very limited and it could be as few as a dozen or so, and they are only found in the areas bordering the Republic of Ingushetia and Dagestan and maybe some in the mountains to the south. The insurgents are moving in and out across the borders to the neighboring republics.

A western embassy stated that the number of active insurgents in Chechnya is considerable lower compared to the neighbouring republics. However, it is difficult to define an insurgent. There are the few rebels hiding in the forests. But there are also cases of explosions which imply that somebody else than the established rebel groups are active in the cities in Chechnya. It was added that terror incidents and armed clashes occur more often in Dagestan than in Chechnya.

A human rights activist in Grozny (A) explained that he had no information about the number of active rebels or insurgents in Chechnya. Official numbers say around 120 people. Almost every day there is news that an active member of the insurgency has been killed. It could be speculated that the local Chechen authorities and the Russian federal authorities have a common interest in keeping up the belief that there is an active insurgency, even though it might be almost defeated in Chechnya. It was added that if there was a real will to eliminate the few remaining insurgents, the Chechen authorities could easily do so as they have all the equipment at their disposal.

A lawyer from Grozny stated that there are very few active insurgents left in Chechnya. The few who are remaining are found in the border region towards Dagestan and Ingushetia. The insurgents are mainly active in Dagestan.

2.2 Leadership and structure

According to Mairbek Vatchagaev, editor of the Caucasus Survey, the men among the 100 active jihadists in Chechnya today are men in their 30'ies. They would typically have joined the insurgency in the years 2007, 2008 and 2009 and they are motivated by ideology or religion. Before 2007 the jihadist that joined the insurgency around 2004 were motivated by vengeance against the Russians. The jihadists in Dagestan are typically younger than the ones in Chechnya i.e. in the start 20'ies.

Following Dokku Umarov's death only Chechen jihadists leaders were initially suggested as the new emir of the Caucasian Emirate. Aslan Butukaev (aka Emir Khamzat), who was Chief Khadi (judge) under Umarov, was supposed to become the next leader. However, he refused arguing that it would be difficult to have a Chechen leader of the Emirate who would be limited in his contact with the jihadist leaders in the region, partly due to the constant pressure from the Chechen police and security forces. It was added that the Russian and the Chechen authorities did their best in searching for Umarov. With the death of Umarov, the pressure on the Chechen jihadists has probably eased a little.

The jihadist are separated in three groups all hiding in areas characterized by dense forests and mountains.

insurgency in the North Caucasus: ICG - International Crisis Group: The North Caucasus: The Challenges of Integration (II), Islam, the Insurgency and Counter-Insurgency, 19 October 2012. http://www.ecoi.net/file_upload/1226_1350914169_221-the-north-caucasus-the-challenges-of-integration-ii-islam-the-insurgency-and-counter-insurgency.pdf (accessed 15 January 2015)

The first group is in hiding in the forests close to the administrative border to Ingushetia. Emir Khamzat automatically became emir of the Chechen jihadists, and he is leading this group of jihadists. This is where Umarov was able to hide for the Chechen authorities for more than seven years. He never left the area.

The second group is in hiding in Vedensky District in the mountains called the Black Mountains by the Russians. This group was headed by the brothers Muslim and Khusein Gakaev who were killed in a military operation in January 2013. The new commander is Amir Mahran (Makhran). His real name is Saidov Mahran and he was born in 1975. Currently there is no information about the group apart from the fact that it exists. The group has not carried out any operations recently.

The third group is in hiding in the mountain forest near the border to Dagestan. This group is led by Emir Aslanbek (aka Aslanbek Vadalov) who participated in the first war in Chechnya and who is a very experienced fighter. This group is known to operate in Dagestan. Vadalov was proposed new emir of the Caucasian Emirate by the emirs in Dagestan because he is in command of the largest group of jihadists in Chechnya. It was added that the administrative border to Dagestan is not a real border and it is quite easy to infiltrate into Dagestan from Chechnya. Many Chechens live in Khasavyurt and other cities in Dagestan near the administrative border to Chechnya and Chechens are responsible for actions carried out in Dagestan. They are under command of the Dagestan emir.

An ICG analyst in Moscow explained that in March 2014 it was confirmed on the Caucasian Emirate's web site that the leader of the Caucasian Emirate Dokku Umarov had died. The precise circumstances surrounding his death are not known, but rumor has it that he had been in poor health for some time. The new leader of the Caucasian Emirate Abu Mukhammad is from Dagestan. Prior to the death of Dokku Umarov there were reports of internal dissatisfaction within the Chechen insurgency commanders concerning the strategy of the movement and the decision to give up on the idea of [a] Chechen national state. The leadership succession created some disagreement between the Chechen commander Aslanbek Vadalov and Ali Abu Mukhammad (a.k.a. Aliaskhab Kebekov), who is an ethnic Avar from Dagestan and who held the position of Qadi (judge) in the Caucasian Emirate. However, in the end Ali Abu Mukhammad was appointed the new Emir of the Caucasian Emirate.

A journalist specialized in the North Caucasus region (B) explained that a split among the insurgent groups took place in 2007 after Dokku Umarov claimed that there was no such thing as a Chechen identity but only one Caucasus Emirate from sea to sea. The Chechen insurgent leaders and groups temporarily left the structure as they understood that the ideas behind the Caucasus Emirate was different than theirs.

2.3 Activities

An ICG analyst in Moscow stated that there seem to be some active insurgents at the administrative border to Ingushetia and Dagestan. Reference was made to the Internet mass medium Caucasian Knot who has reported of armed clashes between militants and Chechen police in the Shatoy District and in the Sharoy District from June to September 2013.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that in 2013 the group under the command of Umarov was responsible for several bomb explosions and attacks on Russian federal soldiers in Chechnya. However, the jihadists are generally reluctant to conduct attacks because the Chechen authorities always

retaliate with special operations. Basically, the main concern to the jihadists is to stay alive as the Chechen branch of the Caucasus Emirate. It is less important to conduct spectacular attacks.

When asked how it is possible for the insurgents to hide from the large number of Chechen security agents in a rather limited area, Mairbek Vatchagaev, editor of the Caucasus Survey, explained that the combination of mountains and forests is unique to Chechnya and a great advantage to the Chechen jihadist. There are no trees on the mountains in Dagestan and Kabardino-Balkaria, making it more difficult to hide there. Chechen jihadists are often referred to by other jihadists as “forest brothers”.

It was emphasized that Kadyrov definitely would crush the jihadists if only he was able to do that. Having active separatists in the republic is damaging for his image. At the same time president Putin has to fight many jihadist groups in Ingushetia, Dagestan and Kabardino-Balkaria besides the small groups in Chechnya. Every time a jihadist is killed, others are joining the movement, making it an impossible task to defeat the uprising using military means only.

Besides the three groups that constitute the Chechen *vilyat* or front, several smaller groups of young men are found in e.g. Argun, who claim to be part of the jihadist structure and under the command of the Chechen Emir. Two years ago Kadyrov found some of these groups, but it turned out that they had no leaders, no arms and they were definitely not an integral part of the jihadist resistance, even though they claimed that they were.

In Grozny there are young individuals who are motivated by the jihadist ideology and they could attempt to fire some shots or maybe set off a bomb and then try to escape. These young men would typically direct their actions against representatives of the Chechen police, civil servants or mullahs.

The real jihadists are not responsible for any actions in Grozny as they have no presence in Grozny or the surrounding area. Chechnya only covers approximately 4.000 square kilometers and with 27.000 police officers alone and not including the army and secret services, very little space is open for jihadist operation or actions.

It was added that some of these young men who occasionally carry out sporadic attacks live in the suburbs to Grozny. In Prigorodnoe, south of Grozny, a number of people who stem from Shatoi District have settled. Shatoi District is the native region of Dokku Umarov. Another suburb is Pervomayskoe, north of Grozny. That suburb is also inhabited by people who have their origin in the mountainous areas of Chechnya. All these people are proud of their origin from the mountainous areas and there is a feeling that they should do something about the current political situation in Chechnya, but they are not a part of the established jihadist movement. They would love to join the insurgency, but the jihadists do not want to admit them in the movement. Besides, there is a limit to the number of groups and fighters that can operate inside Chechnya. The jihadists cannot come out of the forest; “once in the forest, always in the forest”. It was added that the life in hiding in the forest attracts some bizarre psychological types. However, the jihadists can be seen as the “back bone” of the resistance and the young men in the cities can be considered “the muscles”.

Neither the established Jihadist groups nor the small groups or individuals who carry out sporadic attacks target ordinary people. The aim is to attack and kill specific groups of people such as police officers, mullahs and civil servants. Kidnappings are the prerogative of the Chechen authorities.

Information about the activities of the insurgents should be considered with caution. The authorities would often attempt to present actions by the insurgents as criminal acts and the information provided by the various insurgent related websites is also not reliable. It is therefore difficult to obtain accurate information about the number of incidents involving the insurgents and the authorities. However, it was emphasized that it would be an accurate assessment that offensive activities carried out by the Chechen insurgents are practically nonexistent and that the [number of] incidents in which authorities clash with the Chechen insurgents remains extremely low compared to the neighbouring republics.

The limited reporting of shootings and explosions in Grozny on the website of the Caucasian Knot does not reflect the reality. Vachagaev believed that there must be more unreported cases, as suggested by the postings on shooting and explosions heard by bloggers and tweeters on the social media. It was estimated that for every 10 cases reported on Caucasian Knot, the Kavkaz Center²¹ would report of 100 cases and the real figure could be around 50. The problem is that there are no other reliable news outlets than Caucasian Knot.

A human rights activist in Grozny (A) explained that there are some active insurgents hiding in the villages in Chechnya among the general population and that they could maybe conduct some small scale attacks, maybe even in Grozny. However, the insurgents are not really active in Chechnya but mainly in Ingushetia and Dagestan. These people would never ask a stranger for buying and delivering supplies. They would always use persons whom they really trust.

2.4 Contact with local population

An ICG analyst in Moscow stated that contrary to Dagestan and Kabardino-Balkaria where, many insurgents live or stay in the cities for some time, the few active Chechen insurgents do not dare to enter the cities in Chechnya out of fear of being detected by the Chechen authorities. There are no men with long beards, wearing uniforms and carrying arms in or around Grozny. It was added that the police probably know who the insurgent leaders are, but young people join the insurgency and the insurgents constantly move across the administrative borders to the neighboring republics.

People fear to enter the forests and for example there are hardly ever hunters in the forests because some [hunters] have been killed by the insurgents. It was added that there are cases of detention of people who have bought food for a day trip to Sufi religious places in e.g. the mountains in the south. These people were illegally detained on suspicion of supporting the illegal armed groups and later released after human rights defender intervention into the case. However, it would usually be police from another area who would conduct such groundless arrests.

The people who actively support the insurgents by providing food, clothes, medicine and other supplies are not complete strangers to the insurgents. The supporters are relatives, friends or people known from the

²¹ The Kavkaz Center is the name of a website, often described as the primary news portal of the regions Islamic Militants. See: BBC News: Chechen rebel leader Doku Umarov 'dead', 18 March 2014, http://www.bbc.co.uk/news/world-europe-26634403#sa-ns_mchannel=rss&ns_source=PublicRSS20-sa (accessed 21 January 2015) and Landinfo - Norwegian Country of Origin Information Centre: Tsjetsjenia: Sikkerhetssituasjonen, 20 February 2013, http://www.ecoi.net/file_upload/1226_1387467012_2307-1.pdf

Security and human rights in Chechnya

Mosque or the village by the insurgents. It was added that most insurgents are known to be insurgents by members of their local community as well as by the local authorities.

Mairbek Vatchagaev, editor of the Caucasus Survey, stated that the Chechen jihadists never come to the cities because they would be spotted immediately and either killed or detained.

Vatchagaev had personally not heard of people being arrested in or around Grozny for providing support to the jihadist. However, it could happen if for instance a woman has been purchasing and transporting some supplies from the city to the jihadist groups as a part of the network described earlier.

Vatchagaev believed that the Chechen authorities know very well all the current active jihadists. Whenever a person travels away from his village or home, the Chechen security agencies conduct some investigation into where the person has gone to and what the purpose of the travel is. It is unlikely that the jihadist would buy food and supplies themselves. They cannot go undetected to a village and would risk exposing the entire group if they did so.

Wounded jihadists would not be brought to a doctor or any other persons in villages or towns for treatment. The risk of them being detected and caught is simply too great and the fear is that the wounded jihadist would be exposed to torture and would ultimately reveal information that could lead to the elimination of the entire group. Seriously wounded jihadists can only be helped by God and they would rather die in the forest. However, if the Dagestan border is not far away and the wounded jihadist is able to move, he could try to go to Khasavyurt or send a trustworthy woman to a pharmacy in Dagestan to get some medication. It was added that only women carry information between the jihadist groups.

The relatives of the jihadists are of course under some surveillance by the Chechen authorities. But the jihadists make use of an advanced system of couriers or intermediaries where the woman who meets with the jihadist at their hide out, and who is typically a relative of one of them, would pass on the message to another trustworthy woman. The chain of communication could have several intermediaries. In the same way food, medicine and other supplies are delivered to the jihadists. It was emphasized that the trusted women would be either a widow to killed jihadists or in some way related to the jihadists.

There are no jihadists in Grozny and that it would be unlikely that people would be approached or contacted by the jihadist in areas near Grozny. It was emphasized that the jihadist support base would be near the areas where their hide.

Kadyrov faces problems because many people actually are supportive of the jihadists. They support the jihadists because they oppose Kadyrov, and not because they are motivated by religious beliefs or supportive of the idea of a Caucasian Emirate. Another problem facing Kadyrov is that young men – poorly educated and educated alike – are ready to join the jihadists, and that the jihadist movement is popular even amongst many intellectuals. It was added that without popular support it would be difficult for the insurgents to hide from the Chechen authorities and they enjoy support even within the Chechen police.

It was emphasized that the people who actively support the jihadists with food and other supplies are primarily family members of the jihadists or family members of killed jihadists or at least people whom the active jihadists know very well and have trust in. It was considered completely unlikely that the jihadists would approach strangers for support in terms of food, medicine or other kinds of supplies or assistance.

It is difficult to estimate the number of active supporters of the insurgency. People are very scared to speak about the insurgents even with people who they know well. The people who actively support the insurgents with food, medicine and other supplies or help are, of course, found in the three areas where the insurgents are hiding. Five or six years ago many people expressed their support to the jihadist movement including openly support the jihadist on social media, but today nobody dares to do that. However, for each jihadist there could be one thousand sympathizers, but probably only between ten to fifteen trusted people who would be willing to actively support the jihadist with food and other supplies or help. That number is actually rather high considering the possible consequences for these supporters and the risk they run by being associated with the jihadists.

A representative of CAT stated that the few active insurgents would never come near Grozny and they would never approach people for support in Grozny or the surrounding areas because Chechen police is present in large numbers. Active insurgents would not ask complete strangers anywhere in the republic for support in terms of food, medicine, shelter or transportation. Insurgents would only approach a person they completely trust. It could be relatives but also someone they know from school or from their home village and have complete confidence in. Another category of people the insurgents may ask for support would be persons whose husbands, brothers or sons were killed by the authorities and who would be motivated by revenge.

A lawyer from Grozny stated that it is very unlikely that people in Chechnya would actually get in contact with active insurgents due to the very limited number of insurgents in Chechnya that are left to support.

A human rights activist in Grozny (A) was aware of cases where people have been contacted by unknown insurgents in the forests. Gathering wild garlic is the main income to some poor people and in some cases these people have come across unknown insurgents who were in need of food. The wild garlic is found in some remote areas in the forests all over Chechnya but it is especially abundant around Urus-Martan and Bamut in Achkhoy-Martan. People go there in groups, men and women, where they set up camps and stay for some time while they gather wild garlic in the daytime. It is mostly young men from poor and marginalized families or young men who are practically orphans and have very few means of making a living that pick wild garlic. The season for collecting wild garlic begins in February and ends in late April.

Statements from the Chechen Ministry of Interior

According to the representatives of the Ministry of Interior in Grozny, the number of criminal cases involving § 208²² [of the Criminal Code of the Russian Federation] is decreasing.

There are no longer any members of the illegal armed groups left in Chechnya besides from the ones that from time to time cross over the administrative borders from the neighbouring republics. At least the security forces of the Ministry of Interior in Grozny cannot find any active members of the illegal armed groups and there are practically no more attacks taking place in Chechnya.

²² Article 208 of the Criminal Code of the Russian Federation is about "Organisation of an Illegal Armed Formation, or Participation in It". A full English translation of the criminal code is available at: <http://legislationline.org/documents/section/criminal-codes/country/7>

The representatives found it close to impossible to imagine that members of the illegal armed groups that have crossed the border from Dagestan into Chechnya would dare to contact ordinary people who are not known to the members of the illegal armed groups and ask for food or other supplies. The risk of being detected by the Chechen security forces would be very high if they operated in that way.

However, before 2005 there were many active members of the illegal armed groups in Chechnya, and they could intimidate people to give them supplies. Today there are police officers in every settlement in Chechnya, and active members of the illegal armed groups would be quickly identified. Active members of the illegal armed groups could operate near Grozny three to five years ago, but that is no longer possible. Today nobody in or around Grozny would run the risk of being asked by active members of the illegal armed groups to provide food, medicine or other kinds of supplies.

2.5 Recruitment

According to Mairbek Vatchagaev, editor of the Caucasus Survey, most jihadists are killed when the Chechen security structures succeed in infiltrating the jihadist groups. To the jihadists groups the biggest problem is to recruit new members and they have to be extremely careful when selecting new members in order to avoid infiltration. It is completely exaggerated when the news or media report that groups of 20 to 30 young men have left their villages to join the insurgents. The jihadists groups are very suspicious towards newcomers and do not readily accept them as new members. In recent times the biggest blow to the jihadists was the killing of the two Gakaev brothers. The Gakaev group was infiltrated by security agents and ultimately the group was destroyed.

A lawyer from Grozny stated that in some cases Chechen police officers pretend to be insurgents recruiting young men. When they stumble upon someone who is ready to join the insurgents, the police arrest him.

2.6 Financial support

According to Mairbek Vatchagaev, editor of the Caucasus Survey, the jihadists do not need large sums of money to buy weapons and explosives. But they do need some money to pay for their supplies and to provide for their families. The Chechen jihadists are financed by sympathizers within the Chechen diaspora primarily in Cairo and Istanbul. However, it is difficult to get the money into Chechnya and it has to be done in small amounts at a time. It can be a challenge for the jihadist to provide for their families. That is why family members to the active jihadist are occasionally sent abroad.

2.7 Links to international Jihad

Mairbek Vatchagaev, editor of the Caucasus Survey stated that Osama Bin Laden never acknowledged the Chechen jihadists, but his successor, al-Zawahiri, has stated that the Chechens are the best jihadists in the world. Approximately one thousand Chechen jihadists are participating in the fighting in Syria alongside Al-Nusra and ISIS. They are under the command of Khamzat, and they could be considered the active wing of the Chechen jihadists.

A journalist specialized in the North Caucasus region (B) stated that the insurgency groups in Ingushetia and Dagestan are sympathetic to the fight for world Jihad and they are connected with the groups in the Middle East that share those ideas.

3. Investigation and prosecution of members of the illegal armed groups

According to an ICG analyst in Moscow it is difficult to establish the number of arrests of suspected members of [the insurgency] or supporters of the insurgency. Underreporting is common because relatives of arrested persons often are instructed by the authorities not to report arrests to human rights organizations or others. Human rights organizations are usually only notified of arrests by the relatives when the arrested persons, usually male relatives, are not released.

The insurgency has weakened and the number of arrests of suspected insurgents or killings of active insurgents has declined. However, Kadyrov must be able to show criminal cases against active insurgents to justify to the federal government the huge security set-up in Chechnya. It was added that Chechnya has more than twice as many police officers as Dagestan. It should be noted that the population of Dagestan is more than two times larger than the Chechen population [in 3.1, IGC states that the population in Dagestan is three times larger].

In most [criminal cases] known to human rights organisations [~~criminal cases~~] involving participation in or support to the illegal armed groups there is no proper evidence. The Chechen police never conduct a proper police investigation because they simply are not able to do that. Chechen police only know how to hunt insurgents, but still they are required to show results as if they were a fully functioning police force.

Svetlana Gannushkina, Memorial/CAC, stated that from time to time the authorities claim to have caught or killed some active members of the insurgency. In a few cases alleged active members of the insurgency have been prosecuted and have received long prison sentences.

A representative of CAT stated that Counter Terrorist Operations (CTO) still takes place in Chechnya. It is impossible to tell whether these operations are legitimate operation or a cover for unofficial police operations, i.e. settling personal scores such as killing someone whom the police owe money. The police would claim that the body was a dead terrorist.

A lawyer from Grozny stated that real insurgents are killed by the Chechen authorities rather than apprehended and prosecuted.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, [the meeting with Chapanov was arranged by the Chechen Ministry of National policy] has recently worked on murder cases and cases involving economic crimes such as embezzlement. Recently he has only seen very few cases related to terrorism and banditry. From 2000 to 2005 he saw quite [a number of] terrorism related cases but now almost none. It was stated that thanks to the efforts of President Kadyrov on educating the Chechen youth, there are hardly any cases related to terrorism today.

Statement from the Chechen Ministry of Interior

The representatives of the Ministry of Interior in Grozny stated that suspected members of the illegal armed groups are, of course, searched for by the police and other law enforcement agencies in Chechnya, but today there are hardly any active members of the illegal armed groups left in Chechnya. If they are caught by the Chechen authorities, they are, of course, investigated and prosecuted, as are suspected supporters of the illegal armed groups.

3.1 Police units involved in investigation of illegal armed groups

According to an ICG analyst, in Moscow, in 2012 the various Chechen police forces numbered approximately 30,000 men. In Dagestan the same number was 18,000 despite the fact that the population is three times larger than the Chechen population.

The Chechen FSB is led by an ethnic Russian, whereas the file and rank Chechen FSB officers are likely a mix of Russians and Chechens. It was added that the Chechen FSB is directly involved in anti-terrorist operations in few cases only. In Chechnya mostly the police and police special forces are responsible for that kind of operations. It was added that the Chechen police and OMON would include very few ethnic Russians as well as other nationalities.

A large number of federal Russian soldiers are still deployed in the Khankala base near Grozny and some federal soldiers are based in Borzoi in the south near the border to Georgia.²³

Statements from the Chechen Ministry of Interior

The representatives of the Ministry of Interior in Grozny explained that the ordinary police mainly comprise Chechens (approximately 90%) and the remaining 10% would stem from other regions in the Russian Federation. The latter are found in the police units throughout the republic. The same situation applies to other departments of the Ministry of Interior.

Special groups within the Ministry of Interior are responsible for arrests of people who are under suspicion of being affiliated with the illegal armed groups. Such arrests are not conducted by the ordinary police. It was added that Russians or non-Chechen officers do not conduct arrests on their own as they are always accompanied by Chechen officers.

3.2 Campaign against salafism²⁴

A human rights activist in Grozny (A) explained that from January 2014 hundreds of young men were arrested and detained illegally for up to 10 days and subjected to beatings. They were all detained because they had large beards. During the time in detention they had their beards removed and they were subjected to beatings.²⁵

A human rights activist in Grozny (A) explained that in every village the Imam is instructed to report to the authorities on how the young men look, dress, walk and pray in the mosque. The authorities are looking for any signs that the young men have joined the insurgents or the Salafi movement.

²³ Additional information about federal and local security forces can be found in: No change in the Russian Caucasus. The winter Olympics amid a local war, Wojciech Górecki, Centre for Eastern Studies (OSW), 2014-01-27: http://www.osw.waw.pl/sites/default/files/praceosw-47-rosyjski_kaukaz_ang-net.pdf

²⁴ For a brief description of salafism and Sufism in Northern Caucasus see: On the periphery of global jihad. The North Caucasus: the illusion of stabilisation, Maciej Falkowski, Centre for Eastern Studies (OSW), 2014-11-14. http://www.osw.waw.pl/sites/default/files/pw_46_ang_kaukaz-polnocny_net.pdf

²⁵ Caucasian Knot, In Chechnya, law enforcers detain young people because of their appearance, local residents report, 16 January 2014, <http://eng.kavkaz-uzel.ru/articles/26983/>, Caucasian Knot, *Chechen residents report on inspections and detentions in Gudermes mosque*, 14 January 2014, <http://eng.kavkaz-uzel.ru/articles/26959/>

A human rights activist stated that today Chechen police check people with long beards as they suspect they might be Salafis. The police also check the content of cell phones and look for illegal content such as movies or songs related to radical Islam or the insurgency.

An ICG analyst in Moscow explained that the Chechen leaders have declared their intention to destroy Salafism in Chechnya and everything that is not consistent with the traditional Chechen Sufi interpretation of Islam. Adherents to the Salafi movement are denoted “Wahhabists”, enemies of Russia and enemies of Islam.

What can be seen is that the traditional Chechen Sufi interpretation of Islam is being strictly implemented on the Chechen population. Adherents to the Salafi movement are at best ignored. However, in the beginning of 2014 Kadyrov publicly criticized the Salafi movement and he swore to fight the movement and destroy it with the help of Imams, police and others.

As a result, in January and February 2014 a campaign of mass arrests of men with long beards took place in the Mosques, at work places, universities and in the streets. Hundreds or even thousands were arrested, taken to the police station or a barbershop and forced to shave off their beards. Many were beaten and some were taken to Kadyrov’s home in Tsentoroy. All but one were released after a day or two. The wife of one detained man told ICG her husband was probably kidnapped by security officials and disappeared two days after [he had] been detained for a few hours. In some cases the relatives were brought to the police station and instructed to beat their detained male family member. As a consequence many chose to remove their beards before they were arrested and they stayed away from the Mosques.

It was added that during ICG’s stay in Chechnya in February and March 2014 none of the victims of the so-called “anti-Wahhabist campaign” wished to speak with ICG and there was no mentioning of the campaign in the Chechen or Russian media. ICG obtained information about the campaign from spouses and other relatives of the victims of the campaign. The spouses stated that their men were “paralyzed by fear”.

Men with long beards are at risk of being subjected to body-searches and having their mobile phones confiscated and checked for compromising information e.g. video clips of Salafi inspired speeches or insurgents’ actions, as the police are looking for evidence of some criminal activity. It was added that some male adherents to the Salafi movement, apart from their long beards, are easily recognizable because they often wear knitted skull caps, long shirts and wide trousers. Another way of identifying Salafis is that they leave the Mosque shortly after the service has ended on Friday, while Sunnis stay for additional prayer. However, despite the campaign against Salafi followers, the Salafi movement is gaining supporters among young men in Chechnya.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, [the meeting with Chapanov was arranged by the Chechen Ministry of National Policy] stated that Wahabism does not enjoy popular support in Chechnya. The fight against religious extremism could sometimes include some level of human rights violations in order to protect the State. This applies to Chechnya as well as in other places. Unfortunately, sometimes some police officers violate the law, although not necessary intentionally, but more likely out of ignorance of the law.

4. Situation of supporters of the illegal armed groups

4.1 The scale of court cases involving support to the insurgents

When asked if it is possible to provide an estimate of the number of cases against alleged supporters of the insurgents in Chechnya in 2013 an ICG analyst stated that [in 2013] 30 accomplices and one recruiter were detained, 17 supporters surrounded [surrendered], according [to] official statistics. There are serious doubts about the justice of many criminal charges against accomplices as many were blamed for 2002-2005 events and it remains unclear why police had not shown interest in them for 10 years. The greatest numbers of accomplices were detained in Vedeno and Achkhoy-Martan districts and the city of Grozny, a wave of detentions followed the killing of prominent field commander Gakayev.

When asked about the number of court cases in Chechnya involving support to the insurgency, a lawyer from Grozny was not aware of the number of such cases. However, the information provided by the Chechen Prosecutor's Office of 30 court cases in 2013 regarding support to the insurgency would not reflect the real number of cases. The real figure is much higher as the police departments are required to make at least one arrest per month in such cases. The people who are arrested are quite quickly found guilty by the courts.

According to Svetlana Gannushkina, Memorial/CAC, recently the vast majority of criminal cases involving support to the illegal armed groups would be fabricated cases. Only a few recent court cases would involve support provided several years ago.

A few years ago you could find people who actually did provide support such as food, clothes and medicine to the insurgents. These people could account for some of the court cases involving providing support to the illegal armed groups and in that case one cannot describe the charges as fabricated. However, all of these genuine cases of support to the insurgents involve relatives to the insurgents who have provided the abovementioned support. According to Chechen tradition, family members of active members of the insurgency cannot refuse to provide support. Chechen tradition stipulates that even an unknown guest who could be an insurgent should not be refused some food or other items.

It was emphasized that Gannushkina had no information regarding recent examples of people who have provided support to active members of the insurgency.

A representative from CAT stated that it could not be said that 100% of all cases involving support to the insurgency are fabricated. There are actual cases of people who have provided some kind of support to the insurgents. The representative of CAT did not possess information about from which area of Chechnya these cases originate.

The overall number of cases that involve support for illegal armed groups in Chechnya as a whole is not accessible by the CAT. But as for the cases where CAT has been involved, no living person charged under articles 205 or 208 of the Russian Criminal Code²⁶ has ever contacted CAT for assistance. Those who had contacted CAT all later disappeared without a trace. CAT has never found those who disappeared. Only relatives of such persons have applied for help to the Committee. It was added that there are also cases in

²⁶ An English translation of the criminal code is available at: <http://legislationline.org/documents/section/criminal-codes/country/7>

which CAT clients were verbally accused of supporting terrorists by the state officials, but in fact no official charges were brought against them.

Mairbek Vatchagaev, editor of the Caucasus Survey, stated that nine out of ten arrests in Chechnya are connected with suspicion of support to the insurgents. The Chechen authorities are not shy of burning down houses to deter people from supporting the jihadists.

When asked about the conviction rate for helping illegal armed groups, Said-Magomed Samadievich Chapanov, a lawyer in Grozny, [the meeting with Chapanov was arranged by the Ministry of National Policy] stated that there are only very few cases involving the illegal armed groups today.

Statements from the Chechen Public Prosecutor's Office

A representative of the Public Prosecutor's Office in Grozny stated that the office receive quite a few cases involving supporters of the illegal armed groups. The police would provide information in the case to the Investigative Committee, who has authority to conduct further investigation or refuse prosecution of a person. It was added that prosecution would not take place in cases where the accused had been subjected to pressure to provide support to members of the illegal armed groups.

A representative of the Public Prosecutor's Office in Grozny provided some statistics on the number of court cases after § 208.2²⁷ [of the Russian criminal code] in 2013. The courts in the Chechen Republic convicted 31 persons in 30 cases in 2013. The maximum sentence was approximately two years in prison, and the minimum sentence was seven to eight months in prison. All who were prosecuted in 2013 were found guilty by the courts. In some of the cases the court found that the prison sentence equalled the time spent in pre-trial detention. It was added that most of the cases involved men, but some women were also prosecuted after § 208.8 during 2013. The figure of 30 cases involving 31 persons in 2013 constituted one-fifth of the number of similar cases in 2010. In general there has been a steady decrease in the number of cases involving § 208.2 in the past four-five years.

4.2 Fabricated criminal cases, forced confessions, detention and ill-treatment

An ICG analyst in Moscow stated that there are almost no examples of disappearances in Chechnya today. Instead, fabricated criminal cases are instigated against alleged supporters of the insurgents. Following the same pattern, alleged supporters of the insurgents are held incommunicado for from 12 hours and up to three or four days. During that time they are exposed to pressure to reveal any information they may have about the insurgents, and they are forced to sign a confession that they have provided support to the insurgents. Beatings and torture are routinely used by the police to obtain the confession.

Once a confession has been signed, the case is basically concluded from the perspective of the police. It is only after the confession has been signed that the arrest becomes official and relatives are informed about where the person is being held. If it is clearly visible that the suspect has been subjected to ill-treatment and

²⁷ Article 208.2 of the Criminal Code of the Russian Federation states that "Participation in an armed formation that is not provided for by a federal law shall be punishable by restriction of liberty for a term of up to three years, or by arrest for a term of up to six months, or by deprivation of liberty for a term of up to five years with restriction of liberty for a term of up to one year." An English translation of the criminal code is available at: <http://legislationline.org/documents/section/criminal-codes/country/7>

torture, a defence lawyer would not be allowed access to the detainee for some weeks or until the time that the marks have disappeared. If the marks from the ill-treatment during the incommunicado confinement are not visible, a lawyer would be allowed access earlier.

Especially lawyers provided by the state are not interested in meeting the detainee and if these lawyers actually meet the detainee, they simply ignore signs of ill-treatment and torture. It was added that if the suspect should die as a result of the treatment during the incommunicado confinement, the Chechen authorities would present his death as a successful elimination of a member of the illegal armed groups.

Independent lawyers on the other hand would try to meet the detainee and immediately write their own report about the physical state of the detainee and describe any signs of beatings and torture, and the lawyers would take the oral testimony from the detainee. This is done in order to have something on file if the detainee who has been subjected to ill-treatment and torture should at a later stage withdraw his claim that the written confession was obtained by force by the police.

It was added that the suspect is often charged on four or five different counts, e.g. participation and support to illegal armed groups, terrorism, illegal possession of firearms and banditry. If the independent lawyer has thorough documentation supporting the fact that the confession was obtained by force, the charges would become subject of negotiation and ultimately they would be reduced. However, it was emphasized that regardless of the efforts of independent lawyers, the accused person would be found guilty of some crime by the court. The verdict could be two to three years in prison instead of 15 to 20 years if the accused had been found guilty of all the initial charges.

It was added that the courts are working closely with the Investigative Committee and the Prosecutor's Office. If the accused have been detained while the criminal cases have been investigated, in almost 100 percent of the cases the accused are found guilty. In some cases the accused have been released on bail in which case they stand a slightly better chance of being found not-guilty. However, no one wants to open up for complaints concerning unjustified arrests and eventually claims for compensation. If the judge realizes that the person is not guilty and it is obvious that the confession has been obtained by force, he would often impose the mildest possible sentence.

A representative of CAT considered lawyers and human rights activists in Chechnya to be the best sources of information regarding information about persons who fear ill-treatment due to accusations of involvement in terrorist activities, such as having provided support to the insurgents.

Family members of people who either have provided support to the insurgents or who are facing a fabricated charge of providing that kind of support would risk being subjected to various types of pressure by the Chechen authorities, ranging from losing their job, threats of violence against themselves or their family, interrogation, detention and physical abuse, ranging from a slap in the face to severe beatings. They could also risk becoming the next victim of a fabricated criminal case. It was added that female family members of suspected insurgents or alleged supporters could risk being raped.

The pressure exerted by the Chechen authorities on family members of suspected insurgents and alleged supporters of the insurgents serves several purposes. One reason is to create a climate of fear in the broad population. Another reason for applying pressure on family members is to obtain new forced confessions that can be used in new fabricated criminal cases, and thirdly the pressure is used to make sure that no one

withdraws the confession that has been obtained by force. Finally, people are deterred from filing complaints with the ECHR in Strasbourg or contacting civil society organizations. It was added that the Chechen authorities would normally subject the father of a suspected supporter of the insurgents to pressure, but other close and especially male relatives could be targeted as well.

The actions taken in relation to a case involving support to the insurgency depends on the personal attitude of the individual representative of the authorities who are in charge of the case. In some cases the family of the accused might be involved and in some cases they might not. Threats by the police are quite common but the extent to which threats are carried out varies. There are, however, examples of threats of shops being burned to the ground or stealing of businesses that were actually realised [carried out] by the Chechen police.

The Chechen authorities use a deliberate strategy of prosecuting people perceived as being in opposition and people who in any way challenge the current regime in Chechnya. The case of Ruslan Kutaev²⁸ illustrates this point very clearly. It was added that if the case of Ruslan Kutaev had taken place in Chechnya in 2009, he would most likely have been killed, left in the forest and later claimed to be a killed insurgent. The fact that he was not killed but instead discredited using a fabricated drug charge illustrates that the Chechen authorities in 2014 have taken a slightly more civilised approach compared to outright killing an opponent.

Relatives of people who are detained and charged with committing a terrorist act such as an armed attack on the authorities or charged with being a member of the illegal armed groups would also risk being seen as potential collaborator with terrorists. If the police want to improve their statistics concerning the fight against the illegal armed groups they might arrest someone related to a convicted terrorist and charge him or her as a collaborator.

As an example reference was made to a case one year ago, involving the younger brother of a convicted terrorist. He was approached by the active insurgents from the forest and asked to provide them with food. The young man rejected the request and forced the insurgents out of his home. The incident came to the attention of the police and he was brought to police station in the city of Shali for interrogation on numerous occasions and intimidated. He was not officially charged with supporting the illegal armed groups.

In all court cases involving support to the insurgency a forced confession is the only evidence presented by the prosecutor. The courts accept this confession as the sole basis of its verdicts. If the courts did not accept these confessions, the authorities would be less inclined to use ill-treatment and torture. However, under the current circumstances torture is often used to force a confession and subsequently securing the conviction of a man. It was added that the conviction rate in these cases is close to hundred percent.

A representative of CAT explained about a case in which the brother of a retired OMON officer was taken from his home by the authorities and verbally accused of having provided support to the illegal armed groups. He was not officially convicted. A representative of CAT could not recall when this event took place. The brother was working with IT, and he did not appear to be an Islamic fundamentalist, so it would be safe

²⁸ Human Rights Watch, *Russia: Chechen Activist Leader Arrested, Beaten*, 8 April 2014, <http://www.hrw.org/news/2014/04/07/russia-chechen-activist-leader-arrested-beaten>

to assume that this case was fabricated. This is illustrative of the lack of logic behind who is at risk of being subjected to arrests and convictions based on fabricated terrorism related charges. It could happen to practically anyone if the police for some unclear reason want to or have to show results.

Svetlana Gannushkina, Memorial/CAC, stated that people who have fallen victims of a fabricated criminal case involving support to illegal armed groups would be detained illegally and kept in an unofficial detention facility. During that time the person would receive severe beatings and possible torture.

One common type of torture involves a device that creates a strong electric charge by the use of turning a handle. This is referred to as “calling Putin” because the device has some resemblance to an old telephone. The ill-treatment or torture would normally last as long as it takes to force the victim to sign a confession that he or she has provided support to the illegal armed groups. Once the written confession has been signed the case is ready to become official. However, the case would usually not become official until the marks from the beatings or torture have disappeared.

It was added that the use of fabricated criminal cases and confessions obtained by the use of beating and torture is not a particular phenomenon for the Chechen Republic. It has been practiced throughout Russian even before the reign of Catharina the Great.

In all of the cases where people have been charged with providing support to the illegal armed groups the courts have found the person guilty. If there is absolutely no incriminating evidence in the case, usually the sentence is between one to two years in prison. The prison sentence would be much more severe if there was some evidence in the case. It was added that if a person has survived the brutal torture, the police would threaten to rape his mother, sister, daughter or another woman of his family. Then he signs everything they ordered him. The authorities can do the rape themselves or ask somebody else to do it.

When asked to explain how it is possible for the Chechen authorities to claim on the one hand that the insurgents have been defeated and driven out of the republic and on the other hand keep on fabricating criminal cases involving support to the insurgents, Svetlana Gannushkina, Memorial/CAC, stated that it is a paradox and there is no logic to it. However, it is important to understand that the Chechen authorities do not need any logic in their behaviour. It was added that the bizarre logic could be explained by the saying that “to have anti-Semitism, we do not need Jews, we need anti-Semites”.

Mairbek Vatchagaev, editor of the Caucasus Survey believed that there is some truth in many of the criminal cases concerning support to the illegal armed groups. Not all of these cases are completely fabricated, but the majority of the genuine criminal cases would be found in the areas where the jihadists are found.

When asked to comment tendencies regarding criminal cases in which people have provided support such as food, medicine or transportation to active members of the insurgency, a human rights activist stated that there are fewer cases than before but they still appear. Most cases are initiated because local police are required to show a certain number of cases of people convicted of having supported the insurgency. This leads the police to fabricate cases against people who have not actually supported the insurgency.

A human rights activist referred to a Chechen chief police officer who wanted a promotion. In order to show his efficiency, he began arresting a large number of young men from his district. The men were detained and

interrogated. Unfortunately to him, his men arrested a young man who was a relative of Ramzan Kadyrov. After that mistake the police chief was detained, but he later managed to escape Chechnya.

A lawyer from Grozny stated that the level of fear in Chechnya is very high. People are afraid to seek help from lawyers or from the police in cases where they have been accused of supporting the insurgency.

From 2003 to 2009 the lawyer worked specifically on cases involving persons accused of having supported the insurgency.

Most or all cases where people are accused of having supported the insurgency with food, shelter, transportation or medicine are likely to be fabricated or false. Especially relatives of active insurgents are likely to be falsely accused of supporting the insurgents. If a relative of an insurgent is arrested, he or she would definitely be exposed to ill-treatment and torture and a fabricated criminal case would be instigated.

There is absolutely no chance of being found not guilty of supporting the insurgency if a state appointed lawyer is in charge of the defence. It was emphasized that approximately 90% of all cases involving support to the insurgency are fabricated.

The police would never acknowledge a mistake such as arresting or accusing the wrong person. When they have arrested someone who is completely unrelated to the insurgency, they would rather fabricate a case against that person than admit to the mistake.

The fabricated criminal cases against family members of suspected active insurgents all follow the same pattern. Although the cases are all different, the description in the official reports of the accusations and the names of the people involved are often the same as in reports from previous cases. This clearly indicates that the police do not even bother to write something new for each case and that the cases are fabricated.

A human rights activist in Grozny (A) explained that the human rights activist in Grozny (A) is no longer directly involved in legal representation of people against whom criminal charges have been raised related to terrorism. This includes cases in which a person has been accused of having supported the insurgency in some shape or form. Only lawyers appointed by the Council of Lawyers Chamber represent the accused in such cases. The chamber is an official institution. For this reason it is difficult for human rights activists to get access to the people who are accused of having supported the insurgents. Independent lawyers have in some cases been deprived of their license to practice as a lawyer. A human rights activist in Grozny (A) referred to Committee Against Torture (CAT) as one organization that are directly and actively involved in criminal cases relating to members of the insurgency or supporters of the insurgency.

When independent lawyers are prevented or discouraged from representing people who are charged with terrorism related crimes, the message from the government is very clear: they want to be in complete control of the lawyers who are handling the defense of the accused in order to make sure that they are found guilty. In order to illustrate this point, reference was made to the case of Ruslan Kutaev. One of

Kutaev's defense lawyers was deprived of his license to practice law and could therefore no longer represent Kutaev. [Human Rights Watch has reported on the case of Ruslan Kutaev]²⁹

A lawyer from Grozny explained that fabricated criminal cases involving support to the insurgents follow the same pattern. First, the people who are victims of a fabricated criminal case are illegally arrested and taken to special detention facility or centre outside of the regular detention system. Here detainees are routinely exposed to ill-treatment and torture with the purpose of extorting a written confession from the victim. Only after the confession has been signed, the victims are officially arrested and transferred to an official detention facility. At this point a doctor is called to examine the detainee and a defence lawyer is allowed access to the person. A decent lawyer would insist on having traces of ill-treatment and torture registered and included in the police file. However, the authorities do not want that to happen and they apply pressure on the doctors not to register marks from ill-treatment and torture on the body of those entering into the official detention system. It was added that it has become more difficult to prove that a detainee has been exposed to ill-treatment and torture because the Chechen police develop their methods. Previously the illegal detention lasted some days, but now the police keep the person in illegal detention for as long as it takes for signs of ill-treatment and torture to disappear. Usually that would be ten to fifteen days. Finally, the police have become better at applying pain while leaving as few traces of ill-treatment and torture as possible.

Reference was made to a case from January 2007 where the lawyer from Grozny attempted to prove that torture had taken place. However, it was impossible to prove as there were no available neurologists to examine the detainees for signs of damage to the brain caused by ill-treatment and torture. The lawyer could not convince any doctors with this kind of expertise from the hospital in Grozny to go to the official detention centre and conduct an examination of the victim as they were afraid of going there.

A lawyer from Grozny referred to a court case from 2012. Two young men from Argun were accused of having some kind of relations with the insurgents. They were released by the Chechen Supreme Court in a jury trial. Once they had been in the spotlight, the young men subsequently had no other choice than to join the insurgency in Chechnya out of fear of further prosecution. All involved in the case including the judge and the jury members were accused of supporting the insurgents. The defence lawyer later died of a heart attack.

A lawyer from Grozny referred to a case from January 2007 involving a young man accused of supporting the insurgents. The young man was illegally arrested and detained in a facility where severe beatings, other kinds of physical violence, ill-treatment and even torture are known to take place. The prosecutor asked for a guilty verdict and twenty years imprisonment for the young man, but the judge ruled that the young man was innocent. Consequently, the judge did not have his position prolonged and now he is a lawyer in Grozny. His family is abroad because of fear of reprisals. During the trial a doctor who had examined the young man and registered the traces of the ill-treatment gave evidence regarding the treatment of the young man while in detention. The doctor was exposed to pressure and accused of being a traitor. The doctor had to leave for

²⁹ Human Rights Watch, *Russia: Chechen Activist Leader Arrested, Beaten*, 8 April 2014, <http://www.hrw.org/news/2014/04/07/russia-chechen-activist-leader-arrested-beaten>

Europe out of fear of becoming a victim of a fabricated criminal case. The young man was later prosecuted one more time, and he is now in Norway.

The majority of those arrested and accused of having supported the insurgents are young men. It was added that the family members of people who are accused of having supported the insurgents would also risk being subjected to the same treatment as the one accused of having provided the actual support i.e. being illegally arrested, held in incommunicado detention and subjected to severe beatings and torture. Reference was made to a case from 2012, in which a woman was held for 24 hours in a detention facility. She was severely beaten several times in the head so that her ears were damaged and her teeth were broken. The police suspected that a man she was supposed to meet was an active insurgent. The woman was convicted and received a sentence of one year in prison. It was added that the woman's lawyer had evidence to prove that she was innocent, but the lawyer was too afraid to present the evidence in court. The woman therefore pleaded guilty and received the one year prison sentence. Had she not pleaded guilty, she would have received a harsher verdict.

When asked about how it could be that the Chechen authorities continue to arrest and accuse people of supporting the insurgency when there are now very few active insurgents left in Chechnya and the republic has been safe from any major terrorist attacks in the past years, a lawyer from Grozny explained that it is a question of business. If there were complete peace in Chechnya all the Russians on contract in the Chechen law enforcement structures would be out of work. If the Chechen police did not make any arrests, it would mean that Chechnya would be free from insurgents and many Chechen police officers would no longer have a job.

A human rights activist in Grozny (A) explained that the police fabricate cases concerning support to the illegal armed groups. Typically, such fabricated criminal cases would be raised against young men who may appear or look as Salafists. Long beards could be sufficient reason for the police to fabricate a case. The "suspect" would be arrested and beaten until he signs a confession. With this signed confession and without any other evidence the Chechen courts would find him guilty and convict him. It was added that Chechen police and Chechen FSB is under pressure to show results and they are rewarded with bonuses if they reach the required number of arrests.

When asked about the methods used by the Chechen authorities in cases related to the insurgency, a human rights activist stated that the fact that human rights activists and lawyers in Chechnya are working very determined on cases involving disappearances and drawing attention to this issue has almost put a stop to the authorities' use of forced disappearances. Instead, the authorities are now using confessions obtained by the use of torture and ill-treatment in detention. There are almost no cases of forced disappearances these days.

A human rights activist referred to a well known recent case involving Suleyman Idigov who was illegally detained and tortured for several days by the Chechen authorities. Memorial and others created awareness of Idigov's situation and he subsequently resurfaced. During detention he had been tortured and forced into signing a confession that he had killed a police officer. The criminal case is still pending in Grozny, but at least he is alive. Some years ago most likely he would have disappeared.

Idigov would eventually file a complaint with the European Court of Human Rights when or if he is found guilty by the court in Chechnya. It was added that today people are more afraid to file a complaint with the European Court of Human Rights compared to several years ago.

A human rights activist in Grozny (A) confirmed that sometimes it is possible for defense lawyers to reduce the sentence handed out to people accused of being members of the insurgency or having supported the insurgency. However, in practice all are who have been charged in terrorism related cases are found guilty of some crime. It was added that more than 90% of those charged with being affiliated with the insurgents are convicted solely on the basis of a confession that in turn has been obtained by force.

Statement from Chechen Public Prosecutors Office

A representative of the Public Prosecutor's Office in Grozny stated that in general Russian law requires solid evidence before someone is convicted for a crime. That includes persons who in Chechnya are suspected to have provided some kind of support, e.g. food, clothes, medicine or transportation to members of the illegal armed groups. It was added that the fight against terrorism includes both the fight against the terrorist themselves as well as prosecution of supporters. Without the supporters the terrorist would lose their basis for operation and they would soon be defeated.

4.2.1 Typical false or fabricated charges

Svetlana Gannushkina, Memorial/CAC, explained that most criminal cases involving alleged supporters of the insurgents are fabricated by the Chechen authorities. For some reason the police often accuse people of providing "Snickers" chocolate bars to the insurgents. It was suggested that Chechen police are not very imaginative or original when they fabricate criminal cases against complete innocent people.

A lawyer from Grozny stated that the most common charges in cases where someone is accused of having supported the insurgency involve buying and providing food items, Snickers chocolate bars or bread to the insurgents. According to the cases the defendant most often have meet the insurgents while picking wild garlic in the forest. These charges are totally false and fabricated. It was added that according to the law giving food to someone is not a crime, unless you actually know that the person is part of an illegal armed group and you support his ideas and therefore supply him with food or Snickers.

A human rights activist in Grozny (A) explained that the police fabricate cases concerning support to the illegal armed groups. Typically, such fabricated criminal cases would be raised against young men who may appear or look as Salafists. Long beards could be sufficient reason for the police to fabricate a case. The "suspect" would be arrested and beaten until he signs a confession. With this signed confession and without any other evidence the Chechen courts would find him guilty and convict him. It was added that Chechen police and Chechen FSB is under pressure to show results and they are rewarded with bonuses if they reach the required number of arrests.

Mairbek Vatchagaev, editor of the Caucasus Survey, stated that one of the typical asylum motives presented by Chechens in Western Europe would include the chocolate bar "Snickers". An asylum claim in which the applicant would claim to have been asked by the jihadist to provide them with Snickers chocolate bars should be carefully examined as this would seem completely unlikely.

4.2.2 Treatment of alleged supporters and their relatives

An ICG analyst in Moscow stated that today women in detention are more likely to be exposed to ill-treatment and torture as opposed to the situation some years ago when violence against women was considered to violate Chechen tradition. Recently, in one confirmed case a woman was raped while in police custody.

A representative of CAT stated that Chechen police would be reluctant to beat or subject women to torture. The representative knew of one case where a woman was subjected to torture by a police officer. She was later killed. The police officer was her cousin and rumour had it that the woman was working as a prostitute. It was added that there is no available information suggesting that women are systematically subjected to beatings or torture in detention. It was added that when it comes to women, there is often no need for the police officers to bring any official charges. They may simply contact family members of a woman who allegedly committed a crime or behaved in inappropriate manner. The family members may eventually kill their female relatives for being detrimental to the family honour.

A lawyer from Grozny stated that everyone who has been detained in an unofficial detention facility or centre would be eligible for a disability pension due the severe torture that routinely takes place there. In almost 90% of the cases the lawyer from Grozny had been involved in, the legal defence attempted to convince the court that torture had taken place at an unofficial detention facility. However, it is almost impossible to prove to the court that the defendant was exposed to torture while in incommunicado detention. It was added that when speaking in privacy with the lawyer from Grozny some judges have acknowledged that all defendants in cases related to the insurgency have been subjected to ill-treatment and torture.

A human rights activist in Grozny (A) stated that members of the Chechen Public Monitoring Commission have access to all official prisons and detention centers in the Chechen Republic. Reference was made to a case in which a member of the Chechen Public Monitoring Commission, reported the use of beatings of prisoners in October 2013 in a large prison in Chechnya. The member has subsequently been charged with discrediting the Federal Penitentiary service and the court case is in progress in Chechnya [at the time of the meeting with the human rights activist in Grozny (A)].

The Chechen police do not differentiate between old people or young people, men or women. All are at risk of being subjected to the same treatment in detention including torture. In one case a 15 year old boy was held in incommunicado detention for several days. During that time he was beaten until he signed a confession. In another case an 80 year old man was beaten badly because he talked at the historical conference held on 18 February 2014 to mark the 70th anniversary of the deportation of the Chechen and Ingush peoples. It was added that beating people in detention is a common way to force confessions from people regardless of the crime the detainee is suspected of having committed.

When asked about the prevalence of severe beatings or even torture in police custody Said-Magomed Samadievich Chapanov, a lawyer in Grozny, [the meeting with Chapanov was arranged by the Chechen ministry of National Policy] explained that this happened during the wars against the Russian forces. Several rulings from of the European Court of Human Rights have found that Russia was responsible for torture and ill-treatment during the two wars in Chechnya. Chapanov added that there are people who claim asylum

abroad and falsely claim that they have been tortured in Chechnya. They even present false documents. The truth is that some of them have never even been to Chechnya.

When asked about whether Chechen police would beat up detainees in order to obtain a confession, Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that there were such cases after the first war against Russia. However, there have been several amnesties later on where people received an amnesty if they could prove they had not taken parts in killings during the wars.

Statement from the Chechen Ministry of Interior and Public Prosecutors Office

The representatives of the Ministry of Interior in Grozny explained that until 2002/2003 cases of police ill-treatment and torture did exist in the Chechen Republic. However, after the hostilities ended and when the Chechen police took charge of providing law and order these cases stopped. The ministry did its best to control the situation after the war had ended. It was added that it is possible to file a complaint if a person feels that the police or other law enforcement agencies have abused their power. Such cases would be investigated. Furthermore, the head of the Chechen Republic, Ramzan Kadyrov, pays close attention to the human rights situation in the republic.

A representative of the Public Prosecutor's Office in Grozny stated that the office had no information about police abuse or ill-treatment of the 31 persons who in 2013 were charged and prosecuted with providing support to the illegal armed groups. Not all of the 31 persons were kept in pretrial detention. It was added that the educational level of the Chechen police has improved in recent years, and ill-treatment of people who are charged with providing support to the illegal armed groups does not take place.

4.2.3 Jury trials

An ICG analyst in Moscow explained that if the trial involves a jury, the accused stand a better chance of being found not-guilty. It was estimated that approximately 20% of all accused are found not-guilty by juries.

However, in a February 2014 case concerning two men who were accused of the killing of a police officer, a jury found the accused not guilty of banditry and they were released. The two men quickly went to some relatives far away from Grozny. The next day Kadyrov on television stated that the jury's verdict was wrong and that the jury members were not lawyers, he was angered by the release of the accused despite the case having been investigated for 1.5 years, and the accused having confessed. Armed people illegally detained the brother of one of the two men, Alvi Abdurakhmanov³⁰. Police officers explained to his relatives that they were looking for him to carry a blood feud for the police officer killed in by the gang, and if the family would not give him to them, they would detain his brother and sister, and indeed kept the brother for a few hours. Distant relatives of Abdurakhmanov, at whose house he hid that time, handed over Alvi to the police – a very uncommon act for Chechen society - after Kadyrov's critical statement on this case on local TV. He has been illegally kept in police office despite the Russian Supreme Court recent judgment confirmed the jury trial decision. The other man in the case is still at large. It was added that jury trials are not in use in connection with charges of terrorism.

³⁰ Caucasian Knot, Chechen resident acquitted by jury is held by MIA, his relatives assert, 10 April 2014, <http://eng.kavkaz-uzel.ru/articles/27806/>

When asked if jury trials are used in connection with charges involving “participation in an [illegal] armed formation” according to § 208, 2 (i.e. supporters of the insurgents) and ICG analyst in Moscow stated that they are not.

In order to illustrate the lack of rule of law in Chechnya a human rights activist in Grozny (A) referred to the February 2014 case concerning two men who were accused of the killing of a police officer. A jury found the accused not guilty of banditry and they were released. However, the next day Kadyrov on television stated that the jury’s verdict was wrong and that the jury members were not lawyers. Armed people illegally detained the brother of one of the two men. The relatives had to hand over the recently acquitted man over to the police. He is still held in illegal detention awaiting an appeal against his acquittal. [Caucasian Knot has reported on the case of the once acquitted and then detained man Alvi Abdurakhmanov]³¹

4.3 Sentences

A lawyer from Grozny explained that the length of the prison sentence depends on several factors such as evidence of torture during the incommunicado confinement. If the defendant has small children, if the defendant has cooperated with the police and plead guilty to the charges, the judge could opt for a lenient verdict.

According to a journalist specialized in the North Caucasus region (B), one reason for the practically 100% conviction rate for people accused of having supported the insurgents is because of the inherited soviet legal system. The result of the work of the police is only seen in figures and the ones that are promoted are the ones who can produce the highest number of arrests or convictions. This means that the police and the prosecutor have a common interest and that is to ensure a steady flow of arrests and convictions. In addition to that there is a tradition of never admitting to a mistake. This means that once arrested and accused of a crime, it is very unlikely that a person would not be convicted of some offence. This inheritance is one of the reasons why even today people are convicted of having provided support to the insurgents in Chechnya, even though there are almost no insurgents left to support in the republic.

According to Khamzat Gherikanov, Chechen Social and Cultural Association, it is a firmly rooted tradition in the Russian legal system that the system cannot make a mistake. When the system has allocated resources on conducting an arrest of a suspected supporter of the illegal armed groups and investigated the case, the suspect simply has to be found guilty. That explains why the conviction rate is so high.

Statement from the Chechen Public Prosecutors Office

According to a representative of the Public Prosecutor’s Office in Grozny § 208.2 stipulates up to five years in prison for support to the illegal armed groups. However, the court’s precedence is to convict those found guilty to imprisonment for one and a half year to two years.

³¹ Caucasian Knot, *Chechen resident acquitted by jury disappears after new detention, relatives assert*, 31 March 2014, <http://eng.kavkaz-uzel.ru/articles/27705/> and Caucasian Knot, *Chechen resident acquitted by jury is held by MIA, his relatives assert*, 10 April 2014, <http://eng.kavkaz-uzel.ru/articles/27806/>

4.3.1 Location for serving a prison sentence

When asked where Chechens serve prison sentence, Said-Magomed Samadievich Chapanov, a lawyer in Grozny, [the meeting with Chapanov was arranged by the Chechen Ministry of National Policy] explained that in serious cases such as murder, attempted murder and drug trafficking the prison sentence would be served in prisons outside of Chechnya.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that persons convicted on charges of physical violence or beatings would serve the sentence in Chechnya.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that President Kadyrov wants to have all Chechens serving their prison sentence in Chechnya, eliminating the risk that Chechen prisoners are subjected to racially motivated violence in the prisons elsewhere in the Russian Federation. The prison facilities are in place in Chechnya and it should be possible even though some reconstruction is needed.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that a person convicted according to § 208 of the Russian Criminal Code for the first time would be sentenced to a maximum of two years in prison. There is a possibility that the sentence would be served outside of Chechnya. Article 208 is considered a medium serious offence and the penalty is up to five years imprisonment.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that he had been involved in such a case in which the person found guilty was sent to Volgograd to serve his sentence. He was 60 years old. In the prison he was subjected to severe beatings by the prison guards. Chapanov wrote to the Ombudsman of the Chechen republic and the responsible prison guards were held accountable for their crimes.

Statement from the Chechen Ombudsman

According to employees of the office of the Chechen Ombudsman in Grozny, Chechens who serve prison sentences in prisons outside of the republic are exposed to discrimination and harassment. The Ombudsman institution has received massive complaints about discrimination and in one case a convict was so desperate that he cut his wrist.

The discrimination reported by Chechen convicts outside of the Chechen republic include bans on performing Muslim prayers, denial of preterm release as well as fabricated cases of alleged prisoner's misconduct and consequently being transferred to special wards with poor facilities. To avoid this, prison facilities have been established inside the Chechen Republic. Only second time convicts and persons who misbehave in Chechen prisons are transferred to prisons outside of the republic. Lack of space in Chechen prisons could also lead to convicts being transferred to prisons outside of Chechnya. It was emphasized that first time convicts serve their prison sentences inside Chechnya regardless of the crimes they have been convicted for, unless they misbehave and are transferred to prisons outside of the republic.

4.4 Orders to appear for questioning/police summons (повестка)

A Western embassy did not have specific knowledge about the issuance of police orders to appear for questioning at the police station in relation with §208 (support to illegal armed groups).

According to an ICG analyst in Moscow in not too serious criminal cases Chechen police do make use of orders to appear for questioning at the police station (повестка).

A representative of CAT explained that Chechen police depending on the situation make use of orders to appear for questioning at the police station (повестка). These police orders would state that a person is requested to come to a specific police station for questioning or appear in a court as a witness to a crime. However, in most cases it would be much more practical for the police simply to go to the apartment and pick up and detain the person of interest. It was added that the more official the invitation [to come to the police station] is, the less there is a chance of being subjected to torture or ill-treatment. If police officers want to use violence against an individual, they would capture that individual without any official procedures.

A representative of CAT stated that in most cases an order to appear for questioning at the police station would simply mean that the person would be questioned by the police. The document would generally state the reason to appear, and this would include questioning related to a case concerning article 208 of the Russian Criminal Code. Representatives of CAT sometimes accompany their clients to the police station and are present at the questioning. This kind of questioning is always civilized, and even relatives are allowed to be present. It was added that the real purpose of these police orders is to intimidate the individuals who are called in for questioning.

A representative of CAT stated that a police order to appear for questioning at the police station would never be used for the actual suspects in a case concerning support to the insurgents. Such a person would be picked up by the police without any warning. However, the police orders are used when family members or others are requested to appear for questioning as witnesses.

A lawyer from Grozny stated that in recent years the Investigative Committee have not even used notifications to appear as a witness, let alone as a suspect, in cases regarding support to the insurgency. Usually, the police would call the person on the telephone as this would not be registered anywhere. The police are so certain that they will succeed in getting a conviction that they do not bother with paperwork.

A human rights activist in Grozny (A) explained that Chechen police make use of orders to appear for questioning at the police station (повестка). These police orders would state that a person is requested to come to a specific police station for questioning or appear in a court as a witness to a crime. It was emphasized that Chechen police would not state in the police order that a person is under suspicion of being a member of the insurgency or a supporter of the insurgents.

A human rights activist in Grozny (A) emphasized that a person suspected of anything related to the insurgency according to art. 208 of the Russian penal code would never be served with a police order to appear for questioning at the police station. This would not make sense as the individual would then be warned and given time to escape the investigation.

A human rights activist in Grozny (A) explained that police orders to appear for questioning at the police station are delivered by post or delivered by the police to either the person in question, a family member in the household or a neighbor if the person is not in his home.

According to a human rights activist in Grozny (A), investigators from the Investigative Committee also make use of orders to appear for questioning, and sometimes they do not explicitly state the reason in the form. However, if there was reason to believe that the person in fact has contact with insurgents or is somehow

supporting them, investigators would definitely not send an order to appear for questioning at the office of the Investigative Committee.

For further information about summons for questioning see an august 2014 report by Landinfo, in Norwegian.³²

Statement from the Chechen Ministry of Interior

The representatives of the Ministry of Interior in Grozny explained that the police do make use of orders to appear for questioning at the police station (повестка) when the police want to call in a witness to give evidence. However, it was emphasized that the police would not make use of orders to appear at the police station to call suspects to the police station. In such cases the police would put the suspect under surveillance and apprehend the person once enough evidence had been gathered. It was emphasized that orders to appear for questioning at the police station are not used in cases where a person is suspected of having contact with members of the illegal armed groups.

4.4.1 Forged orders to appear

According to a Western embassy it is possible to buy any kind of documents in Russia. External passport are more difficult to buy, but it can be done. It was added that corruption has reached enormous proportions in Chechnya. It was emphasized that the documents obtained by bribery would be genuine documents showing the correct and genuine stamps and signatures, but the content or information in the documents could be false. This could be medical journals, driver's licences, birth certificates and identity documents. Likewise, it is possible to buy genuine documents with genuine content, but where the transaction itself is the illegal part. To many people it is easier, faster and more convenient to buy a document and thus avoiding time consuming contact with the Russian bureaucracy.

When asked if it would be relatively easy to either buy these forms considering the level of corruption in Chechnya, a representative from CAT stated that CAT do not have information of anything like this.

A representative of CAT stated that when considering the fact that these forms are rather "rough" and contain stamps as the only feature that indicates whether or not the forms are genuine, it is fairly easy to falsify them even by just using a Xerox machine.

When asked about the prevalence of false documents ordering people to report for questioning at the police station or in court in connection with a case of support to the insurgency, a human rights activist in Grozny (A) explained that such false documents are very common and easy to come by. They are common because people who want to leave Chechnya for Europe believe they will be rejected asylum unless they are able to document that they are in risk of being persecuted. It was emphasized that these people could have a real and individual conflict with the Chechen authorities, but they may believe that they need to produce some documents as proof and for that reason many false police orders to appear for questioning at the police station are available.

³² Landinfo - Norwegian Country of Origin Information Centre: Tsjetsjenia: Innkalling til avhør, 18 August 2014.
http://www.ecoi.net/file_upload/1788_1409563155_2941-1.pdf

Statement from the Chechen Ministry of Interior

The representatives of the Ministry of Interior in Grozny explained that not long ago it was discovered that some policemen sold genuine police orders to appear for questioning at the police station (повестка) to people who were planning to travel to Europe to apply for asylum and who wanted to support their asylum claim with some sort of documentation. The policemen involved were subsequently discharged from the police force. However, such search warrants could probably still be bought for money. Besides, they are easily falsified or copied.

4.5 Duty to report

A representative of CAT stated that duty to report regularly at a police station is practised by the police in Chechnya. However, the practice is not based on any law and has no legal position. The police can order people to report regularly completely at their own discretion. The representative of CAT knew of one case in which a man regularly visits the local police station as ordered by the police. However, there is no information to suggest that duty to report is used on a regular basis.

When asked if this – not too common – practice could serve multiple purposes: Firstly, to apply pressure on the individual and secondly obtain information about what goes on in the local community, a representative of CAT stated that this would be a correct way of putting it.

When asked about the possible consequences for people who do not follow the instruction to pay regular visits at the police station, a representative of CAT stated that a person who does not comply with the instruction would risk being detained, questioned, exposed to ill-treatment/beatings and would fear becoming a victim of a fabricated criminal case/false accusation of supporting the insurgents. Reference was made to the case of Ruslan Kutaev as the most notable example as described in an article on the website of the Caucasian Knot from 8 July 2014³³.

Statement from the Chechen Ministry of Interior

The representatives of the Ministry of Interior in Grozny explained that the police can detain a person for 48 hours. After 48 hours the police have to decide either to press charges or release the detainee. It was added that the police do not impose on persons who have been released from detention a duty to report regularly e.g. on a weekly or on a monthly basis. Duty to report is only used when a person has been released from prison because of good behaviour before the full prison term has been served. It was added that if the police need to question a person after he or she has been released, the police would pick the person up at his or hers home. If the person refuses to talk, the police would hand over an order to appear at the police station and take the person to the police station for questioning. It was ruled out that orders to appear for questioning at the police stations would be sent by mail or delivered by others than the police to persons suspected of crimes involving § 208 (participating in or supporting illegal armed groups) or §209 (banditry).

³³ Caucasian Knot, Kutaev's case: chronology and details: <http://eng.kavkaz-uzel.ru/articles/28682/>

4.6 Recruitment of informants

An ICG analyst in Moscow explained that the Chechen police operate an extensive network of informers at village level throughout the republic. If someone leaves a village it will be known within a few days and could be reported to the local police by an informer. If someone disappears from a village and never returns, it would definitely be noticed by other villagers. Even if people leave the village to work in Russia, there might be uneducated people in the village that would think that the person who left had joined the insurgency and report their suspicion to the local police. When asked how the police would follow up on such reports, the ICG analyst in Moscow explained that it would not be possible to state a general pattern of behavior or identify a specific and typical reaction. The reaction of the police would depend on the circumstances of the specific situation.

A human rights activist in Grozny (A) stated that the police do not really need to interrogate people because the police have informers everywhere. These informants do not receive money for their information. Often they may have committed some minor violations of the law in the past or they could be drug addicts or drug dealers and for that reason the police are now able to force them to work as informers.

According to an official statement every policeman must produce at least two new informers every month. Some policemen are lazy and do not bother to actually find informers. Instead they register random people from the town or village as informers without their knowledge. This can lead to problems for these people in case other police units at some point believe that they are in fact informers. Furthermore, the letters of collaboration are a part of the police bureaucracy because the police would have to document their results in terms of enrolling informers.

When asked if people who have relatives in the insurgency or relatives who are suspected of supporting the insurgents routinely are under pressure to enroll as police informants in connection with police interrogations or questionings, a human rights activist in Grozny (A) explained that there are definitely many such cases. The police have many means of controlling the population. One of these is to request a signed letter of collaboration from people as a precondition to let them leave the police station. This could be followed by phone text messages and even surveillance and monitoring of telephone calls. Letters of collaboration are part of the psychological pressure that Chechens are subjected to.

When asked to comment on the situation of the police informants in Chechnya, Mairbek Vatchagaev, editor of the Caucasus Survey, stated that the police are doing their job in the sense that they have to pretend that they are recruiting informants among people who allegedly have connections with the insurgents. The police must report to their superiors that they are fighting the insurgents.

It was Vatchagaev's assessment that it is not possible that all those recruited by the police as informants are in fact real informants. It was added that they would be registered as police informants in the police registry so that the police can document the effectiveness of their work. The insurgents cannot possibly know who has been recruited as an informant and who has not. It is therefore the job of the insurgents to narrow the scope of people they are in contact with to an absolute minimum.

4.7 Reprisals against informants by the illegal armed groups

When asked what would happen if the insurgents became aware of someone who had been forced by the police to sign up as an informant, a human rights activist in Grozny (A) explained that it is not possible to state anything conclusive about this. The person might experience some problems with the insurgents but on the other hand, the insurgents know very well that people are forced to sign confessions and act as informants. Usually, the insurgents would only target representatives of the Chechen authorities.

The human rights activist (A) did not know of specific cases of reprisals by the insurgents against people who have been forced to act as police informants. It was added that it is mostly a question of shame if a person has given the police some information about a family member. Usually the insurgents do not harm civilians and ordinary Chechens, but they are fighting the Russian federal forces in Chechnya and the Chechen police.

When asked if there were any examples of civilians being killed by the insurgents, a human rights activist in Grozny (A) explained that it depends on which insurgents we are talking about. There are substantial differences among the insurgency groups and some are more radical than others.

4.8 Family members to active members of the illegal armed groups and family members to supporters of the illegal armed groups

UNHCR in Moscow stated that relatives of suspected insurgents or relatives of alleged supporters of the insurgents would face a lot of pressure from the authorities. They could risk to lose their job, become the next victim of a fabricated criminal case, receive threats of violence even involving their children. Family members could be called in for questioning, which could include everything from a slap in the face to severe beatings, depending on the specific circumstances of the case and the individual police officers.

Svetlana Gannushkina, Memorial/CAC, explained that family members of people who either have provided support to the insurgents or who are facing a fabricated charge of providing that kind of support would be subjected to various types of pressure by the Chechen authorities ranging from losing their job to becoming the next victim of a fabricated criminal case. Reference was made to the case of a Chechen woman who was arrested in 2003 for no reason at all. She was severely beaten and kicked. She was released in 2008. After that she went to France where she wrote a book that is critical of the Chechen government. While she was detained in 2003, her brother who worked in the Chechen police, was fired. After she went to France, her mother received threats with the purpose of persuading her to return to Chechnya. When Memorial asked an official in Chechnya why that woman had been prosecuted and convicted, the answer was that the FSB knew that the charges were unfounded, but “we spend a lot of money and time on that case”.

Relatives of suspected insurgents or alleged supporters of the insurgents would be at risk of losing their job, maybe become the next victim of a fabricated criminal case, they could receive threats of violence even involving their children, they could be shown photos or video clips of their children if these were sent to a village far away in an attempt to keep the children safe from reprisals from the Chechen authorities. Family members could be called in for questioning, which could include everything from a slap in the face to severe beatings depending on the specific circumstances of the case and the individual police officers. It was added that female family members of suspected insurgents or alleged supporters could risk being raped. However, such cases are almost never reported as that would destroy the future of the victim of the rape.

When asked to explain the reason why the Chechen authorities would exert pressure on family members of people against whom a fabricated charge has been raised, Svetlana Gannushkina, Memorial/CAC, stated that the pressure applied on family members of suspected insurgents and alleged supporters of the insurgents serves several purposes.

One reason is to instil fear in the population. Another reason for applying pressure on family members is to obtain new forced confessions that can be used in new fabricated criminal cases, and thirdly the pressure is used to make sure that no one withdraws the confession that has been obtained by force.

Finally, people are deterred from filing complaints with the ECHR in Strasbourg. It was added that the Chechen authorities would normally subject the father to pressure, but other close, especially male, relatives could be targeted as well. Female relatives are only rarely beaten as this would be considered a violation of Chechen tradition, but it does take place.

An ICG analyst in Moscow explained that close relatives of suspected insurgents are facing the same high level of pressure from the Chechen authorities as before. The only difference is that today there are not as many insurgents left in Chechnya as was the case some years ago.

There has been a breakdown of traditional values in the Chechen society and for example women can no longer be considered safe from physical violence if they are detained or arrested. However, women are not exposed to beatings and other forms of physical violence if in police custody as often as male detainees.

When asked about the situation for family members of suspected active insurgents or family members of suspected supporters of the insurgency, a human rights activist in Grozny (A) explained that it would be very rare, if at all, that the Chechen authorities pay attention to distant relatives and such relatives would not be punished or exposed to beatings or torture. However, close relatives of suspected active insurgents as well as relatives of suspected supporters are in real risk of being detained and subjected to beatings and torture. Close relatives are fathers, mothers, brothers and sisters. But it would be the exemption if the Chechen authorities would pay that kind of attention to more distant relatives. Even male cousins to a suspected supporter of the insurgents would only very rarely come in the spotlight of the authorities.

An ICG analyst in Moscow agreed with the Human rights activist (A) that more distant relatives of either members of the insurgency or supporters of the insurgents very rarely are targeted by the Chechen authorities. It would be the exemption that other relatives than brothers or fathers are questioned or detained by Chechen police.

Concerning the situation facing family members of suspected active insurgents or family members of suspected supporters of the insurgency, an ICG analyst in Moscow agreed with the view expressed by a human rights activist in Grozny (A). However, close relatives of suspected active insurgents as well as relatives of suspected supporters are in real risk of being detained and subjected to beatings and torture. Close relatives are fathers, mothers, brothers and sisters. It would be the exemption if the Chechen authorities would pay that kind of attention to more distant relatives of suspected active insurgents as well as relatives of suspected supporters. Even male cousins to a suspected supporter of the insurgents would only very rarely come in the spotlight of the authorities. In July 2014 [a] suspect[ed] insurgent, alleged[ly] [involved] in killing [a] police officer in Grozny, was killed in [a] special operation. All his family, including

uncles, was forced to leave their native village of Goy-Chu and republic. Interior minister said on the need of collective responsibility on Chechen TV.

5. Arrests and prosecution of participants in the first and second war in Chechnya

Commenting on the current situation for people who fought in the first and second war in Chechnya, a western embassy stated that it is very difficult to identify with certainty [the] groups at risk or groups of people who are not at risk. The regime in Chechnya is totalitarian and extremely oppressive, and if some suspicion has arisen anything from the past could be used against a person, including some activities during the first or the second war in Chechnya. Kadyrov himself was active in the second war and it is plausible that he might have grievances today with persons who fought during the first or second war in Chechnya. It was added that everything in Chechnya seems very arbitrary.

When asked if people who were active fighters during the first and second war in Chechnya would face problems with the authorities today, a lawyer from Grozny explained that there could be such cases. If the police were in a desperate need to show results concerning the number of insurgency related arrests, they could go to the archives looking for a pretext to arrest someone who was active during the two wars. It was emphasized that some kind of recent conflict would attract the attention of the police and make them look for a pretext connected to the events during the two wars. The police would not build a criminal case solely on events that took place during the first war in Chechnya.

A lawyer from Grozny stated that family members to active insurgents are being prosecuted today in Chechnya. But there are no cases of prosecution of relatives to people who fought in the first war in Chechnya or 15 years ago when the second war in Chechnya began.

A representative of CAT stated that people who were active fighters in the first and the second war in Chechnya as a general rule are not in a particular problematic situation today. Those who were rebel leaders in the second war, such as Kadyrov, are now part of the inner circle of power in Chechnya.

During the first war in Chechnya nearly everyone participated in the fight for independence. This struggle was seen as a very noble cause in the eyes of the Chechen population.

There have been conflicts among the active participants of the first and second war in Chechnya, but by now these conflicts have been solved. If conflicts would arise today they would not have anything do to with events dating back to the years of the first and the second war. There is no desire among the current regime or under the current political circumstances to review the events that took place during the wars. There is no prospect for any legal prosecution of crimes committed during the wars. Kadyrov himself was active on both sides during the second war. Bringing up crimes or accusations dating back to the second war could be risky as it might backfire and bring up unwanted attention to the actions of members of the current regime.

6. Physical examination for bruises, scars or signs of torture

When asked if he had heard of people returning to Chechnya being examined for scars on their body, a representative of CAT stated that such examinations do not take place and they would not make much sense. Due to the two wars in Chechnya a very large proportion of the population have some sort of injuries or scars on their bodies. It would be strange if a man of a certain age did not have any marks or scars resulting from the wars on his body.

When asked if Chechens are exposed to physical examination for bruises, scars or signs of torture or other physical signs that could be attributed to participation in war or armed conflict, a human rights activist stated that he had personally experienced this in 2001. Back then Russian Special Forces in search of insurgents would conduct special operations in a certain area, and they would sometimes order all the people in a village to undress in order to look for signs of combat injuries hoping to identify insurgents living among the general population.

When asked if Chechens returning to Chechnya by plane, train, bus or car from outside of Chechnya are exposed to physical examination for bruises, scars or signs of torture or other physical signs that could be attributed to participation in war or armed conflict, a human rights activist stated that he had not heard of this, and he was not under the impression that such practises occurred anymore.

A human rights activist added that in Chechnya there is nothing unusual about seeing people with disabilities and scars resulting from the wars. In Moscow the police might find the presence of war related scars or injuries suspicious but that is not the case in Chechnya.

7. Freedom of movement in Chechnya – check points/road blocks, internal borders

A Western embassy stated that there is complete freedom of movement between Chechnya and other parts of the Russian Federation.

An ICG analyst in Moscow stated that there are no permanent checkpoints (блокпост) within the Chechen republic, except some high mountain areas. Since 2007 there have been no permanent checkpoints within the cities in Chechnya, except ~~that~~ [those] near security officials and some administrative buildings. In the case of special operations related to the insurgents, the authorities would set up temporary checkpoints in the area.

Traffic police (дпс) men [operate] some check points on the roads leading in and out of Grozny. They could ask drivers to open the car trunk. The traffic police are not involved in anti-insurgency activities as such. Furthermore, there are some checkpoints at the administrative borders to Ingushetia and Dagestan, and Stavropol krai. In fact these borders as well as other administrative borders in the North Caucasus look like state borders. This is only partly because of security concerns, but also because of the hostile attitudes between several of the local leaders in the region, e.g. the mayor of Khasavyurt in Dagestan and Ramzan Kadyrov, Ramzan Kadyrov and head of Ingushetia Yunus-Bek Yevkurov.

It was added that car license plates have region specific numbers making it easy to recognize a car registered in Chechnya. However, it is much easier to travel inside of Chechnya as well as in and out of the republic compared to the situation in 2007. It was added that there are no systematic checks of documents when crossing the administrative border between Chechnya and Ingushetia. However, at the administrative border between North Ossetia and Chechnya everybody is checked.

Commercial air plane tickets are rather expensive and so is the train from Grozny to Moscow, so most people use buses when travelling to other regions. Anyone can buy a bus ticket and until 2013 there had not been requirement for showing any kind of identity documents when buying bus tickets, [however] passports became required after several terrorist attacks on transport.

Passengers on busses crossing the administrative borders are not checked by the authorities except in special circumstances such as elections, whereas passengers arriving in or leaving from Grozny on commercial air planes and on the trains have to go through extra security control.

Passengers arriving in or leaving from Grozny on commercial air planes and on the trains have to go through extra security control. If a person is wanted by the Chechen authorities and the authorities have extended the search to the federal level, that could “ring a bell” with the authorities in the airport or at the train station in Grozny and the person in question would risk being detected and detained. However, it is not clear how effective the system is and whether the person would be able to leave Chechnya unnoticed through the airport or the train station.

It was added that it is possible to cross the administrative borders of Chechnya without showing any kind of identity documents, even though there are occasional identity checks carried out at the administrative border to Dagestan and more regular identity checks at the administrative border to Ingushetia, North Ossetia and Kabardino-Balkaria.

A human rights activist explained that Chechen police could search for people in the entire Russian Federation. In theory a person could be identified in an ID check somewhere in the Russian Federation, and the police would know if he or she was wanted by for instance the Chechen authorities.

A human rights activist stated that the police can scan fingerprints and take photographs at every police station and the police have databases where the picture from the internal passport is stored for all persons.

Statement from the Chechen Department of External Relations

According to the representatives of the Department of External Relations in Grozny, the traffic police man some permanent checkpoints on the main roads leading in and out of Grozny. Their task is solely to look for traffic violations, e.g. that safety belts are not used and if people are speaking on the phone while driving.

9. Russian language in Chechnya

Statements from Chechen Ministry of Education

The representatives of the Ministry of Education in Grozny stated that 230.000 children attend school in Chechnya. 23.000 people are employed as teachers. Chechnya has facilities for disabled children and children with special needs, including blind, hearing impaired and children with psychological issues.

When asked if it would be possible for a person from Chechnya not to speak or understand Russian, the representatives of the Ministry of Education in Grozny stated that this would be highly unlikely as all teaching in Chechen schools is in Russian. The Chechen language is taught in Chechen schools as a language subject like English. The only reason why a Chechen would not be able to speak and understand Russian would be if that person has not attended school. It was added that Russian is the language used all over the Russian Federation.

Until 2004 there were nine obligatory school years in the Russian federation including in Chechnya. In 2004 this was changed to 11 obligatory school years.

Chechen language is taught during all 11 years of the obligatory school. In the first four school years Chechen language is taught eight hours a week. In the next five years until the ninth year the number of weekly lessons is five to six. Finally, in the two last years in school the pupils are taught the Chechen language three hours a week.

When asked if it might be possible to find small isolated communities in Chechnya in which people speak or understand Russian language very poorly, the representatives of the Ministry of Education in Grozny stated that no such communities exist in Chechnya. It was emphasized that there are schools in every village and settlement in all districts of the republic, and no children are isolated in such a way that they do not attend school and thereby also learn the Russian language. It was added that even children who live in rural areas and help their family raising cattle go to school.

Education was only completely stopped for brief periods of 3-4 months duration during the most intense parts of the wars in Chechnya from around December 1994 to March 1995 and again from October 1999 to March 2000. It was added that these two relatively brief complete halts in education activities during the wars in Chechnya cannot explain why some people would claim not to understand or speak Russian.

It was suggested that those people that claim not to speak or understand Russian maybe did not attend school during the wars because they were either orphanages or abandoned children. However, it is clear that the percentage of children attending school right after the first and the second war in Chechnya was of course lower than today, where almost 100% of all children in the republic attend school.

4-6000 children are born in Chechnya each year and that that number is increasing.

Chechen and Russian are the two state languages of the republic. The administrative written language is Russian.

In daily life and in workplaces the spoken language would be Chechen. It is common that people are better at writing in Russian than in Chechen. This situation applies to the entire republic, there are no regional variations in which any of the two languages are more used or understood than the other.

The language used in radio, television and movies are a mix of Chechen and Russian. Some programs would be in Russian, others would be in Chechen and some would be a mix of the two.

Everybody in Chechnya needs to speak and understand Russian - at least when they travel to the neighbouring republics or other places in the Russian Federation where the Chechen language is not understood.

None of the representatives of the Ministry of Education in Grozny knew anyone that could not understand or speak Russian. It was added that even small children speak Russian. It was added that maybe children who grew up abroad would not know of the Russian language if their parents used the Chechen language in the home. Apart from that situation it was impossible for the representatives to find examples of Chechens who would not speak and understand Russian.

It was added that different dialects of Chechen are used in the republic.

9.1 Police and court language

Statement from the Chechen Ministry of Education and Interior

The representatives of the Ministry of Education in Grozny stated that the language of the court is Russian. All official documents and laws in Chechnya are in Russian. If a person in court claims not to know Russian an interpreter would be provided. However, the representatives had not heard of such examples.

The representatives of the Ministry of Interior in Grozny explained that Chechen language is normally used during questionings and interrogations, unless the apprehended person prefers to be questioned in Russian. From 2000 to 2003 it could have been the case that Russian was the only language used during questionings and interrogations, because the Chechen police was only in its coming.

10. Social and economic situation in Chechnya

The black economy is thriving in Chechnya. Almost every state employed and businessmen are obliged to pay a part of their salary or income to the special “Kadyrov Fond” even though there is no legal basis for that kind of tax. In one case a headmaster refused to pay the tax and consequently lost his job.

Statement from the Chechen Department of External Relations

Representatives of the Department of External Relations in Grozny explained that Grozny and the other cities in Chechnya have been rebuild but that further investments are required to create competition, develop businesses and reduce unemployment. The Chechen asylum applicants in Europe and the negative stories they tell have a damaging effect on this work.

10.1 Employment

A western embassy stated that the number of unemployed people in Chechnya is huge. A lot of federal money has been transferred to Chechnya but the money has created only a very limited number of jobs. It was added that the very large security apparatus in Chechnya is very costly and that the economy of the republic is currently not sustainable.

Statements from the Chechen Ministry of Labour and Department of External Relations

The representatives of the Ministry of Labour in Grozny stated that unemployment in the Chechen Republic should be understood in light of the two wars in the republic since 1994. After the end of the second war in Chechnya the unemployment rate was relatively high. However, the head of the republic Ramzan Kadyrov has informed the Russian federal authorities that within five years there will be no unemployment at all in the Chechen Republic. It was emphasized that since 2013 unemployment has reduced significantly. By 1 January 2013 the official statistics showed that 166.000 people were unemployed. By 1 January 2014 this number was reduced to 128.000 people, and by 1 April 2014 117.000 people were officially unemployed in the Chechen Republic.

The government in the Chechen Republic is trying to attract investments to the republic and the government has been quite successful in doing so. It was added that 45 new investment projects are expected to eliminate the remaining unemployment. These investment projects are focusing on new food processing industries, tourism and the energy sector.

Chechens who travel to the European countries are not under pressure from the Chechen authorities to leave the republic. All people in the Chechen Republic can find jobs that correspond to their abilities and competences. Chechens who return to the republic would be provided with the same social benefits as other people in the republic. Returnees can apply for jobs at the job centres on equal terms with people who have stayed within the republic. It was added that job centres keep a bank of available jobs.

Unemployment in Chechnya does not force people to leave for Europe. The explanation should be found in the mentality of these people. They regard travelling to Europe more easy than staying at home, finding a job and contribute to the development of the republic’s economy. They believe that the European countries would supply them with social benefits that exceed what they would be able to earn in Chechnya. It was

added that the employment rate in the Chechen Republic today is at a level where any person who is able to work can sustain himself or herself.

The job bank has currently approximately 1.770 available jobs, e.g. in the health sector (medical doctors and nurses), in the education sector (teachers) and in the private sector in food production. Not all available jobs require special skills and not all are high paid jobs, but the salaries are sufficient to provide a decent livelihood. It was added that it is actually difficult to find qualified people to some jobs. For that reason special programs have been established to up-grade the qualifications and skills of the Chechen work force.

Jobs are paid according to the individual's education level and skills. Many people do not understand that and some believe that they can find a better paid job in Europe. Not all who leave Chechnya for Europe do so because they face specific social problems, but they may be looking for a better life.

Representatives of the Department of External Relations in Grozny explained that the wars are long over and that the counter terrorism campaign in Chechnya has ended. The main reason why Chechens leave the republic is unemployment.

10.1.1 Unemployment benefits

Statements from the Chechen Ministry of Labour

The representatives of the Ministry of Labour in Grozny explained that the current figure of 117.000 unemployed is the sum gathered from the republic's 20 administrative units. Unemployed persons receive a cash unemployment benefit of 850 Rubles per month. After six months the cash benefit is stopped, but the person is then provided with a job. If he or she loses the job, the cash unemployment benefit is reactivated for another maximum of six months.

When asked how unemployed people manage to live of 850 rubles per month, the representatives of the Ministry of Labour in Grozny explained that an unemployed couple receive 2x 850 rubles per month. If they have children they receive an additional monthly allowance per child. Furthermore, young people including young couples who have special needs are supplied with special assistance e.g. assistance to find and pay for housing.

The Chechen Republic receives some subsidies from the federal budget to reduce the unemployment in the republic. Special grants have been dedicated to develop the agricultural sector, and grants are provided to individuals who wish to establish themselves in that sector. In addition, the Chechen government provides support to young entrepreneurs who wish to set up some kind of business. So far 30.000 people have received such entrepreneur support of up to 58.000 rubles.

Certain vulnerable groups receive special social benefits at the co-called complex service centres. These groups include war veterans, disabled people and labour veterans. The special support offered to these groups includes free medical assistance, judicial help if needed as well as other benefits. At the complex service centres not well-off families with children can collect food and clothes and educational courses are offered. Families with many children also receive other types of social assistance depending on their needs. It was added that each year the Chechen government sends a large number of children to holiday resorts by

the sea for free. In 2014 the government plans to send 27.000 children to a resort by the sea. Last year a large number of children went on holiday in Turkey.

10.2 Healthcare

Statements from the Chechen Ministry of Health

The representatives of the Ministry of Health in Grozny stated that the Chechen Republic suffered many losses during the two wars, and the wars have touched on every family in the republic. However, the Chechen Republic is today in a completely different situation than by the end of the second war. The health situation in the republic is improving and strong efforts are made to reach the Russian federal standards.

Both primary and specialized health care is available throughout the republic, and that the hospitals are in fact of a better standard than in neighbouring republics, as a number of hospitals have been constructed recently. Though it was added that healthcare in Chechnya has not reached Western European levels.

In the past four to five years the Chechen government has had its own budget to finance medical treatment to those who need it, such as cancer treatment or insulin for diabetics. According to the federal law there are certain groups of medicines that must be provided for free for certain groups of people. Treatment for cancer and diabetes is provided for free. In addition to that, a number of medicaments are provided for free to certain groups.

Doctors in “polyclinics” and hospitals are mostly Chechens. In a recently build hospital Russian specialist were invited for employment because the expertise was not available within the republic.

In some cases of specialized treatment, patients would have to receive the treatment outside of the republic. Open heart surgery was mentioned as one example of this.

Ehen a citizen needs treatment in another federal subject, the Chechen hospital would prepare the necessary documents and mail them to the receiving hospital. Last year approximately 3.000 persons from the Chechen republic were sent to treatment outside of the republic.

Those in need of cancer treatment have received that treatment outside of the republic. Some chemotherapy has been available in Chechnya for some time. However, recently a new oncology hospital has been finished and the Chechen republic will soon be able to provide chemotherapy, radiation therapy, surgery etc. The aim is to offer cancer treatment that reaches Western European standards.

There are a total of 39 state licensed drugstores in the Chechen republic where prescription medicine can be picked up at no cost. It was emphasized that all prescribed medicine to a patient is free of charge at the state licensed drugstores.

There are also commercial drugstores or pharmacies, but they are not licensed to sell for instance certain cancer medicines or morphine based drugs for pain therapy or other medicines that can be misused by drug addicts. Private drug stores cannot make prescriptions, only medical doctors are allowed to do that. It was added that antibiotics and penicillin as well as psychotropic drugs can be bought at private drugstore or pharmacies on prescription.

The regulations regarding what can be bought and sold in state licensed drug stores and in private drugstores are laid out by the federal ministry of health in Moscow.

Every hospital has one state licensed drugstore or pharmacy attached. It was added that there are around 73 hospitals in Chechnya, including specialist clinics.

At the hospital free primary health care is provided to everybody who needs it. Prescription medicine can be picked up at the state licensed pharmacy or the nearest private drug store if it has the medicine. Certain groups of people with certain groups of diseases are provided prescription medicine for free. Children below the age of three, war veterans, pregnant women, oncology patients and HIV patients are among the groups of people for whom prescription medicine are free of charge.

10.2.1 Availability of medicine and medical supplies

The representatives of the Ministry of National Policies, External Relations, kindly provided interpretation during the delegation's stop at one of the many private pharmacies in Grozny. The pharmacy stated that the strongest painkillers on sale without prescription are Solpadeine (active ingredients are Paracetamol and Codeine), Nurofen (active ingredients are Ibuprofen and Codeine) and Nalgesh (active ingredient is Naproxen). The strongest prescription painkiller on sale at the pharmacy was Pentalgin-N (active ingredients are Caffeine, Codeine, Metamizole Sodium, Naproxen, and Phenobarbital).

Statements from the Chechen Ministry of Health

The representatives of the Ministry of Health in Grozny explained that as in any other country there is in Chechnya a black market where drug addicts buy their illegal drugs³⁴. It was added that after the wars black market drugs was a big problem, but the problem is now under control because the Chechen government has paid a lot of attention to the issue and established programs to assist drug addicts. Illegal drugs are not easy to come by today in Chechnya.

First aid equipment, including bandages and syringes are available at private pharmacies with no restrictions on the quantities one can buy.

When asked if it would be possible for people to purchase large quantities of medicine to treat combat related injuries, such as for instance morphine or morphine based drugs, strong pain relieving medicine, antibiotics or penicillin, the representatives of the Ministry of Health in Grozny stated this would not be possible as that type of medicine is tightly regulated. It could have been easy to obtain that kind of drugs ten years ago but the representatives had not heard of a black market for these medicines in several years.

³⁴ An ICG analyst in Moscow found it plausible that Ramzan Kadyrov has been psychologically affected by his upbringing with a distant father figure. In addition to that it is possible that he is affected by a feeling of guilt or responsibility of the death of his father who was killed while Ramzan Kadyrov was in charge of the presidential body guard. It was added that it is possible that Ramzan Kadyrov is genuinely interested in fighting illegal drugs and in helping drug addicts because his older brother died of drug abuse.

Svetlana Gannushkina, Memorial/CAC, explained that Ramzan Kadyrov had an older brother who was actually supposed to succeed their father and former president of the Chechen Republic, Ahmed Kadyrov. However, the older brother died as a result of a drug abuse, and Ramzan Kadyrov became the next in line to succeed Ahmed Kadyrov.

10.3 Access to food

An ICG analyst in Moscow stated that some functioning agriculture can be found in Kurchaloy District and Gudermes District in the eastern part of Chechnya close to Kadyrov's home region, in Shelkovskoy district too. In addition, some factories and companies produce food and goods for local consumption.

Statement from the Chechen Department of External Relations

Representatives of the Department of External Relations in Grozny stated that there are several open air markets or bazaars in Grozny. In the central market "Berkat" in Grozny all kinds of fresh meat, fruit and vegetables and other kinds of groceries, clothes, kitchen utensils and basically everything a household needs [are available].

When asked if it was possible to buy alcohol the representatives of the Department of External Relations in Grozny explained that alcohol is not banned as such but it is not welcomed. Some supermarkets/minimarkets have a designated room in the back for displaying alcohol. In these minimarkets wine, beer and alcohol is for sale for some hours in the morning. It was added that all major cities in Chechnya have bazaars and supermarkets. There is no food shortage in Chechnya.

10.4 Voluntary return

IOM Moscow explained that around 2500-3000 Russian citizens have returned to Russia on IOM's assisted voluntary return programmes and some have benefitted from a reintegration programme. 1500 of these have returned from Poland. In addition to these figures 300 Russian citizens have returned from other European countries than Germany. It was estimated that 90-95% of the Russian citizens who are returning with the assistance of IOM are Chechens. Approximately 70% of the returnees participate in IOM's reintegration programme. The exact composition of the reintegration programmes varies from country to country. IOM consider the amount of 4.500 Euros to be the minimum to sustain a family.

The Austrian reintegration programme for Chechens is now involving 160-200 cases a year which is an increase compared to previous years when it was around 100 cases. Normally one case is a family with children.

IOM Moscow has not received reports of the returnees to Chechnya experiencing any kind of problems or conflicts with the local authorities. None of the Chechens who have returned on the assisted voluntary return program have been charged with support to or affiliation with the illegal armed groups. No one on IOM's program has been prosecuted in connecting with the insurgency. It was added that it is not possible to monitor everyone closely and that in some cases the IOM does not have any contact at all with the returnee. It was added that in general there is no negative attitude towards migrants returning from Europe from the side of the Russian authorities or the Chechen authorities. In fact, the Chechen authorities show a very positive attitude towards returnees.

10.5 Transportation

Statement from the Chechen Department of External Relations

Representatives of the Department of External Relations in Grozny stated that buses are commonly used in Chechnya. Busses have numbers indicating their destination. The main station in Grozny is close to the

Berkat market in the centre of the city. Busses leave from the central station for all major cities in Chechnya. The busses come in different colours, sizes and car brands.

11. Issuance of internal and external passports in Chechnya

UNHCR in Moscow stated that the issuance of external passports in Vladikavkaz and Grozny appear to be very easy and the procedure is quite fast even though bribery would most likely be involved. It was added that most of the Chechen asylum seekers in Germany are in possession of external passports issued in Vladikavkaz or Grozny.

11.1 Statements from FMS in Chechnya

FMS in Grozny explained that the only place in Chechnya to be issued both internal and external passport is at the FMS office in Grozny.

An application for any passport must to be done by personally showing up at an FMS office and presenting the original underlying documents required. It is also possible to apply online using the electronic web portal “Gososlugi”. However, one must still show up in person at the FMS office and present the original documents before the application is accepted and a passport can be issued.

Both internal and external passports can be applied for and picked up at any FMS office in the Russian Federation. The issuing authority will always be the FMS office in which the passport was issued, even though the application was handed in at another FMS office.

The FMS office in which a citizen applies for an internal or an external passport will show as the issuing authority inside the passport. If for instance a person applies for an external passport in Moscow, the issuing authority in the passport would be FMS in Moscow, regardless of where the person has his or her residence registration. The same applies for the internal passport.

11.1.1 Internal/domestic passport

FMS in Grozny emphasized that it is not possible for a citizen to hold an internal passport with FMS in Grozny as the issuing authority unless the citizen has actually been at the FMS in Grozny and personally picked up the passport. The citizen has to sign the internal passport upon issuance by FMS.

The only exceptions to this rule would be if the citizen is very ill and is not able to pick up the domestic passport or if the citizen is imprisoned. In such cases someone else could pick up the passport on behalf of the citizen, e.g. an employee in the prison service or a person from a hospital. The identity of the person picking up the passport will be checked and registered by the FMS office. Alternatively, FMS could choose to deliver the passport at the address of the citizen.

11.1.2 External/foreign/international passport

FMS in Grozny explained that in order to apply for an external (foreign/international) passport one must present a passport size photo, a copy of the internal (domestic) passport and choose one of two types of external passport: Either a non-biometric passport valid for 5 years or a biometric passport valid for 10 years.

FMS in Grozny confirmed that the external passport contains the signature of the passport holder. The signature from the application document is reproduced into the external passport.

FMS in Grozny emphasized that it is not possible for a citizen to receive an external passport issued in Chechnya without actually having been to Chechnya to apply for the passport in person. It is possible to pick

up the passport at any FMS office in the Russian Federation, but if it is stated in the passport that the issuing authority is FMS in Grozny, the signed application must have been lodged in person at the FMS office in Grozny. The information about in which FMS office a passport was issued is stated in the passport with a code under the headline “issuing authority” on the laminated page that also contains the photo and signature of the passport holder. FMS in Grozny has the unique code “20001”.

FMS in Grozny emphasized that it is completely impossible for a citizen to be issued an external passport with FMS in Grozny as the issuing authority without having been in person at the FMS office in Grozny and personally signed and handed in the application for the passport.

Regarding the electronic web portal Gosuslugi, FMS in Grozny explained that it is possible to start a part of the application process for an external passport. However, it is obligatory that the citizen show up in person and present the original underlying documents required and sign the application for the external passport.

FMS in Grozny emphasized that it is not possible to apply for or pick up an external passport by proxy. Internal passports on the other hand can in some cases be issued to trustees.

The processing time for an external passport is one month. In special cases emergency passports could be processed in three days, e.g. if a citizen is in urgent need of medical treatment abroad. The emergency passports are identical to the passports issued by the normal procedure.

When asked about the number of applications for external passport at the FMS office in Grozny, FMS in Grozny explained that the number is increasing. The cause of this increase could be the growing population and more people want to and can afford to travel abroad.

Tax authorities, police, FSB and other law enforcement and intelligence services are automatically notified of applications for external passports. A passport will not be issued if a citizen has a criminal case pending or is under investigation. The same applies if the citizen has debt to the state, e.g. unpaid taxes.

During the one month processing time of an external passport the police, FSB and other authorities check their databases or lists to see if the passport applicant is searched for or has some kind of disputes with the authorities that could mean that the person should not be allowed to leave the country. When asked if it often happens that FMS in Grozny cannot issue an external passport to a citizen due to an intervention by the police or FSB, FMS in Grozny explained that in most cases people are denied an external passport because of unpaid taxes.

11.1.3 New passports

FMS in Grozny informed the delegation that from 2017 new internal passports will be issued. It will be a plastic card containing the same information as the present type of passport. From 2015 biometric external passports would include iris scanning as well as the present fingerprints.

12. Transfer/extradition of criminals from administrative entities in the Russian Federation to Chechnya

A western embassy stated that it is difficult to assess the level of cooperation and exchange of between the various federal and local authorities, in particular on issues that involve crosscutting contact between such authorities. If a person from for example Chechnya decide to move to for example Volgograd and register his or her new address with the FMS, information would be passed on to the FMS at the place of the original registration, i.e. Chechnya. However, whether or not this information would actually be picked up and used actively by, in this case the Chechen authorities, is another matter. It would depend on how important the person was for the Chechen authorities. If the person was not important maybe nothing would happen.

In terms of autonomy Chechnya is a special case in the Russian Federation. The Chechen authorities may not use the official channels to search for people in other parts of Russia and eventually have them transferred back to Chechnya for a court process. Other republics or local authorities in other places in the Russian Federation would make use of the official channels if they are searching for a person who is suspected of a serious crime. However, the formal procedures for such transferrals are quite lengthy and the case would have to be substantiated by some evidence.

On all trains and for all classes of travel one must present the internal passport when buying the ticket. However, the quality of the exchange of information between authorities in Russia is poor and it may be that a person who is wanted or searched by some authorities can go unnoticed when purchasing train tickets despite the fact that their internal passport and name is registered.

It was added that whether or not the relevant authorities are notified and react to information received could be described as very “ad hoc” in Russia. It also depends on which authorities have initiated the search of an individual and whether or not it is a federal or a local search.

If a person who is searched for on a federal level tries to leave Russia through an international airport, it is likely that FSB would receive that information and react on it. The border police are a department under FSB, whereas the ordinary police are a department under the Ministry of Interior.

There is no border control between the Russian Federation and Belarus. People leaving Belarus to i.e. Poland are checked, but even persons who are searched for by Russian FSB could be able to exit Belarus without any problem.

A western embassy was not aware of any examples of official or unofficial transfers of Chechens from other parts of the Russian federation to Chechnya. It was added that to operate unofficially outside ones region, i.e. find, capture and bring back a suspect to Chechnya, is a sensitive matter in the Russian Federation as Russia is a centralized country.

It has happened that Chechens who have fallen out with Kadyrov have been killed outside of Chechnya. Reference was made to the cases in Vienna, Istanbul and Dubai.

When asked if Memorial in Volgograd had information concerning cases of judicial transfers of suspected supporters of the Chechen insurgents from the Volgograd Region to Chechnya, Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that Memorial in Volgograd was not aware of such cases. However, five or six

years ago in some small villages outside of the Volgograd Region a number of rapes took place. This led to a public demand that the alleged perpetrators, who were Chechens, should be send back to Chechnya. The families had to move to another district and the perpetrators were prosecuted and convicted by the local court. The Chechen men have probably been released by now and there is no information about where the men are today.

When asked if the ICG analyst in Moscow had ever heard of Chechens who have relocated to other parts of Russian Federation were arrested and transferred back to Chechnya because they were suspected of having provided food, medicine or transportation to members of the insurgents in Chechnya, the ICG analyst in Moscow confirmed, and referred to two news reports from www.newsru.com.

A news report from July 17, 2010 referred to the arrest in the city Astrakhan of a Chechen man who in January-March 1999 had provided the illegal armed groups with food.³⁵

A news report from March 1, 2011 referred to a Chechen man detained by Moscow police officers suspected of having provided money and food to the illegal armed groups in Chechnya during the summer of 2009.³⁶

[A full English translation of both articles is included in Appendix F.]

When asked if the ICG analyst in Moscow had ever heard of Chechens who have relocated to other parts of Russian Federation were arrested and transferred back to Chechnya because one of their family members or relatives was suspected of having provided food, medicine or transportation to the insurgents, the ICG analyst in Moscow replied: "I do not know such cases."

If aware of such judicial transfers of people who are suspected of being somehow affiliated with the insurgent back to Chechnya for prosecution, the ICG analyst in Moscow was asked to provide as much details as possible about the cases. The ICG analyst in Moscow replied that sometimes Chechen police detain people in other regions [of Russia], sometimes local law enforcement structures help them. The department on combating extremism of MVD [in Chechnya] is now under Kadyrov's people control. This department can operate all around the country. Reference was made to eight news articles:

A news report from 7 December 2008 refers to the arrest by Moscow police of a Chechen militant suspected of participating in the attack on the village of Alhazurovo near Urus-Martan in March 2008. The militant was on the federal search list and was arrested at Kazan train station in Moscow. According to the report the militant was transferred to Chechnya.³⁷

A news report from March 25, 2009 reported the arrest of a Chechen man in Kaliningrad and the subsequent transfer to Chechnya for prosecution for committing a number of serious crimes in Chechnya. No further detail about the crimes committed was reported.³⁸

³⁵ The news report in Russian: <http://www.newsru.com/russia/17jul2010/sdm.html>

³⁶ The news report in Russian: <http://www.newsru.com/arch/russia/01mar2011/terra.html>

³⁷ The news report in Russian: http://www.infox.ru/accident/crime/2008/12/07/boevik_chechnya.phtml

³⁸ The news report in Russian: <http://www.tuta-bonus.ru/news/659>

Security and human rights in Chechnya

An article in Kommersant from 17 February 2011 reported the arrest in Moscow of four Chechen men suspected of being active members of the illegal armed groups in Chechnya. The men were arrested by Chechen police in cooperation with local police at the Kiev railway station in Moscow. One of the arrested was on the federal search list. All four would be transferred to Chechnya for prosecution.³⁹

A news report on the website of the Chechen government website of 27 November 2009 referred to a report from Interfax that Chechen police in cooperation with local police and FSB operatives had arrested three members of the illegal armed groups in Astrakhan. One of the arrested had acted as a money courier for the illegal armed groups.⁴⁰

A news report on the website of Caucasian Knot from 8 October 2010 reported the arrest by Chechen police of a Chechen man in Novgorod suspected of being member of the illegal armed groups and participation in attack on settlements in the Vedeno district in Chechnya. The man was reportedly transported back to Chechnya for prosecution.⁴¹

A news report on the website of the Chechen government from August 1 2011 reported that two members of the illegal armed groups were detained in Astrakhan by local police in cooperation with Chechen police. They were transferred to Chechnya for prosecution of carrying out an armed attack on police officers in Chechnya on 6 July 2011.⁴²

[A full English translation of all six news reports is available in Appendix F.]

An ICG analyst in Moscow referred to a news report from 12 April 2012 about alleged insurgents arrested in Belarus by Belarussian KGB and transferred to Russia in accordance with international agreements. The arrested were suspected of having killed Chechen police officers.⁴³ [The incident was reported by several media and a BBC Monitoring⁴⁴ translation of the report on the arrest and subsequent extradition to Russia on 23 July 2012 from Belarussian and Russian news agencies are included in Appendix F.]

An ICG analyst in Moscow also referred to a news report from Caucasian Knot from 6 January 2014 about an alleged insurgent arrested in Ukraine and transferred to Chechnya. The alleged insurgent was wanted internationally by Russia and suspected of having killed an injured several people in an attack in 2005.⁴⁵ [On 27 March 2014 the Caucasian Knot reported the extradition to Russia of the person.⁴⁶ The article in English is included in Appendix F.]

³⁹ The news report in Russian: <http://kommersant.ru/doc/1586922>

⁴⁰ The news report in Russian: <http://chechnya.gov.ru/page.php?r=126&id=6409>

⁴¹ The news report in Russian: <http://www.kavkaz-uzel.ru/articles/175967/>

⁴² The news report in Russian: <http://chechnya.gov.ru/page.php?r=168&id=953>

⁴³ The news report in Russian: <http://news.rambler.ru/13542879/>

⁴⁴ BBC Monitoring is a subscription service and covers reports from radio, television, news agencies, press and new media in over 150 countries, in over 100 languages, providing a distinctive foreign news and information service from open sources.

⁴⁵ The news report in Russian: <https://kabardino-balkaria.kavkaz-uzel.ru/articles/236260/>

⁴⁶ See Caucasian Knot, Ukraine extradites to Russia Mukhammed Migaev suspected of attacking Roshni-Chu villagers in Chechnya, 27 March 2014, <http://eng.kavkaz-uzel.ru/articles/27675/>

A journalist specialized in the Caucasus region (A) had not heard of cases where people accused of having supported the insurgency in Chechnya with food, shelter or medicine had been officially transferred from other parts of the Russian Federation to Chechnya to stand trial. Neither did he know of cases where non high profiled Chechens have been unofficially transferred, i.e. kidnapped and taken back to Chechnya to stand trial. However, he had heard of two Chechens brothers who were deported from Germany and killed in Chechnya within two weeks after their arrival.

When asked about the transferral or extradition from one Russian federal administrative entity to the republic of Chechnya of persons wanted for criminal activities, a lawyer from Grozny explained that there was one case from 2007 that was related to the insurgency. A young man was suspected of having a relation to active insurgents. The Chechen authorities had his name put on the federal list of wanted persons. The young man fled the republic and hid out on a farm in the Perm Region. The young man remained in hiding for two years until 2009, when he was found by the police in Perm region and transferred back to Chechnya. According to the lawyer from Grozny who had access to the young man when he was in detention in Chechnya, he appeared to have been subjected to torture.

When asked about what kind of relations the young man had with the insurgents, a lawyer from Grozny explained that the young man in fact had relatives who had been active insurgents. In 2009 the young man was sentenced to one year in prison. He was released after nine months because his relatives were mobilized and they managed to contact an independent lawyer.

When asked if the human rights activist had heard of any cases where a person, who was wanted and searched for by the Chechen authorities, had been arrested and transferred back to Chechnya from other parts of the Russian Federation, the human rights activist referred to a case from autumn 2013, in which a group of Chechen and Ingush men were arrested in Moscow, due to a heated argument with local residents. At the police station it turned out that one of the Ingush men was wanted by the Ingush police. It was not known why the Ingush man was on the federal search list, and there was no information about what happened after it turned out that he was wanted by the Ingush authorities.

A human rights activist stated that except the one case from 2013 concerning the man from Ingushetia, the human rights activist had no knowledge of other examples where a person who was wanted and searched by the Chechen authorities had been arrested and transferred back to Chechnya from other parts of the Russian Federation.

A human rights activist had no information about how often this might happen. It was added that he would personally not believe many people would travel to other parts of Russia if there knew they were searched.

It would be very difficult for anybody who is on the federal search list to travel by train. When buying a train ticket, the traveller is obliged to present his or her internal passport, and information about the identity is stored in a database that is accessible to the police.

In general, people from Chechnya can easily move and reside elsewhere in the Russian Federation. However, if he or she is wanted by the Chechen police, has been added to the federal search list and at some point gets into contact with the Russian police and has his or her internal passport checked against the police database, he or she would risk being arrested and returned to Chechnya to face trial.

Security and human rights in Chechnya

According to a human rights activist, it is close to impossible for a person who is on the federal search list to leave the Russian Federation legally through an international airport or through the border controls at Russia's land borders. The only exemption is the land border between Russia and Belorussia, which is quite porous. However, the Belarusian authorities have no access to the same databases as the Russian police. But if the Belorussian authorities received an official request concerning the extradition of a Russian citizen who was searched for by the Russian authorities, the Belarusians would definitely hand that person over to the Russians.

There is a border control between Belorussia and Russia, but an external passport is not required to cross the border, and there are no stamps or documents involved when crossing the border.

Statements from the Chechen Public Prosecutors Office and Ministry of Interior

A representative of the Public Prosecutor's Office in Grozny stated that he had no knowledge of any cases of judicial transfers to the Chechen Republic from other regions of the Russian Federation of persons who are either suspected of being supporters of the illegal armed groups or persons who are accused of the same crime. However, there are examples of Chechens being transferred to the Chechnya on fraud charges and charges involving money schemes and tax evasion. It was added that according to Russian law, prosecution must take place where the crime was committed.

The reason why neither suspected supporters of the illegal armed groups or persons who are accused of the same crime have been transferred to Chechnya from other regions in the Russian Federation is that it is easier to find such supporters inside Chechnya. Oftentimes new information about supporters is collected during the investigation of other cases. However, there are no examples of cases of suspected supporters of the illegal armed groups where the suspect could not be found inside Chechnya. It was added that special police groups in the Ministry of Interior are responsible for identifying and conducting investigations of suspected supporters of the illegal armed groups.

The representatives of the Ministry of Interior in Grozny stated that it very rarely makes use of federal searches. In order to initiate a federal search for a suspect, a legal procedure has to be followed involving the approval by a judge who would have assessed the evidence in the case. It was estimated that in recent years no more than one or two persons have been added to the federal search list by the Chechen authorities. However, some persons have been returned as a consequence of having been searched for on a federal level. These persons include a few leaders of the illegal armed groups, terrorists, murderers and several persons who were wanted for embezzlement or money schemes.

13. Chechen communities in other parts of the Russian Federation

According to UNHCR in Moscow, Chechen communities are found all over Russia, including in the southern regions. The largest Chechen communities live in Moscow, the Moscow Region and in St. Petersburg. They mainly work in construction or in the taxi business.

A western embassy explained that quite many Chechens are living in Moscow and there are Chechen communities all over Russia. However, Chechens are reluctant to relocate to other areas of the Russian federation due to a fear of being discriminated against. It was added that Chechens are very depended on their clan and it is not an easy decision to leave one's clan.

An ICG analyst in Moscow explained that Chechens have a very strong sense of homeland, and the native village of the family is known by all Chechens. The family is at the centre of every Chechen's mind. It is close to impossible to imagine abandoned children in Chechnya, because there would always be some relative who would cater for the child.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, explained that more than 20.000 Chechens live in Volgograd Region. Some have lived there for 30 years. Between 1994, when the military operations began in Chechnya, and 2003/2004 many Chechens displaced by the war arrived in the Volgograd Region. Now the number of Chechens arriving in the region has decreased but they are still coming. Today mostly people from Afghanistan, the South Caucasus (the largest group being people from Nagorno-Karabakh) and recently from Ukraine and Moldova seek assistance from Memorial in Volgograd. It was added that besides being a human rights organization, Memorial is a social organization providing social assistance to anyone who is in need of that assistance. In 2013 less than 500 Chechen contacted Memorial in Volgograd.

When asked to identify the kind of problems Chechens in the Volgograd Region would bring to Memorial, Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that it is primarily financial problems, difficulties in finding employment, finding housing and access to health care which can be quite expensive. In 2000-2004 some displaced Chechens asked for help to be formally registered as displaced by the local government. They came to the Volgograd Region to find better living conditions and a place to live. It was added that Memorial in Volgograd does not receive complaints from Chechens concerning discrimination and racism.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, described how Memorial collects clothing and food from local residents including well-off people who make donations for charity, as well as from the local authorities. Memorial also cooperates with Caritas on specific items such as clothes in the right size. A teacher works together with the local Mosque and collects various items through that channel. It was added that unfortunately the "old" Chechen Diaspora in Volgograd that is engaged in commercial enterprises and business life is not ready to assist Chechens who arrive in Volgograd Region.

In general Chechens in Volgograd have the same access to health and education as any other Russian citizens in the Volgograd Region. Memorial in Volgograd was aware of the case of a Chechen family in Volgograd Region who had a disabled daughter. The daughter was operated ten times to improve her situation. The operations were paid by the state and today she is studying at the university for free.

Security and human rights in Chechnya

Today Chechen primarily come to Volgograd to study. However, living conditions in Volgograd are actually not as good as the living conditions in Chechnya, because of the federal subsidies to Chechnya. The population is decreasing in Volgograd, whereas it is rising in Chechnya.

14. Up-date on residence registration in the Russian Federation⁴⁷

A western embassy was not aware of any new or forthcoming rules or regulations regarding residence registration.

When asked if registration of residence is purely a notification of the authorities and that it does not pose any particular problem for Russian citizens regardless of their ethnic background, UNHCR in Moscow answered affirmatively.

IOM Moscow stated that they had not received any reports of returnees experiencing problems with registration of residence in Chechnya or elsewhere in the Russian Federation. Anyone could be unlucky and experience petty corruption or discrimination from officials but it was emphasised that this was not the rule. In the end everyone gets their residence registration, even without paying a bribe. It was added that corruption and harassment were not specifically targeted at Chechens or returnees.

When asked if she were aware of any new laws or regulations regarding residence registration since June 2012, Svetlana Gannushkina, Memorial/CAC stated that there are no new technical changes regarding registration of residence. However, it was added that due to a new requirement, a person must now live exactly in the apartment, where he is registered. If the person lives in another place, the owner of the dwelling may be tried and even imprisoned. For this reason, Gannushkina stated that obtaining residence registration has become much more difficult.

A journalist specialized in the North Caucasus region (B) stated that seven-eight years ago the attitude towards Chechens was very different from today. The wars in Chechnya and the terrorist attacks in Moscow were still in the minds of people and the authorities paid special attention to Chechens. At that time a Chechen registering his residence would face a visit by the local police officer and would be asked a lot of questions and even demanded to give his fingerprints.

However, now the situation is different and registration of residence is unproblematic for Chechens. If a person owns an apartment it is no problem at all to register. It was added that five years ago the laws on residence registration were changed so that a citizen can stay for three months in a place without registration, whereas it used to be three days. As a consequence the police no longer stop citizens from the North Caucasus on the streets and ask for registration papers.

A representative of Dosh explained that although Chechens living outside of Chechnya in for example Moscow could face discrimination and corruption when they register their residence, they would always succeed with the registration in the end. The issue of paying bribes in order to get things done in Russia also applies to ethnic Russians. It was added that if a person does not want to pay bribes when changing his residence registration, the registration would only take longer, about three weeks, but it would be done in the end.

⁴⁷ Information on residence registration in Russia was the main topic in the 2012 joint report from the Danish Immigration Service's and Danish Refugee Council's fact finding mission to Moscow and St Petersburg: Chechens in the Russian Federation – residence registration, racially motivated violence and fabricated criminal cases, August 2012, 4/2012 ENG, available at: <http://www.refworld.org/docid/532c03cd4.html>

Security and human rights in Chechnya

In the event of a terrorist attack in Moscow he could be certain that the police would be at his apartment in the middle of the night asking questions. The same applies to other Chechens living in Moscow, and that is one of the reasons why some Chechens in Moscow prefer not to register their residence. Another reason is that the procedure is slow and time consuming.

A representative of Dosh explained that he had heard of police officers warning other persons living in an apartment building that one of their neighbours was a Chechen.

A representative of Dosh explained that he had heard of the police making phone calls to landlords and asking all sorts of questions about their Chechen tenants. For this reason some people would be reluctant or afraid to rent apartments to Chechens. It was added that some landlords simply prefer to rent apartments to ethnic Russians only because they themselves are Russians.

Some landlords do not want the tenant to be registered at the address. This has nothing to do with racism but is a question of avoiding paying taxes on the income from the rent.

Concerning Chechens' access to register residence in the Volgograd Region, Naumova Lidiya Fyodorovna, Memorial in Volgograd, explained that in 2000 the local authorities restricted residence registration for Chechens. However, the courts found that illegal and quickly put an end to the illegal practice. Since then residence registration for Chechens has been unproblematic.

It was added that the old "propiska" system was abandoned several years ago. In 2004/2005 Memorial in Volgograd took some cases involving Chechens who had arrived in the Volgograd Region and who had experienced some problems with the local authorities to the courts. In all the cases the courts solved the issues according to the laws and regulations.

It was added that Memorial in Volgograd would always assist anyone who has experienced some kind of problem with residence registration in the Volgograd Region. Memorial in Volgograd actually cooperate with the local FMS who are very well aware of the existence of Memorial.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that registration of residence has become much easier compared to two years ago. Now the FMS has set up one service centre in Moscow where one can go and receive all necessary information, hand in the required documents, i.e. a copy of the internal passport and fill in the notification of registration. It is no longer necessary to go to the police or to the house manager of the apartment complex and fewer administrative steps are involved, including the opportunity to use an electronic procedure. The new procedures have made it significantly easier to register residence and the procedure is concluded in a couple of days. The registration is valid for five years. In general the services to citizens in Moscow have greatly improved with the city's new mayor, Sobyenin, who won the election in September 2013.

Migrant workers in large numbers used to register residence in the same apartment, while they lived somewhere else. Such apartments were known as "rubber apartments". As a consequence, there is now a limit on the number of people who can register in an apartment. The limit depends on the size of the apartment.

When asked if he had heard of landlords receiving phone calls from the police because they had Chechen tenants, Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that he had not heard of that.

However, when citizens register their residence at landlords, the information is automatically transferred to the local police. It is the responsibility of the police to check the person registering and to check if the owner of the apartment pays taxes. Of course these checks could occasionally involve Chechens, but the police are not as a rule hostile against Chechens tenants or landlords.

According to IOM Moscow, returnees only rarely wish to return to somewhere else than their native region, although technically they could go and settle anywhere in the Russian Federation. It was added that healthcare is free of charge where one has residence registration.

The returnees register their residence upon arrival at their destination in Russia, including a restoration of their internal passport if necessary.

As a group the returnees are not experiencing harassment by the authorities during the process of restoring their documents or registering their residence. However, in some cases returnees could experience the kind of general bureaucratic latency by some government officials that any Russian citizens could experience when in contact with the Russian bureaucracy.

IOM Moscow always notifies the local FMS office when returnees arrive, and this has proved to work very well in terms of making the procedures less troublesome. It was added that some returnees have their internal passport and therefore they do not need to go to the FMS office to get it restored.

Even if a returnee had been out of the country for a long time the residence registration would still be in the FMS system and it would not pose a problem to return to the same location.

Statement from Chechen FMS

FMS in Grozny explained that a citizen's residence registration in Chechnya is not changed or cancelled by FMS, unless the citizen actively changes his or her residence registration. Residence registration does not expire even if a person has been living abroad for a long period of time or has been living in other areas of the Russian federation for a substantial period of time without changing his or her residence registration in Chechnya. No one would return to e.g. Grozny to find that he or she is no longer registered there, unless he or she has chosen to register residence elsewhere.

15. Update on racism, discrimination and xenophobia in the Russian Federation

15.1 Hate crimes and racially motivated attacks

Alexander Verkhovsky, SOVA⁴⁸, stated that according to the reports gathered by SOVA there has been a general decrease of hate crimes and racially motivated attacks, beatings and killings in Russia from 2008 to 2012. This decrease seems to have come to a halt in 2013. However, it was added that SOVA does not know the exact total number of hate crimes as underreporting is a major issue.

It was emphasised that the data is approximate in many respects, including ethnic classification - even more so because the victims of hate crimes tend to avoid any media contact and seldom report the crime to the police. However, based on the information collected, the statistics do reflect the general tendency of racially motivated crimes in Russia. It was added that the underreporting has not improved since 2012 and any increases in the statistics should not be attributed to an improvement of reporting on racially motivated violence. Finally, the victims of violence are not more inclined today to distribute information about racially motivated attacks than before. In many cases foreign citizens who are victims of racially motivated attacks do not consider that to be their worst problem. For many foreign migrants in Russia the worst problem is finding housing and to sort out residence registration.

The decrease in hate crimes is particular visible when looking at the number of racially motivated murders. From a total of 116 killed in 2008, the number has decreased every year, and in 2012 SOVA recorded the lowest level of 20 racially motivated murders in Russia. However, in 2013 the decrease in racially motivated murders stopped, and SOVA noted a slight increase to 22 murders. In 2013 14 people from Central Asia were reportedly murdered in connection with racially and neo-Nazi violent attacks, while the number of murders in 2012 was seven. Racially motivated murders and murders committed in connection with neo-Nazi violent attacks on “people from the Caucasus” numbered three in 2013 and four in 2012, and one person of “other people of non-Slav appearance” was murdered in each of the years 2012 and 2013.

Furthermore, Alexander Verkhovsky, SOVA, presented data for first half of 2014: 13 persons killed and 61 beaten or wounded, among murdered: 7 from Central Asia, 3 from Caucasus; 28 persons convicted for violent hate crimes and 61 for racist propaganda, which shows growing disproportion. It was emphasized that this data is fresh and very preliminary.

In 2013 50 people from Central Asia were reportedly beaten or wounded in connection with racist and neo-Nazi violent attacks, while the number in 2012 was 37. Reporting on racist and neo-Nazi violent beatings of “people from the Caucasus” numbered 26 in 2013 and 14 in 2012, and reporting on beatings of “other people of non-Slav appearance” numbered 34 in 2013 and 15 in 2012. From the statistics it appears that the largest category of victims of xenophobic attacks was migrants from Central Asia with 14 out of the total of 22 murdered, and 50 out of 186 injured were reported to be from Central Asia. It was added that Central

⁴⁸ SOVA Center for Information and Analysis is a Moscow-based Russian non-profit organization founded in October 2002. SOVA Center conducts research and informational work on nationalism and racism, relations between the churches and secular society, and political radicalism. SIVA is also interested in human rights issues, especially government misuse of counter-extremism measures. Website: <http://www.sova-center.ru/en/>

Asians are considered an easy target by the perpetrators due to their low social status, poor living conditions and their reluctance to report attacks to the police, due to a lack of proper residence permits or registration as foreign citizens.

However, the overall tendency was a decrease in racially motivated violent attacks involving beatings – down from 194 in 2012 to 186 in 2013. It was noted that both North Caucasians (including Chechens) and South Caucasians (including citizens of Georgia, Armenia and Azerbaijan) are included in the category “people from the Caucasus” and North Caucasians (including Chechens) and anybody who doesn’t look Slavic could also appear in the category “other people of non-Slav appearance”.

It was explained that SOVA obtains information for the statistics through their local correspondents in some regions of Russia who follow local and federal media reports, neo-Nazi blogs, Internet fora and other relevant outlets, and in many cases it is not completely clear who the victims of the violence are. It was added that there is no evidence to suggest that Chechens as a group are more singled out than other people from the Caucasus.

For recent statistics from SOVA see Appendix G.

Alexander Verkhovsky, SOVA, stated that the anti-extremism department under the Ministry of Internal Affairs with regional departments across the country continued to prove efficient in investigating and arresting particularly neo-Nazi groups. However, it was added that law enforcers are increasingly targeting racist and hateful propaganda and statements made on social media as these cases are easier to investigate and result in quicker convictions, which help the law enforcers achieving the target number of cases they are required to meet. Investigation of and prosecuting racially motivated murders and beatings are much more time consuming, and it can be observed that the number of offenders convicted of racially motivated violence has decreased slightly in 2013 compared to 2012, but the decrease is more clear when comparing with the number of offenders convicted in the years 2008-2011.

The cities of Moscow and St. Petersburg have more serious cases of racially motivated murders and violence compared to other cities in Russia. On SOVA’s database on the Internet it is possible to break down the number of violent attacks on regions, categories of victims and category of crimes. However, it was added that SOVA only have few sources in the southern part of Russia, though the Ombudsman in Samara, Iryna Skupova, is very professional.

A rapidly increasing prominence of nationalist raids against “illegal aliens” was a key feature of 2013. In the first half of the year, searching for foreign illegal immigrants was a logical continuation of the nationalist campaign for the introduction of a visa regime with the countries of Central Asia and in South Caucasus. The trend intensified against the background of the media discussions of migration issues, which sharpened and became more active than ever before.

In general the situation concerning racism in Russia has gotten worse in the past year. However, there are also positive developments. The number of murders seems to remain rather low, and there is a positive development in law enforcement in the sense that the number of suspended sentences in cases of hate crimes or hate speech is lower than some years ago. The police in Moscow are becoming more professional and are now increasingly able to follow neo-Nazi groups and contact them directly and informally. This

enables the police to stop the groups before they grow too big and out of control. However, some racially motivated murders do not receive proper police investigation because they are more difficult to solve and demand more time and resources than other types of cases, e.g. propaganda/incitement of hatred.

15.2 Regional differences

UNHCR in Moscow stated that in terms of racism and xenophobia Moscow is the worst city for any minority group, and the tolerance towards other ethnic groups might be greater in other cities in the Russian Federation, for example in St. Petersburg.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, explained that in Moscow and in St. Petersburg Chechens are in a very different and more difficult situation than in the Volgograd Region. In contrast to the Volgograd Region, Russian citizens [from other areas of the country] are discriminated against in Moscow and in St. Petersburg. The Volgograd Region is multiethnic and it is called “the centre of the South”. It was added that ordinary Chechens support each other and in reality, as they can rely on that support, they find it less burdensome than other groups to pay the bribes that all residents in the region have to pay if they need some public services or in other ways get into contact with the local authorities.

It was emphasized that the situation of Chechens in Moscow and St. Petersburg does not present a complete picture of the situation of Chechens everywhere in the Russian Federation. Moscow and St. Petersburg are big cities. In those cities there will be discrimination against foreigners and even against people from other parts of Russia.

Mairbek Vatchagaev, editor of the Caucasus Survey, stated that the Chechens who move to Moscow could expect some problems in terms of discrimination and racism. However, the business opportunities are better in Moscow than in most other places in Russia. Besides, newcomers to Moscow would find some help and support from contacts in the very large Chechen community in Moscow of approximately 200.000 people. In comparison, there are approximately 40.000 Chechens in France.

15.3 Situation for Chechens

A journalist specialized in the North Caucasus region (B) stated that the level of discrimination, xenophobia and racially motivated violence against persons from the North Caucasus has declined in the past years and is directed much more towards migrants from the countries in Central Asia. It was added that the current positive situation for Chechens in Russia depends on the good relationship between President Putin and Ramzan Kadyrov.

The level of support to Ramzan Kadyrov may vary among Chechens in the various cities of the Russian Federation, but all Chechens believe it is positive that the perception of Chechens among the Russian population has improved.

The perception of Chechens in Russia has improved after the Winter Olympic Games in Sochi. Furthermore, the current situation in Ukraine has created a new enemy and that has moved the focus away from the people of the North Caucasus. However, the general attitude among Russians towards people from the North Caucasus can move in both a negative and a positive direction, and it would be easy for the Russian

authorities to provoke a negative attitude towards people from the North Caucasus if it would be politically opportune to do so.

A representative of Dosh stated that Uzbeks and other Central Asian nationalities and not the Chechens are singled out for document checks in the Moscow metro.

Russian citizens can live anywhere in the federation for three months without registering their residence as long as they keep a train or bus tickets or other documentation for arriving not more than three months ago. For citizens of the Central Asian countries it is different. There are more rules regulating their stay in the Russian Federation and they are therefore an easy prey for extortion by corrupt police officers.

Central Asians are more often victims of racism and racially motivated violence than people from the North Caucasus because they stand out more and are more vulnerable in terms of their migrant status.

When asked if the recent terrorist attacks in Volgograd had led to some kind of reaction towards the Chechen community in the city, Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that a Chechen man was arrested following the two bombings. He is held in normal pretrial detention and he has not been assaulted or mistreated in any way. He has been appointed good lawyers paid by the state and the case is pending in court. The bombings did not create any kind of anti-Chechen sentiment in the general population in Volgograd. It was added that there are neo-Nazi groups in the Volgograd Region who were responsible for attacks on citizens of Afghanistan in Volgograd. However, they did not target Chechens and there were no assaults on Chechens or any other people from the North Caucasus following the bombings.

When asked if Chechens in the Volgograd Region tend to be punished harsher than ethnic Russians charged with the same offence and that Chechens would as a rule receive the maximum punishment of the law instead of the minimum punishment, as has been described by interlocutors in Moscow and St. Petersburg, Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that in the Volgograd Region there is no evidence to support the view that Chechen should suffer from that kind of legal discrimination. It may well be the case in Moscow and in St. Petersburg, but it is not the case in the Volgograd Region.

Many former soldiers who fought in Chechnya in the federal army live in the Volgograd Region. Until a few years ago many of these former soldiers would be very hostile towards Chechens and there were examples of aggressions towards members of the Chechen community. Furthermore, many former residents in Chechnya who are not Chechens had to leave the republic in the 1990'ies due to the wars. Many of these people live in the Volgograd Region today. However, the hostility and aggression has eased now and the relations between Chechens/North Caucasians and Russians have improved.

Khamzat Gherikanov, Chechen Social and Cultural Association, stated that the perception of Chechens in the general Russian population has improved in recent years and in particular after the Sochi Olympics and the current situation in Ukraine. People from the North Caucasus are no longer considered to be dangerous to Russia. However, many Russian nationalistic organisations attempt to develop an idea that what they label as "non-Russians", such as people from the North Caucasus or Tartastan, should not feel at home in Russia and they should stay in their home regions in Russia.

Security and human rights in Chechnya

Leading up to the elections for parliament in 2011, the political parties, including the democratic parties, began to use nationalistic language. This went on during the election of the mayor of Moscow in September 2013 and included even United Russia and the Communist party.

There has been an increase in the media attention devoted to local incidents of street violence with a potential “nationality angle”, such as a fight involving people from the Caucasus and ethnic Russians. The case of a fight between a Russian man and a man from Azerbaijan who used a knife almost led to an uprising in South Moscow. The media present such cases as if Russians are under pressure from non-Russians, despite the fact that ethnic Russians constitute the great majority of approximately 80% of the population in Russian.

The negative media attention towards people from the North Caucasus stopped just before the Sochi Olympics. After the Olympics began, all stories in the media were idealising all Russians joining the nation in order to create a beautiful image of a united Russia to the world. At once there were no attacks on or negative statements towards North Caucasians or other non-Russian nationalities. The subject was closed.

Khamzat Gerikhanov, Chechen Social and Cultural Association, considered it likely that as long as the turbulent situation in Ukraine persist, the people from the North Caucasus will not be the focus of attention in Russian media or among nationalistic groups.

When asked if the terror attack at the Volgograd train station in any way affected the perception of people from the North Caucasus in Volgograd and Russia in general, Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that the attack had no consequences regarding the perception or the daily life of Chechens or other people from the North Caucasus. It was added that there are no longer any reports regarding problems for people from the North Caucasus in Moscow in terms of fights or other racially motivated violence.

It almost seems as if there was a directive from the Kremlin before the Sochi Olympics that everything must be fine in Russia in order to show that the nation is strong and undivided. However, there are racially motivated fights in Moscow, as there always has been, but in terms of media attention the subject appears to be closed and no one writes about it.

New anti nationalistic laws have been passed in Russia. After the riot at Bolotnaya and Pushkin squares the government recognised that nationalistic violence presented a problem. Several people were prosecuted following the riots and the authorities wanted to react firmly against nationalistic tendencies, even though they are “pro-Russian”. In the past years there have been several large fights initiated by the nationalistic movements or groups in and around Moscow. The authorities did not expect such large riots and are afraid that these nationalistic groups should develop into something more organised that might eventually challenge the authorities.

The challenge is that some people, in particular in Moscow, do not have a clear perception of the nationalities of the Russian Federation. For them all people from the Caucasus are considered the same. Therefore the Muscovites’ perception of people from the South Caucasus such as Azeris, Georgians or Armenians reflects on Chechens and other Russian citizens from the North Caucasus. In recent years there has been a negative perception among Russians of people from the southern Caucasus countries.

15.4 Employment

UNHCR in Moscow explained that Chechens are a strong minority group and they are capable of protecting themselves. By means of their strong networks, Chechens would always find a job and a place to stay, even in Moscow which is known to be the most difficult place in Russia to find an apartment or a room for rent.

A journalist specialized in the North Caucasus region (B) stated that finding a job and an apartment is the real challenge for citizens from the North Caucasus moving to a new area or city in Russia, but that applies to all Russian citizens. However, residence registration does not pose a real problem to Chechens.

There is an unofficial instruction in the federal Ministry of Interior not to employ persons of Chechen origin in the ministry, the police and other government agencies under the MVD. This is even the case for persons of Chechen origin who are Moscow residents and have graduated from university. The existence of this unofficial instruction has been confirmed to the journalist by sources within the Ministry of Interior.

There are examples of discrimination of north Caucasians in terms of vacant job positions in the Ministry of Interior including the Prosecutors office. If there are two equally qualified candidates and one of them is from Chechnya and the other is an ethnic Russian, the latter will get the job. It was added that there are no Chechens among the heads in the Ministry of Interior in Moscow, but many Chechens are employed in lower level positions.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that the one problem facing young well educated Chechens is finding a job within the judicial and security or defence related government institutions, such as the Ministry of Interior, the police or the prosecutor's office. Khamzat Gerikhanov, Chechen Social and Cultural Association, considered that there might be some unwritten decree that law graduates from North Caucasus should not be accepted in positions in these government institutions.

When asked what the biggest challenge is for a Chechen who wants to leave Chechnya and move to another part of the Russian Federation, Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that finding a job would be the most difficult issue. However, the lack of jobs is a national problem and not specific to Chechens. Unless a person is a highly needed specialist, jobs are very difficult to find. If a person has no network in terms of friends or relatives, finding a job and an apartment would be more difficult and in such a case it might be more difficult for someone from North Caucasus compared to an ethnic Russian. However, finding accommodation for Chechens has become less troublesome year by year. Actually, in general Chechens are good tenants. They are known to undertake improvements of the apartments that they rent and live in, and complaints from landlords of Chechen tenants are almost non-existing.

15.5 Housing

A representative of Dosh explained that Moscow is a city of somewhere between 11 and 20 million inhabitants and apartments are expensive and not easy to find.

Renting an apartment or finding a place to stay in Moscow is difficult for everyone and not only for Chechens. However, for Chechens it is even more difficult due to the negative image of Chechens that still exists among some people. It was added that it is easier for Uzbeks and Tajiks to rent accommodation in Moscow than for Chechens.

Eventually Chechens manage to find a place to stay as there are no homeless Chechens in for example Moscow. Usually friends or relatives would help newcomers to find a place to live and get the residence registration done. Chechens would thus take advantage of their extended network. It was added that even though many traditional Chechen values have been under pressure, it is still considered shameful not to help and assist relatives and in general other Chechens.

A journalist specialized in the North Caucasus region (B) stated that in listings for flats or rooms for rent it is not uncommon that they read “no Caucasus people” or “only Russians”.

According to Naumova Lidiya Fyodorovna, Memorial in Volgograd, the only challenge facing a Chechen newcomer to the Volgograd Region is to find a place to live. Once that has been done he or she can easily register residence with the FMS. It was added that any newcomer to the Volgograd Region would face the same challenges as a Chechen would face.

Discrimination in the housing market does exist. Advertising regarding apartments or rooms for rent oftentimes would state “only Russians” or “only Russian citizens”. However, it was emphasized that Chechens are Russian citizens, and they are not discriminated against as such. The discriminating statements are aimed at foreign citizens. It was added that Chechens are found in prominent official positions. There is a Chechen judge in the Volgograd Region and Chechens are employed as senior officials in the Prosecutor’s office and in the local ministries [in Volgograd]. Chechens in general cannot be said to constitute a group that is discriminated against in the Volgograd Region, and Memorial in Volgograd would be the first to know if that was the case.

15.6 Extortion, harassment and fabricated criminal cases against Chechens by Russian police

UNHCR in Moscow stated that migrants from the Central Asian republics are the easiest prey for corrupt Russian police officers looking to extort money. They are not citizens of Russia, and it is therefore easy for officers to stop and check their documents on some pretext. Central Asians are also vulnerable because they have the lowest paid jobs, they do not form a cohesive group and often their physical appearance makes it easy for police officers to identify them as Central Asians. The truth is that Moscow cannot cope without the cheap labour force that the Central Asians offer and they often take the hard jobs that do not appeal to the Russians.

Contrary to the Central Asians, Chechens form a cohesive group in Russian society and should be considered a rather powerful minority, particular in Moscow. Besides, they are citizens of the Russian Federation and most of them know that they enjoy the rights as citizens. This means that people from the North Caucasus are not the prime targets for corrupt Russian police officers looking to extort some money.

A journalist specialized in the North Caucasus region (B) stated that in leading up to the state council elections in 2006, he was visited by the local police officer at his home in Moscow. The police officer wanted to make a list of all the journalists’ family members. When asked why he would do that, the police officer admitted that he was under instruction from the MVD to check up on all Chechens in the local area before the elections. Since then there has been other elections but the journalist was never again visited by the police. It was added that in 2008 it was the Georgians that received the attention from the Russian authorities and had a negative image in the minds of the Russian people. Now Ukrainians are in focus and accused of

attempting to commit terroristic acts. In general the sentiment towards different groups in Russia is to a large extent determined by the authorities. It was added that more than 10 years of negative propaganda aimed at Chechens of course has not completely disappeared, and some Russians continue to fear of people from Chechnya because of the propaganda.

False accusations and fabricated criminal cases, e.g. police planting drugs, ammunition or explosives, against Chechens residing in the Russian Federation outside of the Chechen Republic is a thing of the past. Such cases are now very rare and the problem has decreased for several years.

When asked about the prevalence of fabricated criminal cases against Chechens living in the Russian federation outside of Chechnya, a representative of Dosh explained that this does not happen to the same extent as it did in 2000. Before 2005 all Chechens were regarded as terrorists or drug dealers in the minds of many Russians. This changed after Ramzan Kadyrov came to power in 2005 and the state media propaganda campaign against Chechens and other North Caucasians was stopped. Since then the Chechen and Russian authorities have attempted, and to a large extent succeeded, in eliminating the negative stories about Chechens in the news. However, the general negative image of people from the North Caucasus is still common among Russians.

A representative of Dosh had not heard of recent fabricated criminal cases targeted at Chechens outside of Chechnya. Several years ago this was a deliberate strategy by the police and specifically aimed at North Caucasians, but this is not the case anymore. In those days Chechens would sometimes sew their pockets together to make it impossible for the police to plant drugs or bullets and fabricate a criminal case against them. Chechens in Moscow do no longer sew their pockets together because the police no longer make use of that strategy towards Chechens.

Now Chechens live quite safe in the Russian Federation. Unfortunately, Georgians and Ukrainians have now replaced the Chechens as the target for the state media negative campaigns, and it is the Georgians and the Ukrainians who are now subjected to harassment and discrimination by the police.

A representative of Dosh has never experienced being stopped by the police in the street unless he speaks Chechen. It happens that people from the North Caucasus are stopped by the police in the street or in the metro. When police officers stop people from the north Caucasus in the street or in the metro the purpose is to obtain a bribe. Usually an amount of 500 Rubles would stop the harassment. It was emphasised that now there are very few of these cases. This phenomenon also occurs in cities in the southern part of Russia, but the bribe paid to stop the harassment is lower than in Moscow.

A representative of Dosh explained that all people from North Caucasus are aware and knowledgeable of their rights as citizens in the Russian Federation. They will therefore always make sure their documents are in order to avoid problems with the authorities. Central Asians are less knowledgeable about their situation and their rights and are therefore a much easier prey for corrupt police officers.

When asked how the changing perception among the general population and the new laws translate into the life of ordinary people and the Chechens living in Russia outside of Chechnya, Khamzat Gerikhanov, Chechen Social and Cultural Association, explained that in recent time there have been no significant problems of Chechens being prosecuted, harassed, discriminated or accused of something only because of the fact that

Security and human rights in Chechnya

they are Chechens or North Caucasian. It was added that the negative attention from nationalistic groups or corrupt police officers in Moscow are directed against foreign citizens e.g. people from Central Asia.

In previous years Chechen could risk being stopped on the street, undergo a document/ID check, being taken to a police station, have fingerprints taken and forced to pay a bribe to be released. That does not happen anymore. Chechens in Moscow and other places in Russia are no longer at risk of being falsely accused in connection with fabricated criminal cases involving drugs, ammunition or explosives, and Chechen children are not harassed, shouted at or mocked of being Chechens.

The police have shifted their attention to people from the former Soviet republics in Central Asia. Citizens of the former soviet republics must register their residence within three days after arrival in Russia, whereas Russian citizens have to register within 90 days of arrival in a city. Some of the migrants from Central Asia do not manage to register within three days and the police therefore consider them an easy prey and demand bribes from them. The fact that migrants from Central Asia are more numerous in Moscow than Chechens could explain why police officers would rather collect bribes from this group than from Chechens.

There is corruption within the Russian police and for some police officers crimes are seen as an opportunity to extort money from the persons involved. It was added that the traffic police are especially prone to this behaviour and even small traffic violations can be used to extort money. This is the reason why many Russians have attached small cameras in their cars in order to have evidence in case the traffic police accuse them of a traffic violation. The traffic police have attempted to ban these cameras arguing they present a danger to road safety.

Appendix A – Organizations, authorities and persons consulted

Alexander Verkhovsky, Director, SOVA, Moscow

Committee against Torture (CAT), Moscow

Department of external relations, Grozny

Dosh, Moscow

Employees of the office of the Chechen Ombudsman, Grozny

Federal Migration Service, Grozny

Human rights activist

Human rights activist from Grozny (A)

Human rights activist from Grozny (B)

International Crisis Group (ICG), Moscow

International Organization for Migration (IOM), Moscow

Journalist specialized in the North Caucasus region (A)

Journalist specialized in the North Caucasus region (B)

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, Moscow

Lawyer from Grozny,

Mairbek Vatchagaev, editor of the Caucasus Survey

Ministry of Education, Grozny

Ministry of Health, Grozny

Ministry of Interior, Grozny

Ministry of Labour, Grozny

Naumova Lidiya Fyodorovna, Memorial in Volgograd

Public Prosecutor's Office, Grozny

Said-Magomed Samadievich Chapanov, a lawyer in Grozny

Svetlana Gannushkina, member of the Board of the Human Rights Center "Memorial" and head of the "Migration Rights" Network, head of the Civic Assistance Committee, Moscow

UNHCR, Moscow

Western embassy, Moscow

Appendix B – Terms of Reference

- Update on the general security situation in Chechnya
- Arrests and prosecution of participants in the first and second war in Chechnya
- Illegal armed groups – numbers, structure and leadership, recruitment, supporters
- Investigation and prosecution of active members and supporters of the illegal armed groups
- Situation of family members of active members and supporters of the illegal armed groups i.e. suppliers of food, medicine, transportation – recruitment of informants, summons to report, forced confessions
- Reprisals against informants by the illegal armed groups
- Regulations and procedures regarding transfer/extradition from one Russian Federal administrative entity to the Republic of Chechnya of persons wanted for criminal activities
- Up-date on residence registration
- Issuance of documents including forged documents
- Issuance of internal and external passports
- Orders to appear for questioning/police summons (повестка) – local, regional, federal
- Freedom of movement – check points/road blocks, internal borders
- Food and medicine
- Language – Russian in daily life
- Employment
- Road and city maps
- Transportation system

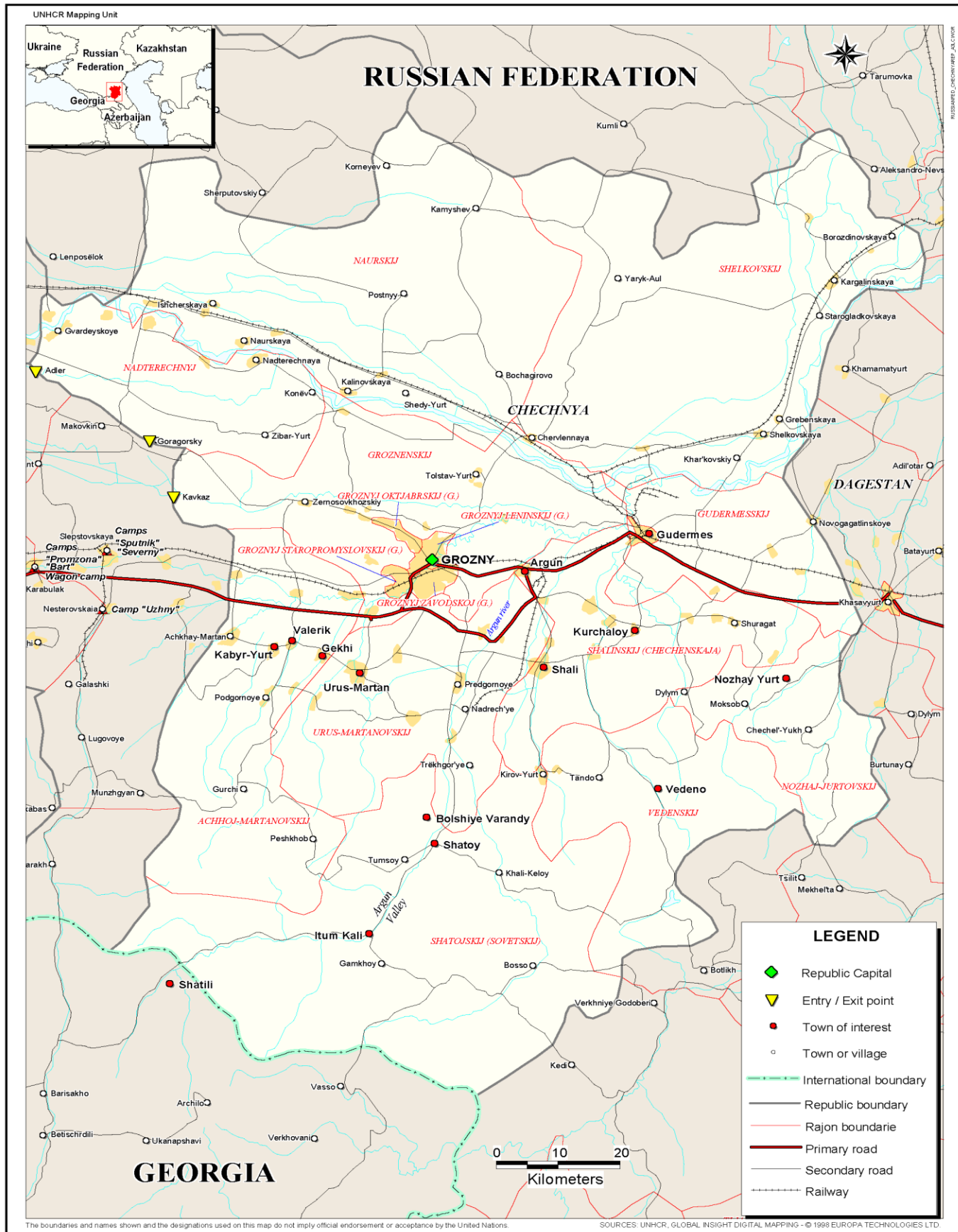
Appendix C – Map of Northern Caucasus



Appendix D - Map of Chechnya

Russian Federation: Chechnya

As of 06 July 2000



The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

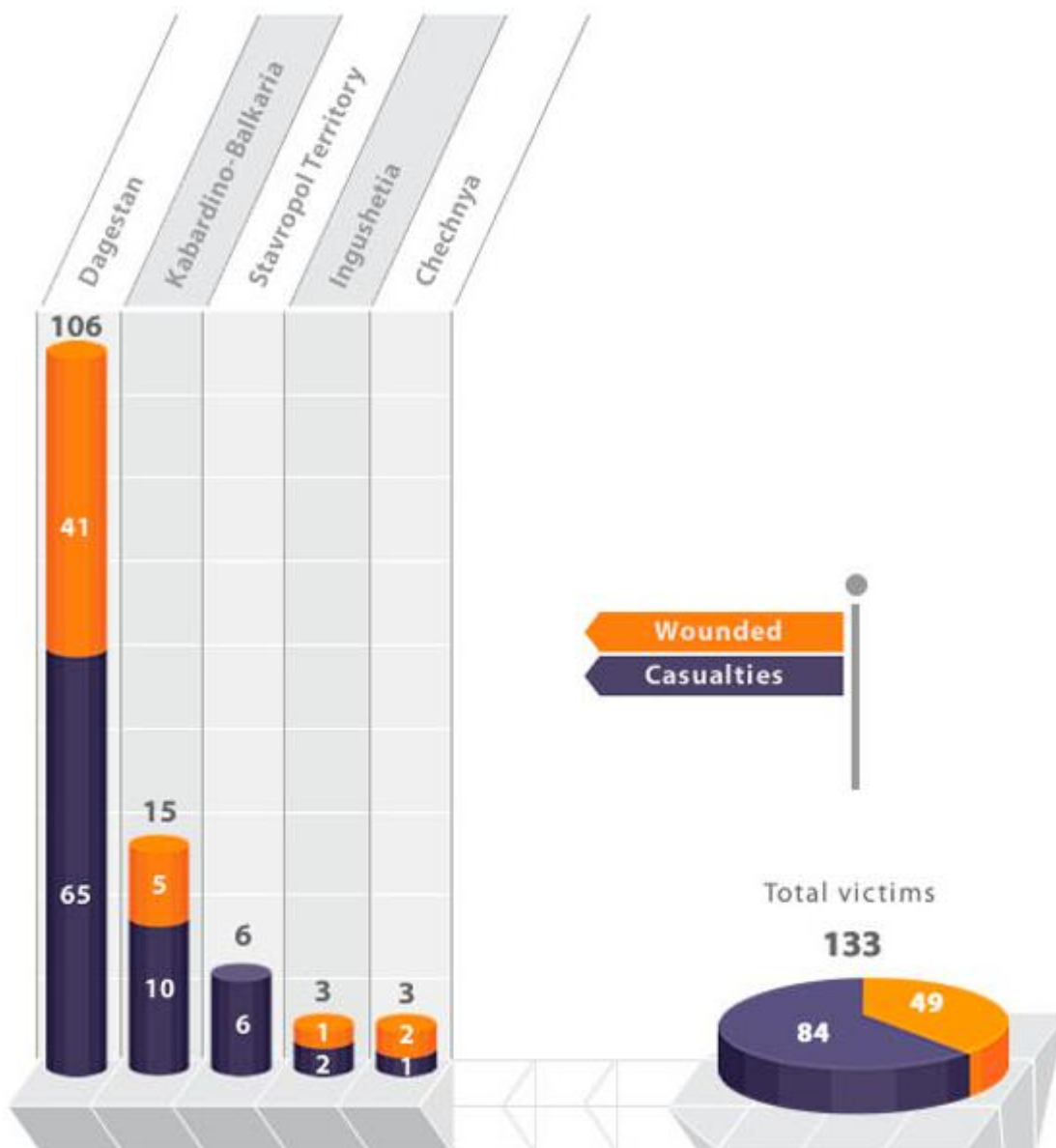
SOURCES: UNHCR, GLOBAL INSIGHT DIGITAL MAPPING - © 1998 EUROPA TECHNOLOGIES LTD.

Appendix E – Statistics of victims in Northern Caucasus quarter 1, 2 and 3 in 2014
 - Caucasian Knot⁴⁹

**STATISTICS OF VICTIMS
 IN NORTHERN CAUCASUS
 in Quarter 1 of 2014**
 under the data of the Caucasian Knot

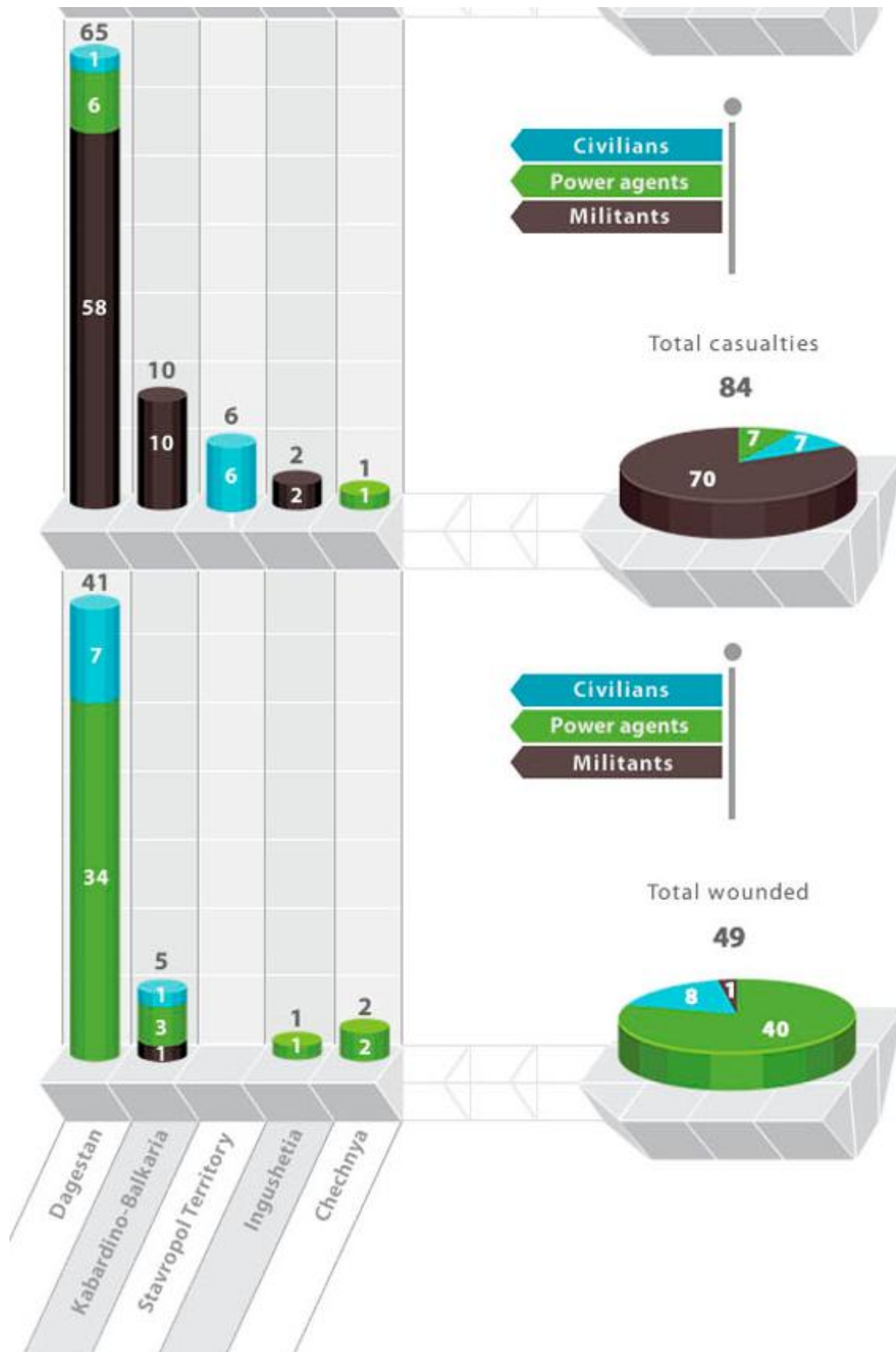


133 PERSONS
 fell victim to armed conflicts

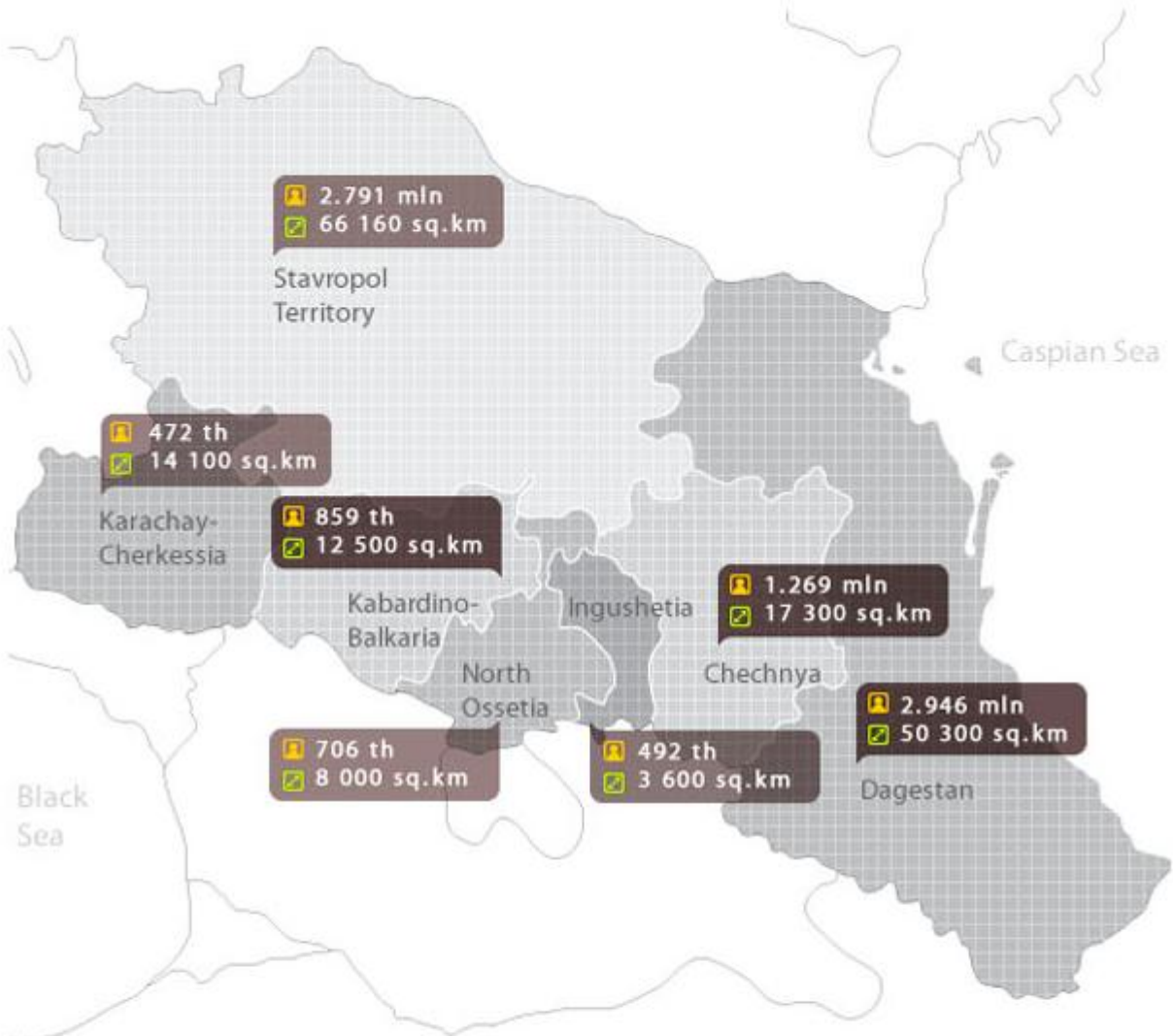


⁴⁹ The charts and other statistics are available at Caucasian Knot: <http://eng.kavkaz-uzel.ru/rubric/601>

Security and human rights in Chechnya



© Caucasian Knot www.kavkaz-uzel.ru / NORTHERN CAUCASUS – STATISTICS OF VICTIMS



REGIONS OF NORTHERN CAUCASUS:

- Dagestan
- Chechnya
- Ingushetia
- Kabardino-Balkaria
- Karachay-Cherkessia
- North Ossetia
- Stavropol Territory

POPULATION
 AREA

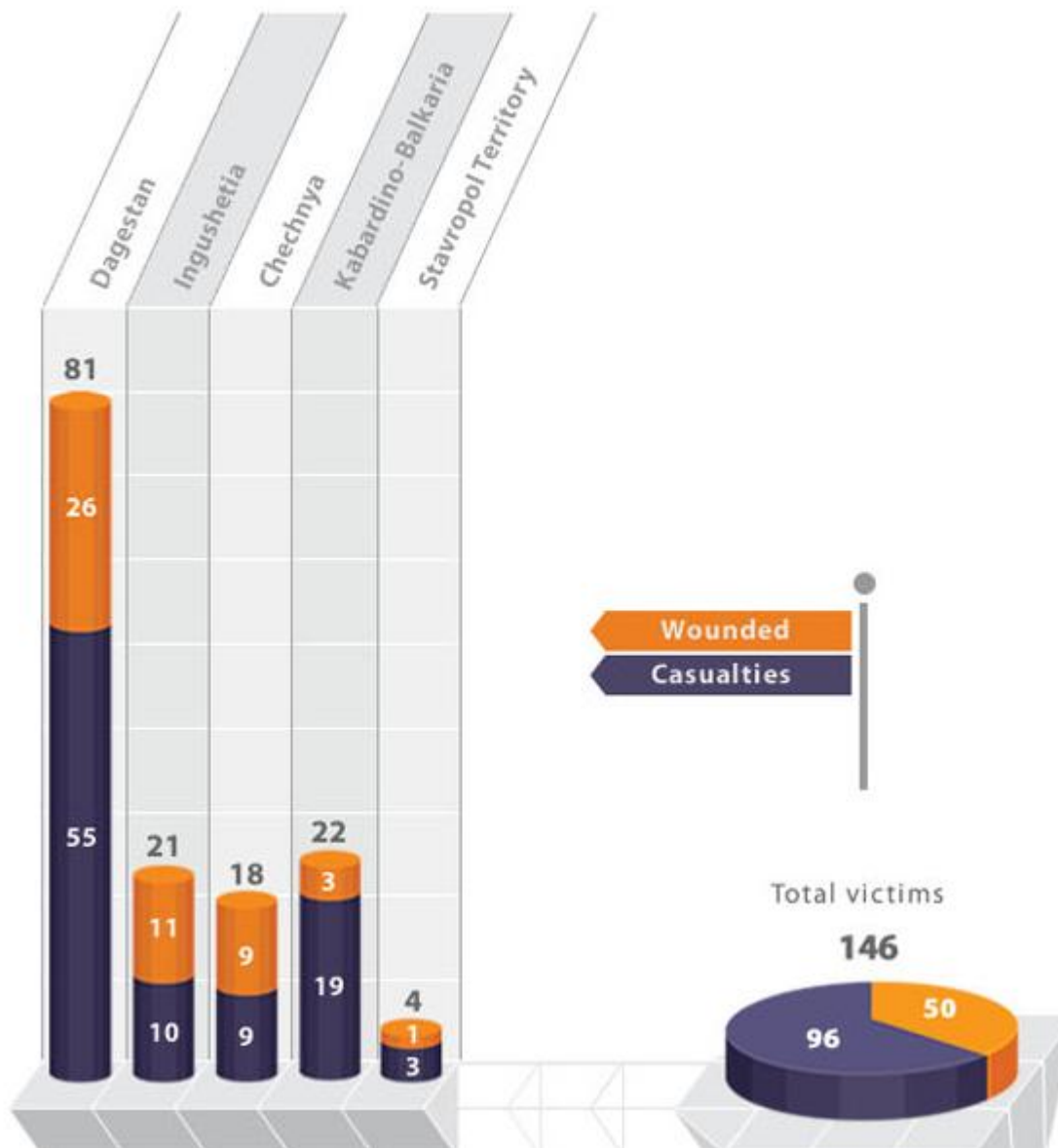
In Quarter 1 of 2014, there were no victims in the Republic of North Ossetia-Alania and Karachay-Cherkessia.

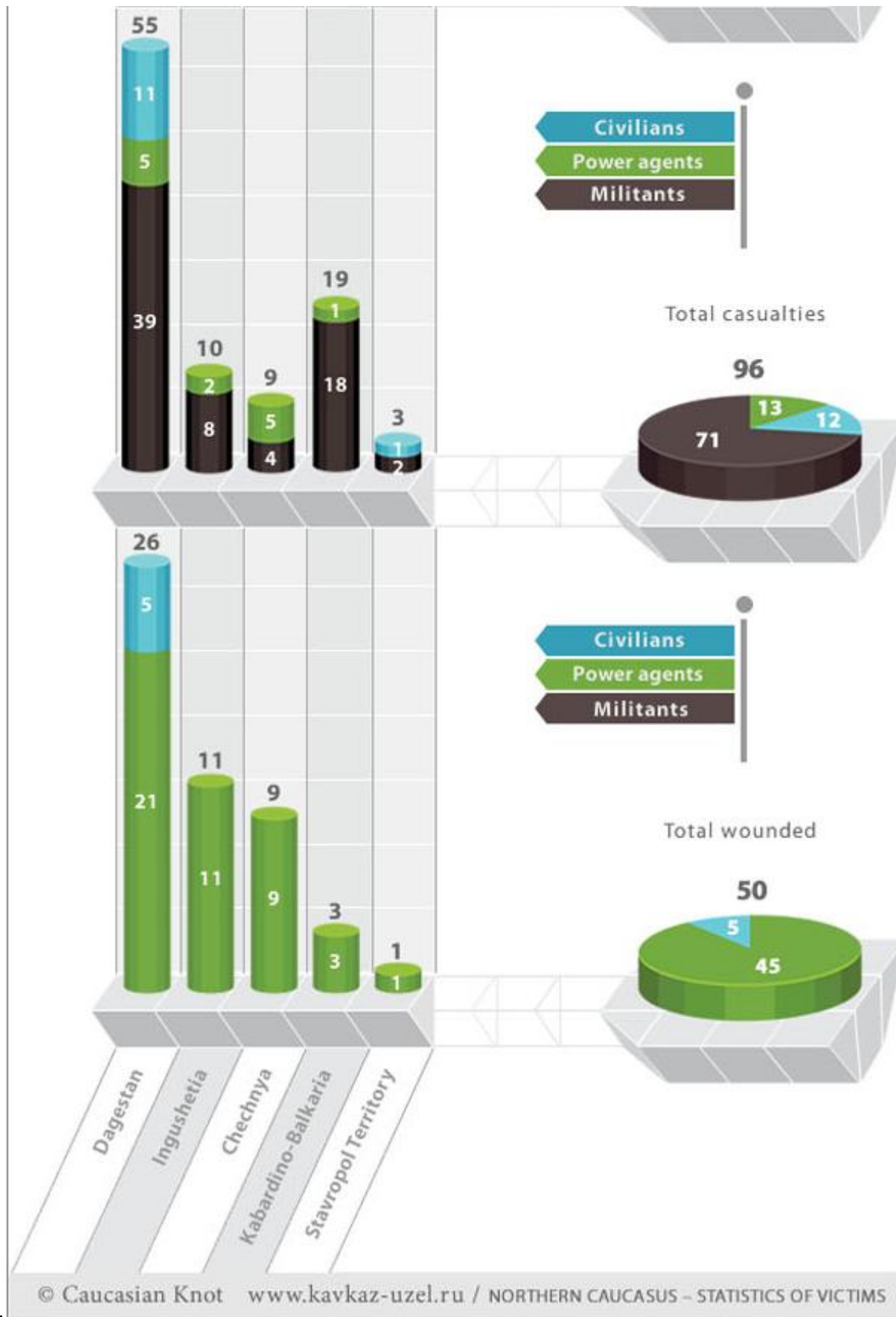
© Caucasian Knot www.kavkaz-uzel.ru / NORTHERN CAUCASUS – STATISTICS OF VICTIMS

STATISTICS OF VICTIMS IN NORTHERN CAUCASUS in Quarter 2 of 2014 under the data of the Caucasian Knot



146 PERSONS
fell victim to armed conflicts



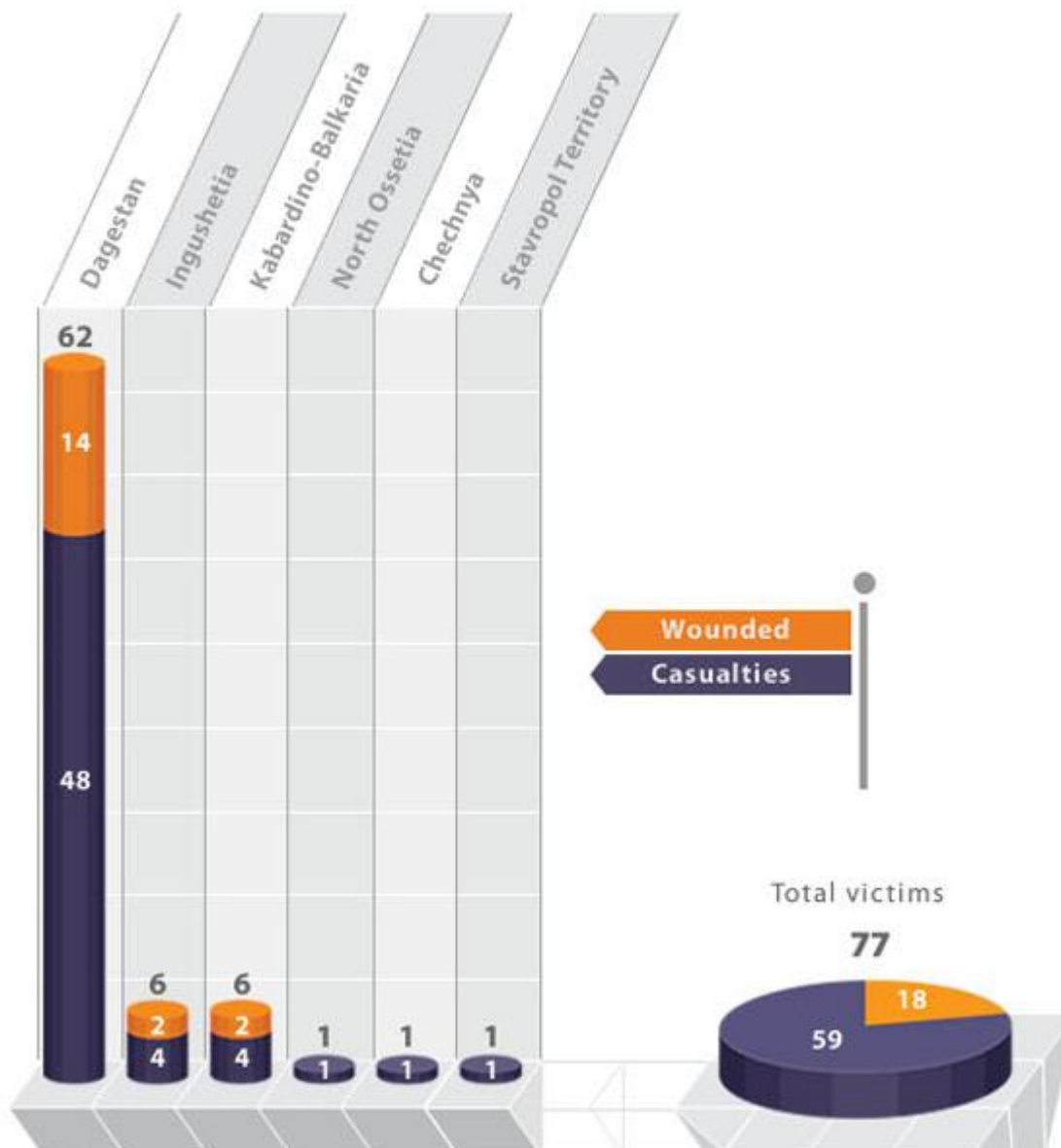


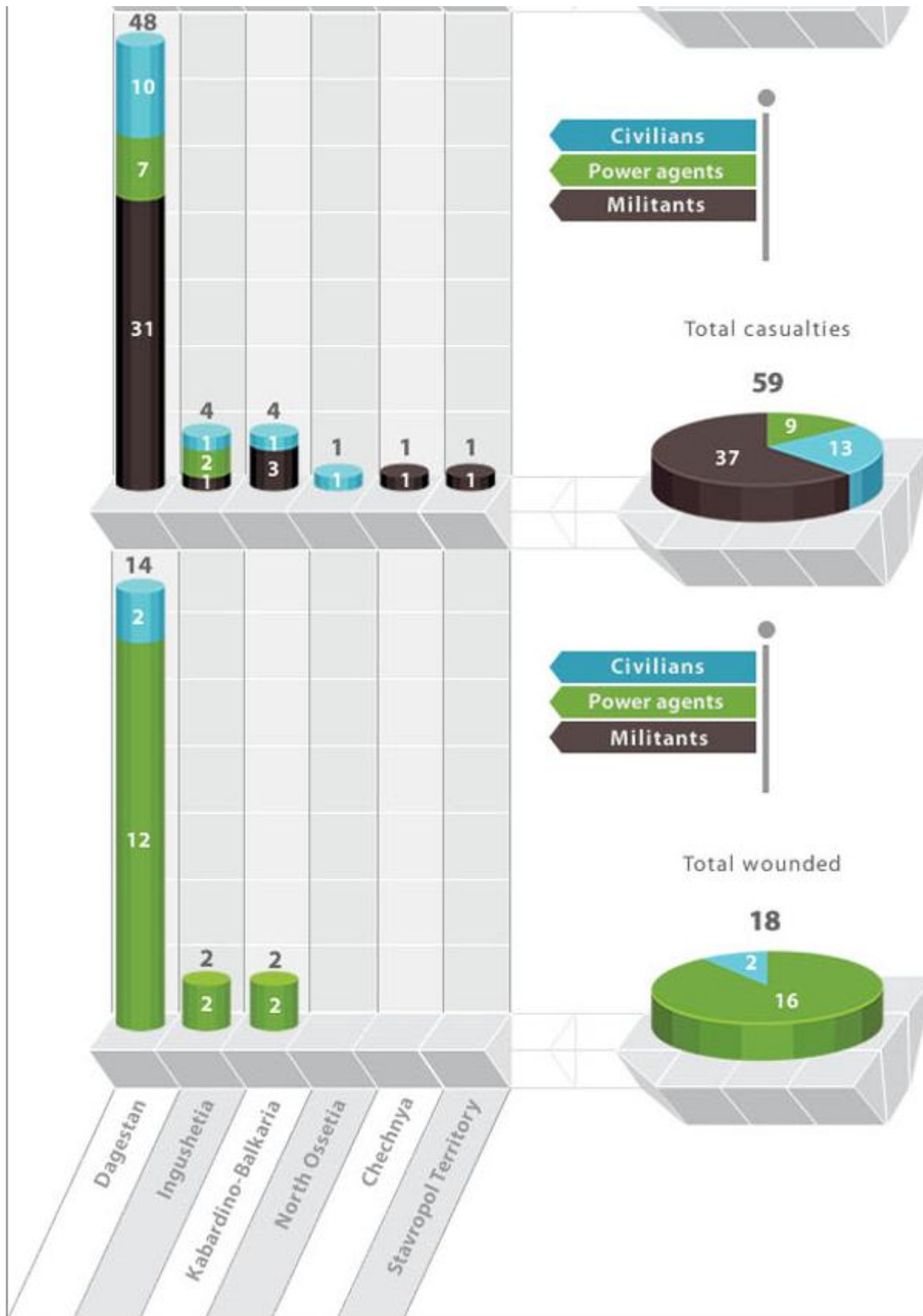
STATISTICS OF VICTIMS IN NORTHERN CAUCASUS in Quarter 3 of 2014 under the data of the Caucasian Knot



77 PERSONS

fell victim to armed conflicts





Appendix F - English translation of news reports from Chapter 12

Chechen Government, August 1 2011, <http://chechnya.gov.ru/page.php?r=168&id=953>

Detained participants of illegal armed groups have been convoyed from Astrakhan to the Chechen Republic

Two members of illegal armed groups have been convoyed from Astrakhan to the Chechen Republic. They were detained on Friday in Astrakhan by officers of the Ministry of Internal Affairs of the Chechen Republic in association with Astrakhan colleagues.

The Minister of Internal Affairs of Chechen Republic, Lieutenant General of Police Ruslan Alkhanov said immediately after the arrest of bandits that their identities were established.

"They are a resident of the Chechen Republic Arthur Sakaev of 1982 year of birth, and a native of the Astrakhan region Salman Tepshaev of 1983 year of birth. Policemen confiscated a pistol from the arrested one"- Ruslan Alkhanov reported.

According to him, on July 6 of the current year in Naur district of the Chechen Republic, the detainees committed infringement on life of police officers of the District Department of Internal Affairs. The members of the armed gang of five people wounded three police officers. Later on the same day the officers of the Ministry of Internal Affairs of the Chechen Republic identified and arrested three criminals in "hot pursuit". Two of them managed to escape then. They were detained on July 29'th in Astrakhan.

According to the press service of the Ministry of Internal Affairs of the Chechen Republic, the case was submitted to the Investigation Department of the Investigative Committee of the Russian Federation on the Chechen Republic.

Caucasian Knot, October 8 2010, <http://www.kavkaz-uzel.ru/articles/175967/>

Alleged militant was convoyed to Chechnya from Novgorod

The officers of the Ministry of Internal Affairs of Chechnya detained in the Novgorod region a 30-year-old native of Chechnya suspected in involvement in illegal armed groups and the attack on one of the settlements of the Republic. The detainee is already convoyed to Chechnya, he was charged with four counts from the Criminal Code of the Russian Federation.

"The members of the Centre for Counter Terrorism of the Ministry of Internal Affairs of the Republic during the operational investigations in Veliky Novgorod identified and detained a 30-year-old resident of Chechnya, who was suspected in involvement in IAG (illegal armed groups.) It was also found that in the summer of the year before he participated in the attack of militant groups on the village of Elistanzhi of Veden district",- the officer of the Ministry of Internal Affairs of the Chechen Republic has reported.

According to law-enforcement authority, this raid on the village was led by field commander Hussein Gakaev, a native of Elistanzhi, and a young man who was detained in Veliky Novgorod in 2008, was a member of the Gakaev's group.

According to a source, a former militant is already convoyed to the Republic. "He was charged on four articles of the Criminal Code: Part 2 of Art. 105 (murder), Part 1 of Art. 162 (robbery), Art. 222 (illegal possession and carrying of weapons and ammunition), and Art. 317 (attempt on life of law enforcement officers). The detainee fully confessed in crimes. For the criminal acts he faces a heavy term of imprisonment up to life sentence",- the policeman has reported.

A few days earlier, on October 5, the Ministry of Internal Affairs of the Chechen Republic informed about the detention of alleged members of the armed underground and accomplice in the foothill Achkhoy-Martan district and on October 4 – about detainment of two residents of the settlement of Assinovskaya of Sunzhensky district of the Republic, suspected in assisting the killed member of the armed underground. At the end of last week the police officers detained a 17-year-old resident of Grozny on suspicion of involvement in armed groups of separatists.

Chechen Government, November 27 2009, <http://chechnya.gov.ru/page.php?r=126&id=6409>

The police officers from Chechnya detained three militants in Astrakhan

"A group of highly dangerous members of illegal armed groups (IAG) was arrested on Friday in Astrakhan by Staropromyslovskiy District Department of Internal Affairs of Grozny,"- Deputy Minister of Internal Affairs of the Chechen Republic Colonel Roman Edilov reported.

"Working closely with the officers of police and Federal Security Service Directorate of Astrakhan the operative group of the Staropromyslovskiy District Department of Internal Affairs carried out an operation to arrest highly dangerous militants. Three

people were detained, including a woman, who committed the explosion of a grenade. She is in heavy condition in hospital," - R. Edilov said.

According to him, "the officers of criminal investigation department of the Staropromyslovskiy District Department of Internal Affairs during last time implemented a series of measures to locate and arrest a few highly dangerous militants, who, according to available information, were preparing the explosion".

"In particular, Bekmagomed Saygatov from Dyshne-Vedeno village twice managed to escape at the last minute at attempt of detention. It was timely found out that he along with the wife of well-known militant Anvar Labazanov known by nicknames "Kazakh" and "Executioner" - Aina Sidgalieva – may be located in Astrakhan," - R. Edilov reported.

He said that group of policemen, left for Astrakhan, under the support of local operatives and the security officers identified two addresses where militants may be located. "At a time when the militants intended to receive remittance from Poland from one of the banks to finance terrorist attacks in the Chechen Republic, the militants were blocked" - R. Edilov said.

According to him, in response to the command "Down!" B. Saygatov attempted to escape, he was detained, the woman committed the explosion of a grenade. She is in heavy condition in hospital. A highly dangerous criminal Musa Hayharoev was also detained with minor injuries.

"All of them were part of the armed gang of Genghis Khan Gishaev. Overall, all these groups were headed by Tarhan Gadiev," - Deputy Minister of Internal Affairs of the Chechen Republic said.

"It was found out that A. Sidgalieva systematically visited militants in the forest and acted as a courier, delivering them money. Investigative actions and interrogation of detainees are carried out at the present. The issue of sending them to Grozny is under consideration", - he said.

Kommersant, 17 February 2011, <http://kommersant.ru/doc/1586922>

The Chechen militants have not been released to Europe

At the Kiev railway station in Moscow four residents of Chechnya were detained, among which, in particular, a wanted member of illegal armed groups since 2009 Hasu Batalov. The Ministry of Internal Affairs of the Chechen Republic did not confirm the version heard in the media that the Chechens intended to commit a terrorist act. According to the head of the Ministry of Internal Affairs of the Chechen Republic Ruslan Alkhanov whose subordinates have participated in the operation, all four detainees were going to escape abroad.

As "Ъ" has reported in the Ministry of Internal Affairs of the Chechen Republic, Hasu Batalov, his sister Angela as well as Hasan Nazhayev and Ramzan Khaliev were arrested yesterday by field investigators at about three o'clock in the morning at the Kiev rail way station. Operation was carried out by the Chechen police, whose actions were led by one of the Deputy heads of the Republican Ministry of Internal Affairs. "It was a pre-fabricated operation that we conducted with the support of our colleagues in Moscow", - the "Ъ" in the Ministry of Internal Affairs of the Chechen Republic said.

According to Ruslan Alkhanov, Hasu Batalov was announced on the wanted list back in 2009 on suspicion of committing attacks on police officers. "We had intelligence that Angela Batalova (Hasu Batalov's sister) is trying to organize a trip of three people abroad, one of which is on the federal wanted list, and two others are accomplices of the members of illegal armed groups", - the head of the Ministry of Internal Affairs of the Chechen Republic has reported. During checking the intelligence it was revealed that among those who Angela Batalova wanted to smuggle abroad, was her brother Hasu. For this purpose he had a fake passport in the name of Ruslan Yusupov.

The Ministry of Internal Affairs of the Chechen Republic stressed that law enforcement bodies of the Republic did not have information that Angela Batalova is a suicide bomber, that the media has hastened to inform immediately after her arrest at the Kiev station. "The woman's task was in organization of leaving abroad", - it was reported in the MIA, adding that the Chechen detainees had tickets for a train to Kishinev. "There were no suspicious items that could indicate their plan to commit a terrorist act," - the Chechen Ministry of Internal Affairs has noted. It was assumed that the Chechens were most likely going to get to Romania through Moldova, and from there to get to more suitable countries of Western Europe for the safe existence - to Germany, Belgium, Austria or France. In these countries there is the largest number of Chechen refugees, many of whom are former militants.

The Ministry of Internal Affairs of the Chechen Republic has reported that all detainees will be conveyed to Grozny "for further investigation" actions. The Chechen officials say that Hasu Batalov was a part of a group of militants who attacked the law enforcement officers in Achkhoy-Martan and Sunzhenskiy districts of the Republic. In particular, operatives know that Angela

Security and human rights in Chechnya

Batalova's husband was "a commander of one of the militant groups" – he and his accomplice were shot during the raid in 2005 in the district center of Achkhoy-Martan. Another militant was captured.

During the questioning of a wounded militant it was found out that he and his companions arrived in the district center on orders of the field commander Doku Umarov to prepare an attack on a local district police department. This information was confirmed in a survey of the house where the militants were hiding. In the well-equipped stash in the yard of the house the field investigators found a whole arsenal - two grenade launchers, several assault rifles and a huge amount of ammunition. In addition, in the pockets of the killed militants the blank forms of ID cards of officers of the Chechen MIA were found.

Infox.ru, December 7 2008, http://www.infox.ru/accident/crime/2008/12/07/boevik_chechnya.phtml

A Chechen militant was detained in Moscow

The Moscow police officers detained a Chechen militant. He is suspected in the attack on the settlement Alhazurovo. The detainee was convoyed to Chechnya.

In Moscow at the Kazan railway station a militant from Chechnya was arrested. He is suspected in involvement in the attack on the village of Alhazurovo, "[Interfax](#)" reported.

"The militant, who was on the federal wanted list, was arrested by the police officers at the Kazan railway station", the representative of law enforcement bodies reported. According to him, the detainee is suspected in an attack on the settlement of Alhazurovo of Urus-Martan district of Chechnya as a member of the armed gang.

Currently the detainee is convoyed to Chechen Republic, where he committed a crime.

A representative of press service of the Main Department of Internal Affairs of Moscow reported that they did not receive information about the arrest. "Perhaps, detention was conducted by the staff of transit police department or the Federal Security Service", - he added.

This year in April three assailants on the settlement of Alhazurovo were detained in Chechnya. The one of the detainees is also suspected in crimes under Art. 105 (murder) and Art. 317 (attempt on the life of a law enforcement officer) of the Criminal Code of Russia.

On March 19 of this year at 22:00 near the settlement of Alhazurovo the employees of special police service of the MIA of the Chechen Republic got into action with a group of gunmen of up to 15 people. During the action four police officers and a representative of the military prosecution were killed. During the setback the militants opened fire on a civilian car passing along a country road. Its driver died and three passengers were wounded. The body of one more dead local resident was found in the morning. The militants also set fire to a local administration building of Alhazurovo, the building was completely burned down.

This is not the first case of detention of the Chechen militants at the railway stations in Moscow. In 2007, the metropolitan police detained two members of the armed gangs at the Belorussian railway station. The detainees were involved in attacking the building of Kurchaloevskiy District Department of Internal Affairs in Chechnya with rifles and grenade launchers in September 2001. As a result, three policemen were killed and another ten were wounded.

Tuta-bonus.ru, March 25 2009, <http://www.tuta-bonus.ru/news/659>

The Chechen militant arrested in Kaliningrad

The resident of Argun, wanted for committing a number of serious crimes in the Chechen Republic, was detained in Kaliningrad. As reported by IA REGNUM on Tuesday, the man lived in Kaliningrad with his native sister.

The law-enforcement officers of the Chechen Republic deliberately arrived in the Kaliningrad district to arrest the suspected person. At the present time the man is delivered in the Department of the Investigative Committee under the Prosecutor of the Russian Federation in the Chechen Republic, the agency reported.

Information on the Chechen militant living in western Russia was obtained during joint investigative activities of the Federal Security Service, Temporary Operational Group of bodies and departments of Russian Ministry of Internal Affairs, and the criminal police of the MIA on the Chechen Republic.

Newsru.com, March 1, 2011, <http://www.newsru.com/arch/russia/01mar2011/terra.html>

Sponsor of the Chechen militants was detained in Moscow

The Moscow police officers detained an accomplice of the Chechen militants in the capital. According to the law-enforcement bodies, the detainee, whose name is not yet known, supplied militants with money and food.

"A resident of the Chechen Republic was detained at the place of residence on Podvoiskiy Street. In summer of 2009, he supplied the members of Bekmurzaev's armed gang with money and food", - the law enforcement source has reported to "Interfax" on Tuesday.

The surname Bekmurzaev is very common in the Caucasus. However, the Chechen militants' leader with such surname was mentioned only in 2008, when he was liquidated. As reported, the armed gang out of three people was exterminated in October 2008 in the Chechen capital Grozny. Beslan Bekmurzaev, leader of the armed gang, was among killed militants.

Since 2000 Bekmurzaev was in the federal wanted list for a number of heavy and especially grave crimes, in particular, for the murder of a policeman and civilians in Zavodskoy district of Grozny, as well as for car bomb attack near the garrison of the regiment on the protection of oil and gas complex of Chechnya.

Newsru.com, July 17, 2010, <http://www.newsru.com/russia/17jul2010/sdm.html>

Four accomplices of militants were detained in Chechnya and Astrakhan

In the Chechen Republic the policemen have detained the local residents suspected in complicity to militants, the law enforcement source has reported to "Interfax" on Saturday.

Thus in the settlement Koshkeldy of Gudermes district the law-enforcement officers have detained the man which supplied participants of the illegal armed groups (IAG) with food in June, 2009.

In the settlement of the Pervomayskoe of Vedenskiy district two accomplices of militants, who supplied with food and transported the members of Yakubov's armed gang on a personal car in February 2009 were detained at place of residence.

Besides, during the operative actions in Astrakhan the local resident was detained who supplied the members of Dautov's armed gang with food during the period of January to March, 1999.

The source has also informed that in the Republic of Ingushetia in Malgobek city the law-enforcement officers have detained an unemployed local resident – a participant of IAG.

According to the informant of agency, a F-1 grenade, 60 bullets of 5,45 mm caliber, lists of policemen and the literature of an extremist content were found and confiscated in the house of the arrested person.

BBC monitoring: 12 April 2012 - Belarusian security service detains suspected Chechen militants - agency

Source: Belapan news agency, Minsk, in English 1455 gmt 12 Apr 12

Text of report in English by Belarusian privately-owned news agency Belapan

Brest, 12 April: Officers of the Belarusian Committee for State Security (KGB) arrested two suspected Chechen militants close to the Polish border earlier this month.

The men, who hold Russian citizenship, had been placed on the international wanted list and are expected to be handed over to the Russian authorities, Mikhail Sharkowski, spokesman for the KGB office in the Brest region, told Belapan.

The pair are suspected of involvement in a deadly attack on police in Chechnya's capital, Grozny.

The identity of a third man arrested by the KGB during the operation was not immediately known. He resisted arrest using a weapon and may face a criminal charge in Belarus.

The men confessed that they had planned to cross the border into Poland illegally and travel to Denmark or Belgium.

BBC Mon Alert KVV 120412 dz, © British Broadcasting Corporation 2012

BBC Monitoring: 23 July 2012 - Belarus extradites suspected rebels to Russia

Sources: RIA Novosti news agency, Moscow, in Russian 1045 gmt 23 Jul 12; Interfax news agency, Moscow, in Russian 1054 gmt 23 Jul 12

Belarus has extradited two suspected rebels to Russia, RIA Novosti and Interfax news agencies reported on 23 July.

Security and human rights in Chechnya

Quoting the Russian Federal Security Service (FSB), the reports said that the two "Chechen militants", identified as Ibragim Bakaniyev, 24, and Magomed Akayev, 26, were handed over at the Smolensk section of the border on 19 July. A third man, Elsi Movsarov, 29, will be extradited after he has served his sentence for an attack on a security services employee in Belarus, the reports said.

The FSB said that the three men belonged to a gang that "specialized" in armed attacks in Groznyy, Chechnya, and that it was funded by Chechen rebel leader Doku Umarov.

Two other alleged members of the gang, Khasanbek Izrailov, 29, and Rustam Musayev, 32, were arrested by Polish border guards as they tried to illegally cross into Poland from Ukraine on 30 April 2012 and subsequently handed over to Russia by the Ukrainian authorities.

BBC Mon FS1 FsuPol sv, © British Broadcasting Corporation 2012

Caucasian Knot, 27 March 2014 - Ukraine extradites to Russia Mukhammed Migaev suspected of attacking Roshni-Chu villagers in Chechnya, <http://eng.kavkaz-uzel.ru/articles/27675/>

The General Prosecutor's Office (GPO) of Ukraine has extradited to Russia Mukhammed Migaev, accused in attacking in 2005 villagers of Roshni-Chu of the Urus-Martan District of the Chechen Republic. This was reported by the GPO of the Russian Federation. Mukhammed Migaev is charged under three Articles of the Criminal Code of the Russian Federation, including Article on involvement in an illegal armed formation (IAF).

In 2008, Mukhammed Migaev was put on the international wanted list. In December 2013, he was detained in the territory of Ukraine, in the city of Odessa. This was reported by the official website of the GPO of the Russian Federation.

In January, the Russian GPO sent Ukrainian colleagues request to extradite Mukhammed Migaev, and in March, the request was granted.

Apart from the charge with involvement in an IAF, Mukhammed Migaev is also accused of acts banditry and illegal possession of firearms and ammunition, the RIA "Novosti" reports.

The "Caucasian Knot" has reported that in February, Ruslan Alkhanov, Minister of Internal Affairs of the Chechen Republic, has stated that in 2013, no terror acts were committed in the territory of Chechnya. During the same period of time, 28 militants were killed by law enforcers, and 54 other members of the armed underground and their accomplices were detained or persuaded to surrender.

Appendix G – Statistics of racially motivated violence and convictions - SOVA

Statistics of Racist and Neo-Nazi Violent Attacks in Russia in 2004 – 03.12.2014 (with categorization of victims)*

Year	2004		2005		2006		2007		2008		2009		2010		2011		2012		2013		2014 **	
	M	B	M	B	M	B	M	B	M	B	M	M	M	B	M	B	M	B	M	B	M	B
M - Murdered, B - Beaten or wounded	M	B	M	B	M	B	M	B	M	B	M	M	M	B	M	B	M	B	M	B	M	B
Total	50	219	49	419	66	522	93	623	116	501	94	443	44	418	26	209	20	194	22	190	19	98
Dark-skinned people	1	33	3	38	2	32	0	38	2	26	2	59	1	26	1	19	0	26	0	5	0	10
People from Central Asia	10	23	18	35	17	60	35	82	57	133	40	92	20	86	10	37	8	37	14	53	10	17
People from the Caucasus	15	38	12	52	15	72	27	64	22	71	18	78	5	45	7	18	4	14	3	27	3	13
From the Middle East and North Africa	4	12	1	22	0	11	2	21	0	15	0	2	0	2	0	5	0	0	0	1	0	0
From other countries of Asia	8	30	4	58	4	52	2	45	9	40	14	36	3	19	0	13	0	5	0	6	0	4
Other people of “non-Slav appearance”	2	22	3	72	4	69	20	90	13	57	9	62	7	104	1	25	1	15	1	34	3	17
Members of subcultures, anti-fascists and leftists	0	4	3	121	3	119	5	195	3	103	5	77	3	66	1	40	1	57	0	7	0	12
Homeless	13	0	5	4	7	4	4	2	4	1	4	0	1	3	3	3	6	2	2	3	1	1
Ethnic Russians ***	-	-	-	-	-	-	-	-	3	12	0	8	1	8	1	9	0	7	0	2	0	0
Jews ***	-	-	-	-	-	-	-	-	0	6	0	3	0	3	1	2	0	0	0	2	0	1
Religious groups ***	-	-	-	-	-	-	-	-	0	6	1	2	0	22	0	24	0	10	0	21	2	12
LGBT ***	-	-	-	-	-	-	-	-	1	6	0	0	0	3	0	3	0	12	2	25	0	7
Others or not known	10	57	5	21	21	107	2	88	2	25	1	24	3	31	1	11	0	9	0	4	0	4

* Excluding North Caucasus and victims of mass brawls. ** Data is far from being full yet. *** Were included to Others before 2009.

Security and human rights in Chechnya

Statistics of convictions for violent crimes with a recognized hate motive and hate propaganda**, 2004 – 03.12.2014

Year	Number of convictions			Number of offenders convicted and punished			Convicted offenders who received suspended sentences or were released from punishment		
	For violence	For propaganda	For vandalism***	For violence	For propaganda	For vandalism	For violence	For propaganda	For vandalism
2004	9	3	-	26	3	-	5	2	-
2005	17	12	-	56	15	-	5	6	-
2006	33	17	-	109*	20	-	24*	7	-
2007	23	28	3	65	42	5	18	12	2
2008	36	50	6	110	66	7	21	27	6
2009	52	56	9	130	69	18	35	34	7
2010	91	72	12	297	78	21	120	38	5
2011	62	74	9	194	77	15	75	34	4
2012	32	91	6	68	96	7	11	21	1
2013	32	133	8	55	126	10	15	17	1
2014	18	132	3	39	132	4	3	12	0

* Estimated minimum. ** The table based on art.280 and 282 and does not include sentences which we see as open misuse of the law. *** Art. 214, 244 with hate motivation.

Appendix H – Notes from meetings

Content

Alexander Verkhovsky – SOVA, Moscow.....	106
Committee Against Torture (CAT), Moscow	108
Department of external relations, Grozny.....	112
DOSH, Moscow	114
Employees of the office of the Chechen Ombudsman, Grozny	116
Federal Migration Service (FMS), Grozny	118
Human rights activist	120
Human rights activist in Grozny (A).....	124
Human rights activist in Grozny (B).....	129
International Crisis Group (ICG) analyst, Moscow.....	130
International Organisation for Migration (IOM), Moscow.....	141
Journalist specialised in the North Caucasus (A)	143
Journalist specialised in the North Caucasus region (B)	144
Khamzat Gherikanov, Chairman of the Board, Chechen Social and Cultural Association, Moscow.....	147
Lawyer from Grozny.....	150
Mairbek Vatchagaev, editor of the Caucasus Survey	155
Ministry of Education in Grozny.....	160
Ministry of Health in Grozny.....	162
Ministry of Interior (MVD), in Grozny	164
Ministry of Labour, Grozny.....	166
Naumova Lidiya Fyodorovna, Memorial in Volgograd	168
Public Prosecutor’s Office, Grozny	171
Said-Magomed Samadievich Chapanov a lawyer in Grozny.....	173
Svetlana Gannushkina, Memorial/CAC	175
UNHCR, Moscow	178
Western Embassy, Moscow	180

Alexander Verkhovsky – SOVA, Moscow

Alexander Verkhovsky, SOVA, stated that according to the reports gathered by SOVA there has been a general decrease of hate crimes and racially motivated attacks, beatings and killings in Russia from 2008 to 2012. This decrease seems to have come to a halt in 2013. However, it was added that SOVA does not know the exact total number of hate crimes as underreporting is a major issue.

Alexander Verkhovsky, SOVA, emphasised that the data is approximate in many respects, including ethnic classification - even more so because the victims of hate crimes tend to avoid any media contact and seldom report the crime to the police. However, based on the information collected, the statistics do reflect the general tendency of racially motivated crimes in Russia. It was added that the underreporting has not improved since 2012 and any increases in the statistics should not be attributed to an improvement of reporting on racially motivated violence. Finally, the victims of violence are not more inclined today to distribute information about racially motivated attacks than before. In many cases foreign citizens who are victims of racially motivated attacks do not consider that to be their worst problem. For many foreign migrants in Russia the worst problem is finding housing and to sort out residence registration.

Alexander Verkhovsky, SOVA, explained that the decrease in hate crimes is particular visible when looking at the number of racially motivated murders. From a total of 116 killed in 2008, the number has decreased every year, and in 2012 SOVA recorded the lowest level of 20 racially motivated murders in Russia. However, in 2013 the decrease in racially motivated murders stopped, and SOVA noted a slight increase to 22 murders. In 2013 14 people from Central Asia were reportedly murdered in connection with racially and neo-Nazi violent attacks, while the number of murders in 2012 was seven. Racially motivated murders and murders committed in connection with neo-Nazi violent attacks on “people from the Caucasus” numbered three in 2013 and four in 2012, and one person of “other people of non-Slav appearance” was murdered in each of the years 2012 and 2013.

Furthermore, Alexander Verkhovsky, SOVA, presented data for first half of 2014: 13 persons killed and 61 beaten or wounded, among murdered - 7 from Central Asia, 3 from Caucasus; 28 persons convicted for violent hate crimes and 61 for racist propaganda, which shows growing disproportion. It was emphasized that this data is fresh and very preliminary.

Alexander Verkhovsky, SOVA, went on to explain that in 2013 50 people from Central Asia were reportedly beaten or wounded in connection with racist and neo-Nazi violent attacks, while the number in 2012 was 37. Reporting on racist and neo-Nazi violent beatings of “people from the Caucasus” numbered 26 in 2013 and 14 in 2012, and reporting on beatings of “other people of non-Slav appearance” numbered 34 in 2013 and 15 in 2012. From the statistics it appears that the largest category of victims of xenophobic attacks was migrants from Central Asia with 14 out of the total of 22 murdered, and 50 out of 186 injured were reported to be from Central Asia. It was added that Central Asians are considered an easy target by the perpetrators due to their low social status, poor living conditions and their reluctance to report attacks to the police due to a lack of proper residence permits or registration as foreign citizens. However, the overall tendency was a decrease in racially motivated violent attacks involving beatings – down from 194 in 2012 to 186 in 2013. It was noted that both North Caucasians (including Chechens) and South Caucasians (including citizens of Georgia, Armenia and Azerbaijan) are included in the category “people from the Caucasus” and North Caucasians (including Chechens) and anybody who doesn’t look Slavic could also appear in the category “other people of non-Slav appearance”. It was explained that SOVA obtains information for the statistics through their local correspondents in some regions of Russia who follows local and federal media reports, neo-Nazi blogs, Internet fora and other relevant outlets, and in many cases it is not completely clear who the victims

of the violence are. It was added that there is no evidence to suggest that Chechens as a group are more singled out than other people from the Caucasus.

Alexander Verkhovsky, SOVA, stated that the anti-extremism department under the Ministry of Internal Affairs with regional departments across the country continued to prove efficient in investigating and arresting particularly neo-Nazi groups. However, it was added that law enforcers are increasingly targeting racist and hateful propaganda and statements made on social media as these cases are easier to investigate and result in quicker convictions, which help the law enforcers achieving the target number of cases they are required to meet. Investigation of and prosecuting racially motivated murders and beatings are much more time consuming, and it can be observed that the number of offenders convicted of racially motivated violence has decreased slightly in 2013 compared to 2012, but the decrease is more clear when comparing with the number of offenders convicted in the years 2008-2011.

According to Alexander Verkhovsky, SOVA, the cities of Moscow and St. Petersburg have more serious cases of racially motivated murders and violence compared to other cities in Russia. On SOVA's database on the Internet it is possible to break down the number of violent attacks on regions, categories of victims and category of crimes. However, it was added that SOVA only have few sources in the southern part of Russia though the Ombudsman in Samara, Iryna Skupova, is very professional.

According to Alexander Verkhovsky, SOVA, a rapidly increasing prominence of nationalist raids against "illegal aliens" was a key feature of 2013. In the first half of the year, searching for foreign illegal immigrants was a logical continuation of the nationalist campaign for the introduction of a visa regime with the countries of Central Asia and in South Caucasus. The trend intensified against the background of the media discussions of migration issues, which sharpened and became more active than ever before.

Alexander Verkhovsky, SOVA, stated that in general the situation concerning racism in Russia has gotten worse in the past year. However, there are also positive developments. The number of murders seems to remain rather low, and there is a positive development in law enforcement in the sense that the number of suspended sentences in cases of hate crimes or hate speech is lower than some years ago. The police in Moscow are becoming more professional and are now increasingly able to follow neo-Nazi groups and contact them directly and informally. This enables the police to stop the groups before they grow too big and out of control. However, some racially motivated murders do not receive proper police investigation because they are more difficult to solve and demand more time and resources than other types of cases e.g. propaganda/incitement of hatred.

Committee Against Torture (CAT), Moscow

A representative of CAT explained that the committee does not receive the same number of applications for support compared to 2009-2010. CAT is the leading member of the Joint Mobile Group that provide legal assistance to those who have suffered torture, ill-treatment, or enforced disappearance at the hands of Chechen authorities.

Insurgents

A representative of CAT stated that the few active insurgents would never come near Grozny and they would never approach people for support in Grozny or the surrounding areas because Chechen police is present in large numbers. Active insurgents would not ask complete strangers anywhere in the republic for support in terms of food, medicine, shelter or transportation. Insurgents would only approach a person they completely trust. It could be relatives but also someone they know from school or from their home village and have complete confidence in. Another category of people the insurgents may ask for support would be persons whose husbands, brothers or sons were killed by the authorities and who would be motivated by revenge.

Fabricated criminal cases

A representative of CAT stated that the Chechen authorities use a deliberate strategy of prosecuting people perceived as being in opposition and people who in any way challenge the current regime in Chechnya. The case of Ruslan Kutaev illustrates this point very clearly. It was added that if the case of Ruslan Kutaev had taken place in Chechnya in 2009, he would most likely have been killed, left in the forest and later claimed to be a killed insurgent. The fact that he was not killed but instead discredited using a fabricated drug charge illustrates that the Chechen authorities in 2014 have taken a slightly more civilised approach compared to outright killing an opponent.

A representative of CAT stated that Counter Terrorist Operations (CTO) still takes place in Chechnya. It is impossible to tell whether these operations are legitimate operation or a cover for unofficial police operations, i.e. settling personal scores such as killing someone whom the police owe money. The police would claim that the body was a dead terrorist.

A representative of CAT considered lawyers and human rights activists in Chechnya to be the best sources of information regarding information about persons who fear ill-treatment due to accusations of involvement in terrorist activities, such as having provided support to the insurgents.

A representative of CAT stated that relatives of people who are detained and charged with committing a terrorist act such as an armed attack on the authorities or charged with being a member of the illegal armed groups would also risk being seen as potential collaborator with terrorists. If the police want to improve their statistics concerning the fight against the illegal armed groups they might arrest someone related to a convicted terrorist and charge him or her as a collaborator. As an example reference was made to a case one year ago involving the younger brother of a convicted terrorist. He was approached by the active insurgents from the forest and asked to provide them with food. The young man rejected the request and forced the insurgents out of his home. The incident came to the attention of the police and he was brought to police station in the city of Shali for interrogation on numerous occasions and intimidated. He was not officially charged with supporting the illegal armed groups.

A representative of CAT explained about a case in which the brother of a retired OMON officer was taken from his home by the authorities and verbally accused of having provided support to the illegal armed groups. He was not officially convicted. A representative of CAT could not recall when this event took place. The brother was working with IT, and he did not appear to be an Islamic fundamentalist, so it would be safe to assume that this case was fabricated. This is illustrative of the lack of logic behind who is at risk of being subjected to arrests and convictions

based on fabricated terrorism related charges. It could happen to practically anyone if the police for some unclear reason want to or have to show results.

A representative from CAT stated that it could not be said that 100% of all cases involving support to the insurgency are fabricated. There are actual cases of people who have provided some kind of support to the insurgents. The representative of CAT did not possess information about from which area of Chechnya these cases originate.

A representative of CAT stated that it would be a safe assumption that most cases involving support to the insurgency in terms of providing, food, medicine, transportation or shelter would be fabricated as only a very limited number of active insurgents are left in the republic. However, it was added that CAT do not have the full picture.

A representative of CAT explained that family members of people who either have provided support to the insurgents or who are facing a fabricated charge of providing that kind of support would risk being subjected to various types of pressure by the Chechen authorities ranging from losing their job, threats of violence against themselves or their family, interrogation, detention and physical abuse ranging from a slap in the face to severe beatings. They could also risk becoming the next victim of a fabricated criminal case. It was added that female family members of suspected insurgents or alleged supporters could risk being raped. The pressure exerted by the Chechen authorities on family members of suspected insurgents and alleged supporters of the insurgents serves several purposes. One reason is to create a climate of fear in the broad population. Another reason for applying pressure on family members is to obtain new forced confessions that can be used in new fabricated criminal cases, and thirdly the pressure is used to make sure that no one withdraws the confession that has been obtained by force. Finally, people are deterred from filing complaints with the ECHR in Strasbourg or contacting civil society organizations. It was added that the Chechen authorities would normally subject the father of a suspected supporter of the insurgents to pressure, but other close and especially male relatives could be targeted as well.

A representative of CAT explained that the actions taken in relation to a case involving support to the insurgency depends on the personal attitude of the individual representative of the authorities who are in charge of the case. In some cases the family of the accused might be involved and in some cases they might not. Threats by the police are quite common but the extent to which threats are carried out varies. There are, however, examples of threats of shops being burned to the ground or stealing of businesses that were actually realised by the Chechen police.

A representative of CAT stated that Chechen police would be reluctant to beat or subject women to torture. The representative knew of one case where a woman was subjected to torture by a police officer. She was later killed. The police officer was her cousin and rumour had it that the woman was working as a prostitute. It was added that there is no available information suggesting that women are systematically subjected to beatings or torture in detention. It was added that when it comes to women there is often no need for the police officers to bring any official charges. They may simply contact family members of a woman who allegedly committed a crime or behaved in inappropriate manner. The family members may eventually kill their female relatives for being detrimental to the family honour.

A representative of CAT stated that in all court cases involving support to the insurgency a forced confession is the only evidence presented by the prosecutor. The courts accept this confession as the sole basis of its verdicts. If the courts did not accept these confessions, the authorities would be less inclined to use ill-treatment and torture. However, under the current circumstances torture is often used to force a confession and subsequently securing the conviction of a man. It was added that the conviction rate in these cases is close to hundred percent.

A representative of CAT stated that the overall number of cases that involve support for illegal armed groups in Chechnya as a whole is not accessible by the CAT. But as for the cases where CAT has been involved, no living person

Security and human rights in Chechnya

charged under articles 205 or 208 of the Russian Criminal Code has ever contacted CAT for assistance. Those who had contacted CAT, all later disappeared without a trace. CAT has never found those who disappeared. Only relatives of such persons have applied for help to the Committee. It was added that there are also cases in which CAT clients were verbally accused of supporting terrorists by the state officials, but in fact no official charges were brought against them.

Duty to report for questioning

A representative of CAT stated that duty to report regularly at a police station is practised by the police in Chechnya. However, the practice is not based on any law and has no legal position. The police can order people to report regularly completely at their own discretion. The representative of CAT knew of one case in which a man regularly visits the local police station as ordered by the police. However, there is no information to suggest that duty to report is used on a regular basis.

When asked if this – not too common – practice could serve multiple purposes: Firstly, to apply pressure on the individual and secondly obtain information about what goes on in the local community, a representative of CAT stated that this would be a correct way of putting it.

When asked about the possible consequences for people who do not follow the instruction to pay regular visits at the police station, a representative of CAT stated that a person who does not comply with the instruction would risk being detained, questioned, exposed to ill-treatment/beatings and would fear becoming a victim of a fabricated criminal case/false accusation of supporting the insurgents. Reference was made to the case of Ruslan Kutaev as the most notable example as described in an article on the website of the Caucasian Knot from 8 July 2014⁵⁰.

Scars

When asked if he had heard of people returning to Chechnya being examined for scars on their body, a representative of CAT stated that such examinations do not take place and they would not make much sense. Due to the two wars in Chechnya a very large proportion of the population have some sort of injuries or scars on their bodies. It would be strange if a man of a certain age did not have any marks or scars resulting from the wars on his body.

Wars in Chechnya

A representative of CAT stated that people who were active fighters in the first and the second war in Chechnya as a general rule are not in a particular problematic situation today. Those who were rebel leaders in the second war, such as Kadyrov, are now part of the inner circle of power in Chechnya.

A representative of CAT explained that during the first war in Chechnya nearly everyone participated in the fight for independence. This struggle was seen as a very noble cause in the eyes of the Chechen population.

A representative of CAT stated there have been conflicts among the active participants of the first and second war in Chechnya, but by now these conflicts have been solved. If conflicts would arise today they would not have anything to do with events dating back to the years of the first and the second war. There is no desire among the current regime or under the current political circumstances to review the events that took place during the wars. There is no prospect for any legal prosecution of crimes committed during the wars. Kadyrov himself was active on both sides during the second war. Bringing up crimes or accusations dating back to the second war could be risky as it might backfire and bring up unwanted attention to the actions of members of the current regime.

⁵⁰ Caucasian Knot, Kutaev's case: chronology and details: <http://eng.kavkaz-uzel.ru/articles/28682/>

Orders to appear - повестка

A representative of CAT explained that Chechen police depending on the situation make use of orders to appear for questioning at the police station (повестка). These police orders would state that a person is requested to come to a specific police station for questioning or appear in a court as a witness to a crime. However, in most cases it would be much more practical for the police simply to go to the apartment and pick up and detain the person of interest. It was added that the more official the invitation [to come to the police station] is, the less there is a chance of being subjected to torture or ill-treatment. If police officers want to use violence against an individual, they would capture that individual without any official procedures.

A representative of CAT stated that in most cases an order to appear for questioning at the police station would simply mean that the person would be questioned by the police. The document would generally state the reason to appear, and this would include questioning related to a case concerning Art. 208 of the Russian Criminal Code. Representatives of CAT sometimes accompany their clients to the police station and are present at the questioning. This kind of questioning is always civilized, and even relatives are allowed to be present. It was added that the real purpose of these police orders is to intimidate the individuals who are called in for questioning.

A representative of CAT stated that a police order to appear for questioning at the police station would never be used for the actual suspects in a case concerning support to the insurgents. Such a person would be picked up by the police without any warning. However, the police orders are used when family members or others are requested to appear for questioning as witnesses.

When asked if it would be relatively easy to either buy these forms considering the level of corruption in Chechnya a representative from CAT stated that CAT do not have information of anything like this.

A representative of CAT stated that when considering the fact that these forms are rather “rough” and contain stamps as the only feature that indicates whether or not the forms are genuine, it is fairly easy to falsify them even by just using a Xerox machine.

Department of external relations, Grozny

Representatives of the department of external relations in Grozny stated that some Chechens are departing from Chechnya to Europe and also to Denmark. Most of them do so because of unemployment in Chechnya and for economic reasons.

Representatives of the department of external relations in Grozny found it disturbing that in order to receive a residence permit and access social benefits in European countries, some Chechens are ready to make up stories about how horrible the situation is in Chechnya and that they are being persecuted by the authorities.

Representatives of the department of external relations in Grozny explained that the wars are long over and that the counter terrorism campaign in Chechnya has ended. The main reason why Chechens leave the republic is unemployment.

Representatives of the department of external relations in Grozny explained that the problem is not that these people are leaving Chechnya – everybody enjoys freedom of movement in Chechnya. The problem is that they create a negative image of the republic, making it difficult for the Chechen government to attract foreign investments and create jobs.

Representatives of the department of external relations in Grozny explained that Grozny and the other cities in Chechnya have been rebuilt but that further investments are required to create competition, develop businesses and reduce unemployment. The Chechen asylum applicants in Europe and the negative stories they tell have a damaging effect on this work.

Representatives of the department of external relations in Grozny explained that thousands of those claiming to be Chechens when applying for asylum in Europe are not even Chechens. The department had learned from stories from Germany that citizens of Pakistan have claimed to be Chechens in connection with their asylum applications. They had even learned a few words in Chechen as well as some basic facts about the republic e.g. the names of some Chechen cities.

Representatives of the department of external relations in Grozny explained that in 2013 more Chechens than usual left for Europe. An investigation was made into the matter. The investigation concluded that there is a large network of human smugglers in Europe and Russia that offers to facilitate people's travel abroad. These human smugglers are telling Chechens what they should tell the immigration authorities in the Western European countries in order to increase the likelihood of being granted asylum.

Representatives of the department of external relations in Grozny explained that in reality the number of Chechen refugees in recent years have decreased. People in Chechnya have now realized that peace has finally come. Actually, tourism is one of the fastest developing sectors in Chechnya. However, it is no secret that there is still unemployment.

Representatives of the department of external relations in Grozny explained that criminal networks spread the false rumor among Chechens that there are many available jobs in Europe. These rumors spread especially rapidly in 2013, and many Chechens believed them and went to Europe in the first half of 2013.

Representatives of the department of external relations in Grozny explained that according to their information approximately 80% to 90% of the Chechens asylum applicants in Europe in 2000 were granted asylum, whereas in 2013 only 20% were granted asylum.

Daily life in Chechnya

Representatives of the department of external relations in Grozny stated that there are several open air markets or bazaars in Grozny. In the central market “Berkat” in Grozny all kinds of fresh meat, fruit and vegetables and other kinds of groceries, clothes, kitchen utensils and basically everything a household needs. When asked if it was possible to buy alcohol the representatives of the department of external relations in Grozny explained that alcohol is not banned as such but it is not welcomed. Some supermarkets/minimarkets have designated room in the back for displaying alcohol. In these minimarkets wine, beer and alcohol is for sale for some hours in the morning. It was added that all major cities in Chechnya have bazaars and supermarkets. There is no food shortage in Chechnya.

Representatives of the department of external relations in Grozny stated that buses are commonly used in Chechnya. Busses have numbers indicating their destination. The main station in Grozny is close to the Berkat market in the center of the city. Busses leave from the central station for all major cities in Chechnya. The busses come in different colors, sizes and car brands.

According to the representatives of the department of external relations in Grozny the traffic police man some permanent checkpoints on the main roads leading in and out of Grozny. Their task is solely to look for traffic violations e.g. that safety belts are not used and if people are speaking on the phone while driving.

DOSH, Moscow

Residence registration

A representative of DOSH explained that although Chechens living outside of Chechnya in for example Moscow could face discrimination and corruption when they register their residence, they would always succeed with the registration in the end. The issue of paying bribes in order to get things done in Russia also applies to ethnic Russians. It was added that if a person does not want to pay bribes when changing his residence registration, the registration would only take longer, about three weeks, but it would be done in the end.

A representative of DOSH stated that in the event of a terrorist attack in Moscow he could be certain that the police would be at his apartment in the middle of the night asking questions. The same applies to other Chechens living in Moscow, and that is one of the reasons why some Chechens in Moscow prefer not to register their residence. Another reason is that the procedure is slow and time consuming.

A representative of DOSH explained that he had heard of police officers warning other persons living in an apartment building that one of their neighbours was a Chechen.

A representative of DOSH explained that he had heard of the police making phone calls to landlords and asking all sorts of questions about their Chechen tenants. For this reason some people would be reluctant or afraid to rent apartments to Chechens. It was added some landlords simply prefer to rent apartments to ethnic Russians only because they themselves are Russians.

A representative of DOSH explained that Moscow is a city of somewhere between 11 and 20 million inhabitants and apartments are expensive and not easy to find.

A representative of DOSH explained that some of landlords do not want the tenant to be registered at the address. This has nothing to do with racism but is a question of avoiding paying taxes on the income from the rent.

A representative of DOSH stated that renting an apartment or finding a place to stay in Moscow is difficult for everyone and not only for Chechens. However, for Chechens it is even more difficult due to the negative image of Chechens that still exists among some people. It was added that it is easier for Uzbeks and Tajiks to rent accommodation in Moscow than for Chechens.

A representative of DOSH explained that eventually Chechens manage to find a place to stay as there are no homeless Chechens in for example Moscow. Usually friends or relatives would help newcomers to find a place to live and get the residence registration done. Chechens would thus take advantage of their extended network. It was added that even though many traditional Chechen values have been under pressure it is still considered shameful not to help and assist relatives and in general other Chechens.

False accusations

When asked about the prevalence of fabricated criminal cases against Chechens living in the Russian federation outside of Chechnya, a representative of DOSH explained that this does not happen to the same extent as it did in 2000. Before 2005 all Chechens were regarded as terrorists or drug dealers in the minds of many Russians. This changed after Ramzan Kadyrov came to power in 2005 and the state media propaganda campaign against Chechens and other North Caucasians was stopped. Since then the Chechen and Russian authorities have attempted and to a large extent succeeded in eliminating the negative stories about Chechens in the news. However, the general negative image of people from the North Caucasus is still common among Russians.

A representative of DOSH had not heard of recent fabricated criminal cases targeted at Chechens outside of Chechnya. Several years ago this was a deliberate strategy by the police and specifically aimed at North Caucasians,

but this is not the case anymore. In those days Chechens would sometimes sew their pockets together to make it impossible for the police to plant drugs or bullets and fabricate a criminal case against them. Chechens in Moscow do no longer sew their pockets together because the police no longer make use of that strategy towards Chechens.

A representative of DOSH stated that now Chechens live quite safe in the Russian Federation. Unfortunately, Georgians and Ukrainians have now replaced the Chechens as the target for the state media negative campaigns, and it is the Georgians and the Ukrainians who are now subjected to harassment and discrimination by the police.

Discrimination/harassment

A representative of DOSH stated that Uzbeks and other Central Asian nationalities and not the Chechens are singled out for document checks in the Moscow metro.

A representative of DOSH explained that Russian citizens can live anywhere in the federation for three months without registering their residence as long as they keep a train or bus tickets or other documentation for arriving not more than three months ago. For citizens of the Central Asian countries it is different. There are more rules regulating their stay in the Russian Federation and they are therefore an easy prey for extortion by corrupt police officers.

A representative of DOSH explained that Central Asian are more often victim of racism and racially motivated violence than people from the North Caucasus because they stand out more and are more vulnerable in terms of their migrant status.

A representative of DOSH has never experience being stopped by the police in the street unless he speaks Chechen. It happens that people from the North Caucasus are stopped by the police in the street or in the metro. When police officers stop people from the north Caucasus in the street or in the metro the purpose is to obtain a bribe. Usually an amount of 500 Rubles would stop the harassment. It was emphasised that now there are very few of these cases. This phenomenon also occurs in cities in the southern part of Russia, but the bribe paid to stop the harassment is lower than in Moscow.

A representative of DOSH explained that all people from North Caucasus are aware and knowledgeable of their rights as citizens in the Russian Federation. They will therefore always make sure their documents are in order to avoid problems with the authorities. Central Asians are less knowledgeable about their situation and their rights and are therefore a much easier prey for corrupt police officers.

Freedom of movement

A representative of DOSH explained that he travels to North Caucasus on a regular basis.

A representative of DOSH explained that there are Chechens who leave Chechnya and Russia due to the economic situation. It would not be correct to state that all Chechens are leaving due to a violation of their human rights.

A representative of DOSH explained that a visa to Europe could cost approximately 2000 Euro per person. The cost of travelling to Europe should be added to that amount of money. Most Chechens would have to sell all their belongings to be able to accumulate that much money.

A representative of DOSH stated that he personally would only have trust in three organisations that could provide some actual help to people who have a conflict with the Chechen authorities. The three organisations are: The Committee Against Torture (CAT), Memorial and Initiative Centre for the Caucasus i.e. DOSH.

Employees of the office of the Chechen Ombudsman, Grozny

Employees of the office of the Chechen Ombudsman in Grozny stated that the Ombudsman institution is tasked with protecting the fundamental rights of the people; contribute to the improvement of the laws of the republic concerning human rights and to work as a link of communication between the Chechen authorities and civil society groups. The Ombudsman institution on a daily basis receives in written form or in person complaints from people who believe that they have experienced some form of injustice or wrong treatment by the authorities. Within the framework of the law, the Ombudsman institution provides assistance to such people. I was added that the Ombudsman institution communicates very well with the state authorities and the institution works closely together with the authorities.

According to employees of the office of the Chechen Ombudsman in Grozny before the counter terrorist operations were declared to have ended, people approached the Ombudsman institution with complaints concerning severe human rights violations. The Ombudsman institution has created a database containing information about approximately 5.000 cases of kidnappings and disappearances, and the institution is still working on bringing those responsible for these crimes to justice. However, today people mostly approach the Ombudsman institution with complaints concerning social problems, moral loses and material loses. In addition, the Ombudsman institution consults and assists with the lawsuit people who want to complain to the European Court of Human Rights concerning human rights violations during the war in Chechnya.

Employees of the office of the Chechen Ombudsman in Grozny stated that the institution receives all the necessary support from the head of the republic, Ramzan Kadyrov.

According to employees of the office of the Chechen Ombudsman in Grozny approximately 4.000 people contact the Ombudsman institution annually. It was added that the institution have a well-functioning cooperation with international partners such as the European Union, the Danish Refugee Council, the International Committee of the Red Cross and the International Organization on Migration. It was added that many Chechens in Europe call the institution to receive advice on how to return to the Chechen republic.

Employees of the office of the Chechen Ombudsman in Grozny stated that the head of the republic is paying close attention to the human rights situation in the republic. The Ombudsman institution explained that police abuse, ill-treatment or torture in pre-detention and forced confession no longer occur in Chechnya. Such things took place during the active phases of the wars in the republic, but today Chechnya is the safest region in the North Caucasus.

Employees of the office of the Chechen Ombudsman in Grozny stated that the Ombudsman institution is completely independent of the state authorities in Chechnya. The institution has the power to make recommendations in order to restore the rights of individuals. The vast majority of such recommendations are followed by the state authorities. The Ombudsman institution annually report on the human rights situation in the Chechen Republic to the head of the republic. The annual reports are published on the web site of the Ombudsman institution. It was added that the institution also has the power to report directly to the Chechen parliament if it identifies a massive violation of human rights. Several years ago the Ombudsman institution took that approach regarding the housing situation.

Employees of the office of the Chechen Ombudsman in Grozny stated that, of course, it would not be correct to state that the institution does not receive any complaints at all concerning the police. However, such complaints are quite rare, but when they are received the Ombudsman institution react by opening a case with the Public Prosecutor's Office and the Investigative Commission would conduct an investigation. So far, investigations into allegations of police misconduct have proven to be unfounded.

Employees of the office of the Chechen Ombudsman in Grozny stated that the institution have access to prisons and detention facilities in the Chechen Republic. The ombudsman institution has not received a single complaint concerning of people being exposed to ill-treatment or torture in these facilities. In 2012 a report about a case of ill-treatment came to the knowledge of the Ombudsman institution, but investigation established that no wrong doing had taken place.

Employees of the office of the Chechen Ombudsman in Grozny emphasized that the institution has sufficient mechanisms to react appropriately to any complaints of human rights violations. The Ombudsman institution was established according to the Constitution of the Chechen Republic and together with the Decree 451 on the Ombudsman institution a solid legal basis has been provided for the institution to fulfill its mandate.

Employees of the office of the Chechen Ombudsman in Grozny stated that in some cases it has been necessary to express criticism and recommend solutions to the Chechen police in cases of procedural mistakes. It was emphasized that not all complaints equal a human rights violation. The Ombudsman institution found sufficient reason to express criticism in only 15 % of the approximately 4.000 annual complaints.

According to employees of the office of the Chechen Ombudsman in Grozny migration is a natural process and as long as Chechens abroad have a legal stay in their country of residence and they behave reasonably the Chechen government has no problem with migration out of the republic. It was added that Chechens will always return to Chechnya in the end.

Employees of the office of the Chechen Ombudsman in Grozny considered that human rights violations take place in every country in the world including in the Chechen Republic. However, the human rights situation in Chechnya has improved radically in recent years and there are fewer and fewer reports of human rights violations owing to the attention paid to the issue by the head of the republic, Ramzan Kadyrov, and the government.

According to employees of the office of the Chechen Ombudsman in Grozny Chechens who serve prison sentences in prisons outside of the republic are exposed to discrimination and harassment. The Ombudsman institution has received massive complaints about discrimination and in one case a convict was so desperate that he cut his wrist. The discrimination reported by Chechen convicts outside of the Chechen republic include bans on performing Muslim prayers, denial of preterm release as well as fabricated cases of alleged prisoner's misconduct and consequently being transferred to special wards with poor facilities. To avoid this prison facilities have been established inside the Chechen Republic. Only second time convicts and persons who misbehave in Chechen prisons are transferred to prisons outside of the republic. Lack of space in Chechen prisons could also lead to convict being transferred to prisons outside of Chechnya. It was emphasized that first time convicts serve their prison sentences inside Chechnya regardless of the crimes they have been convicted for, unless they misbehave and are transferred to prisons outside of the republic.

Federal Migration Service (FMS), Grozny

FMS in Grozny explained that in order to apply for an external (foreign/international) passport one must present a passport size photo, a copy of the internal (domestic) passport and choose one of two types of external passport: Either a non-biometric passport valid for 5 years or a biometric passport valid for 10 years.

FMS in Grozny explained that the only place in Chechnya to be issued both internal and external passport is at the FMS office in Grozny.

FMS in Grozny explained that an application for any passport must be done by personally showing up at an FMS office and presenting the original underlying documents required. It is also possible to apply online using the electronic web portal “Gososlugi”. However, one must still show up in person at the FMS office and present the original documents before the application is accepted and a passport can be issued.

Both internal and external passports can be applied for and picked up at any FMS office in the Russian Federation. The issuing authority will always be the FMS office in which the passport was issued even though the application was handed in at another FMS office.

FMS in Grozny emphasized that it is not possible for a citizen to hold an internal passport with FMS in Grozny as the issuing authority unless the citizen has actually been at the FMS in Grozny and personally picked up the passport. The citizen has to sign the internal passport upon issuance by FMS. The only exceptions to this rule would be if the citizen is very ill and is not able to pick up the domestic passport or if the citizen is imprisoned. In such cases someone else could pick up the passport on behalf of the citizen e.g. an employee in the prison service or a person from a hospital. The identity of the person picking up the passport will be checked and registered by the FMS office. Alternatively, FMS could choose to deliver the passport at the address of the citizen.

External/foreign/international passport

FMS in Grozny confirmed that the external passport contains the signature of the passport holder. The signature from the application document is reproduced into the external passport.

FMS in Grozny emphasized that it is not possible for a citizen to receive an external passport issued in Chechnya without actually having been to Chechnya to apply for the passport in person. It is possible to pick up the passport at any FMS office in the Russian Federation, but if it is stated in the passport that the issuing authority is FMS in Grozny, the signed application must have been lodged in person at the FMS office in Grozny. The information about in which FMS office a passport was issued is stated in the passport with a code under the headline “issuing authority” on the laminated page that also contains the photo and signature of the passport holder. FMS in Grozny has the unique code “20001”.

Question: Would you have a list of these codes used in the external passports that you could share with us? In some cases it is important to be able to establish where a Russian applicant has been issued his or her passport. Alternatively, could you supply us with the codes used by your offices in the North Caucasus Region? No answer provided.

FMS in Grozny explained that the FMS office in which a citizen applies for an internal or an external passport will show as the issuing authority inside the passport. If for instance a person applies for an external passport in Moscow, the issuing authority in the passport would be FMS in Moscow regardless of where the person has his or her residence registration. The same applies for the internal passport.

FMS in Grozny emphasized that it is completely impossible for a citizen to be issued an external passport with FMS in Grozny as the issuing authority without having been in person at the FMS office in Grozny and personally signed and handed in the application for the passport.

Regarding the electronic web portal Gosuslugi, FMS in Grozny explained that it is possible to start a part of the application process for an external passport. However, it is obligatory that the citizen show up in person and present the original underlying documents required and sign the application for the external passport.

FMS in Grozny emphasized that it is not possible to apply for or pick up an external passport by proxy. Internal passports on the other hand can in some cases be issued to trustees.

FMS in Grozny explained that the processing time for an external passport is one month. In special cases emergency passports could be processed in three days e.g. if a citizen is in urgent need of medical treatment abroad. The emergency passports are identical to the passports issued by the normal procedure.

When asked about the number of applications for external passport at the FMS office in Grozny, FMS in Grozny explained that the number is increasing. The cause of this increase could be the growing population and more people want to and can afford to travel abroad.

FMS in Grozny explained that the tax authorities, police, FSB and other law enforcement and intelligence services are automatically notified of applications for external passports. A passport will not be issued if a citizen has a criminal case pending or is under investigation. The same applies if the citizen has debt to the state e.g. unpaid taxes.

During the one month processing time of an external passport the police, FSB and other authorities check their databases or lists to see if the passport applicant is searched for or has some kind of disputes with the authorities that could mean that the person should not be allowed to leave the country. When asked if it often happens that FMS in Grozny cannot issue an external passport to a citizen due to an intervention by the police or FSB, FMS in Grozny explained that in most cases people are denied an external passport because of unpaid taxes.

FMS in Grozny explained that a citizen's residence registration in Chechnya is not changed or cancelled by FMS unless the citizen actively changes his or her residence registration. Residence registration does not expire even if a person has been living abroad for a long period of time or has been living in other areas of the Russian federation for a substantial period of time without changing his or her residence registration in Chechnya. No one would return to e.g. Grozny to find that he or she is no longer registered there, unless he or she has chosen to register residence elsewhere.

New passports

FMS in Grozny informed that from 2017 new internal passports will be issued. It will be a plastic card containing the same information as the present type of passport.

FMS in Grozny formed that from 2015 biometric external passports would include iris scanning as well as the present fingerprints.

Question: Would you have a list us of six digit codes used in the internal passports linking the codes with the geographical place of issuance? Alternatively, could you supply us with codes used by your offices in the North Caucasus Region? No answer provided.

Human rights activist

A human rights activist was involved in the defence of the accused woman.. There were several witnesses in the case. When the defence lawyer attempted to register them and include their testimony in the case the investigator informed the defence lawyer that there was not enough time to register the witnesses. One witness reported to the defence lawyer that the investigator had approached him and told him not to bother being a witness as the case was already decided upon. However, the defence lawyer managed to convince the witness to testify and also managed to get the court to accept the witness's testimony. Subsequently, the human rights activist received a phone call from the judge who proposed a deal in which the woman would be found guilty only of minor offences and with no prison sentence instead of the stipulated seven years imprisonment if the accused was found guilty as initially charged. In the end the accused was happy to accept the deal and the case was closed.

ECHR cases concerning ill-treatment, torture and disappearances

A human rights activist stated that there are no recent rulings from the European Court of Human Rights concerning torture and ill-treatment committed by the current authorities in Chechnya. However, a number of rulings involve killings and disappearances. The official explanation from European Court of Human Rights is that there has not been sufficient evidence to prove that the local Chechen authorities have been involved in torture and ill-treatment.

Several rulings from the Court in Strasbourg have found that the Russian authorities have failed to carry out an effective criminal investigation into the circumstances surrounding cases of ill-treatment and disappearances.

When asked if there are pending cases with the European Court of Human Rights regarding ill-treatment in detention in Chechnya, a human rights activist referred to a case of Suleymanov. In this case the Court did not find sufficient evidence to conclude that Suleymanov had been tortured by the Chechen authorities, but the Court found that the Russian authorities had not conducted a proper investigation into the complaint regarding the disappearance of Suleymanov in May 2011.⁵¹

A human rights activist referred to the case of Turluyeva the mother of Ibragimov. In that case the European Court of Human Rights found two violations of Article 2: one on account of Russia's failure to protect the life of the applicant's son, and the other owing to the absence of an effective investigation into Ibragimov's disappearance.⁵²

⁵¹ *Case of Suleymanov v. Russia*, (Application no. 32501/11), Judgement, Strasbourg, January 2013 (Final 27/05/2013), [http://hudoc.echr.coe.int/sites/eng/Pages/search.aspx#{"languageisocode":\["ENG"\],"respondent":\["RUS"\],"documentcollectionid2":\["GRAND CHAMBER"\],"CHAMBER":\["CHAMBER"\],"itemid":\["001-116078"\]}](http://hudoc.echr.coe.int/sites/eng/Pages/search.aspx#{)

The applicant, Doka Suleymanov, is a Russian national who was born in 1940 and lives in Grozny. He alleged that his son, Tamerlan Suleymanov, born in 1982, was ill-treated and abducted by State officials on 9 May 2011, after having been detained two days previously for a few hours by officers from the department of the interior, who pressured him into confessing to the preparation of a terrorist act. The applicant had not had any reliable news of his son since 9 May 2011.

The Court did not find it established beyond reasonable doubt that Tamerlan Suleymanov was ill-treated by State agents. Therefore, the Court was unable to conclude that there has been a violation of Article 3 of the Convention on account of Tamerlan Suleymanov's alleged ill-treatment. However, The Court held that the authorities had failed to carry out an effective criminal investigation into the circumstances surrounding the ill-treatment of Tamerlan Suleymanov, in breach of Article 3 in its procedural aspect.

⁵² *Case of Turluyeva v. Russia*, (Application no. 63638/09), Judgement, Strasbourg, 20 June 2013 (Final 07/10/2013), [Http://hudoc.echr.coe.int/sites/eng/Pages/search.aspx#{"languageisocode":\["ENG"\],"respondent":\["RUS"\],"documentcollectionid2":\["GRAND CHAMBER"\],"CHAMBER":\["CHAMBER"\],"itemid":\["001-120970"\]}](http://hudoc.echr.coe.int/sites/eng/Pages/search.aspx#{)

The applicant, Raisa Turluyeva, is a Russian national who lives in Chechnya. On 21 October 2009, her son was detained by the police. He was last seen in the premises in Grozny of the external guards regiment of the Ministry of the Interior of Chechnya also known as the "oil regiment". He showed signs of beatings on his face and he had difficulty standing up.

The Court found two violations of Article 2: one on account of Russia's failure to protect the life of the applicant's son, and the other owing to the absence of an effective investigation into his disappearance.

Finally, a human rights activist stated that the European Court of Human Rights for the first time found the Chechen authorities responsible for an abduction in the case concerning Askhabov v. Russia.⁵³

Fabricated criminal cases/forced confessions

When asked about the methods used by the Chechen authorities in cases related to the insurgency, a human rights activist stated that the fact that human rights activists and lawyers in Chechnya are working very determined on cases involving disappearances and drawing attention to this issue has almost put a stop to the authorities' use of forced disappearances. Instead, the authorities are now using confessions obtained by the use of torture and ill-treatment in detention. There are almost no cases of forced disappearances these days.

A human rights activist referred to a well known recent case involving Suleyman Idigov who was illegally detained and tortured for several days by the Chechen authorities. Memorial and others created awareness of Idigov's situation and he subsequently resurfaced. During detention he had been tortured and forced into signing a confession that he had killed a police officer. The criminal case is still pending in Grozny, but at least he is alive. Some years ago most likely he would have disappeared.

A human rights activist expected that Idigov would eventually file a complaint with the European Court of Human Rights when or if he is found guilty by the court in Chechnya. It was added that today people are more afraid to file a complaint with the European Court of Human Rights compared to several years ago.

Pressure applied on the general population

According to a human rights activist the level of fear in the Chechen population is now greater than ever before. The nature of the present regime is totalitarian. The regime does not need to use as much violence as in previous years because of the climate of fear and because it controls the minds of the population. In order to maintain a level of fear amongst the general population, the authorities occasionally need to feed the fear with violence. It could be that the regime tomorrow would feel the need of showing that it is watching and in control of the situation.

A human rights activist explained that another way the Chechen authorities exert pressure on the population is by monopolizing all small businesses. Reference was made to a case from Argun where the small businesses involved in production of stone from the river was one day visited by a group of "kadyrovs men" who destroyed all the buildings and now only one company is involved in this business. It was added that this could happen in every sphere of business in Chechnya.

A human rights activist explained that in order to finance the buying of expensive football players to the Terek football team, Ramzan Kadyrov applied pressure on local businessmen in Chechnya to donate money to the purchase. They refused to donate the money and the next day their businesses were demolished by bulldozers.

⁵³ *Case of Askhabova v. Russia*, (Application no. 54765/09), Judgement, Strasbourg, 18 April 2013, Final 09/09/2013, [http://hudoc.echr.coe.int/sites/eng/Pages/search.aspx#{"fulltext":\["54765/09"\],"languageisocode":\["ENG"\],"respondent":\["RUS"\],"documentcollectionid2":\["GRANDCHAMBER","CHAMBER"\],"itemid":\["001-118601"\]}](http://hudoc.echr.coe.int/sites/eng/Pages/search.aspx#{)

The applicant, Tamara Askhabova, is a Russian national who was born in 1951 and lives in Shali, the Chechen Republic (Russia). The case concerned the abduction and disappearance of her son, Abdul-Yazit Askhabov, born in 1983. She alleged that three armed men in masks and military camouflage uniforms had broken into the family home in the early hours of the morning on 5 August 2009, had dragged her son out of bed and had taken him away without any further explanation. He had not been seen since.

The Court found that Abdul-Yazit Askhabov must be presumed dead following his unacknowledged detention by State agents on 5 August 2009. The Court found that his death could be attributed to the State and that there has been a violation of the substantive aspect of Article 2 in respect of Abdul-Yazit Askhabov. Furthermore, the Court held that the authorities failed to carry out an effective criminal investigation into the circumstances surrounding the disappearance of Abdul-Yazit Askhabov, in breach of Article 2 in its procedural aspect.

Security and human rights in Chechnya

Some of the businessmen filed complaints at the court, but the cases were rejected. In the few cases that were not rejected, the prosecutor found some legal aspects of the businesses that were not in compliance with the law. When the businessmen were warned of this, they subsequently decided not to proceed any further with the case.

A human rights activist explained that in addition to the “taxes” paid to the Kadyrov Fond, civil servants in Chechnya have for the past three months paid 10% of their salary to support Crimea.

Support to the insurgency

When asked to comment tendencies regarding criminal cases in which people have provided support such as food, medicine or transportation to active members of the insurgency, a human rights activist stated that there are fewer cases than before but they still appear. Most cases are initiated because local police are required to show a certain number of cases of people convicted of having supported the insurgency. This leads the police to fabricate cases against people who have not actually supported the insurgency.

A human rights activist referred to a Chechen chief police officer who wanted a promotion. In order to show his efficiency, he began arresting a large number of young men from his district. The men were detained and interrogated. Unfortunately to him, his men arrested a young man who was a relative of Ramzan Kadyrov. After that mistake the police chief was detained, but he later managed to escape Chechnya.

Federal search of wanted persons

A human rights activist explained that Chechen police could search for people in the entire Russian Federation. In theory a person could be identified in an ID check somewhere in the Russian Federation, and the police would know if he or she was wanted by for instance the Chechen authorities.

When asked if the human rights activist had heard of any cases where a person, who was wanted and searched for by the Chechen authorities, had been arrested and transferred back to Chechnya from other parts of the Russian Federation, the human rights activist referred to a case from autumn 2013 in which a group of Chechen and Ingush men were arrested in Moscow due to a heated argument with local residents. At the police station it turned out that one of the Ingush men was wanted by the Ingush police. It was not known why the Ingush man was on the federal search list, and there was no information about what happened after it turned out that he was wanted by the Ingush authorities.

A human rights activist stated that the police can scan fingerprints and take photographs at every police station and the police have databases where the picture from the internal passport is stored for all persons.

A human rights activist stated that it would be very difficult for anybody who is on the federal search list to travel by train. When buying a train ticket, the traveller is obliged to present his or her internal passport, and information about the identity is stored in a database that is accessible to the police.

A human rights activist stated that in general people from Chechnya can easily move and reside elsewhere in the Russian Federation. However, if he or she is wanted by the Chechen police, has been added to the federal search list and at some point gets into contact with the Russian police and have his or her internal passport checked against the police database, he or she would risk being arrested and returned to Chechnya to face trial.

According to a human rights activist it is close to impossible for a person who is on the federal search list to leave the Russian Federation legally through an international airport or through the border controls at Russia’s land borders. The only exemption is the land border between Russia and Belorussia which is quite porous. However, the Belorussian authorities have no access to the same databases as the Russian police. But if the Belorussian authorities received an official request concerning the extradition of a Russian citizen who was searched for by the Russian authorities, the Belarusians would definitely hand that person over to the Russians.

A human rights activist explained that there is a border control between Belorussia and Russia, but an external passport is not required to cross the border, and there are no stamps or documents involved when crossing the border. Question: Is it so that Russian citizens can enter Belorussia without showing any kind of ID to the Russian border authorities?

A human rights activist stated that except the one case from 2013 concerning the man from Ingushetia, he had no knowledge of other examples where a person who was wanted and searched by the Chechen authorities had been arrested and transferred back to Chechnya from other parts of the Russian Federation.

A human rights activist had no information about how often this might happen. It was added that he would personally not believe many people would travel to other parts of Russia if there knew they were searched.

Physical examination for bruises, scars or signs of torture

When asked if Chechens are exposed to physical examination for bruises, scars or signs of torture or other physical signs that could be attributed to participation in war or armed conflict a human rights activist stated that he had personally experienced this in 2001. Back then Russian Special Forces in search of insurgents would conduct special operations in a certain area, and they would sometimes order all the people in a village to undress in order to look for signs of combat injuries hoping to identify insurgents living among the general population.

A human rights activist stated that today Chechen police check people with long beards as they suspect they might be Salafis. The police also check the content of cell phones and look for illegal content such as movies or songs related to radical Islam or the insurgency.

When asked if Chechens returning to Chechnya by plane, train, bus or car from outside of Chechnya are exposed to physical examination for bruises, scars or signs of torture or other physical signs that could be attributed to participation in war or armed conflict, a human rights activist stated that he had not heard of this, and he was not under the impression that such practises occurred anymore.

A human rights activist added that in Chechnya there is nothing unusual about seeing people with disabilities and scars resulting from the wars. In Moscow the police might find the presence of war related scars or injuries suspicious but that is not the case in Chechnya.

Human rights activist in Grozny (A)

A human rights activist in Grozny (A) stated that although the Chechen republic is officially part of the Russian Federation the head of republic Ramzan Kadyrov “owns” all the people of Chechnya. He states this openly on local television where he would claim that President Putin offered him the Chechen republic as his property.

A human rights activist in Grozny (A) stated that Chechnya in reality is a totalitarian regime where Ramzan Kadyrov decides on everything. It is impossible to fully apprehend the implications of that unless one is living in Chechnya. It was added that any normal person would prefer not live in Chechnya and that it is understandable that people would try to leave the republic.

Criminal cases/rule of law

A human rights activist in Grozny (A) explained that he is no longer directly involved in legal representation of people against whom criminal charges have been raised related to terrorism. This includes cases in which a person has been accused of having supported the insurgency in some shape or form. Only lawyers appointed by the Council of Lawyers Chamber represent the accused in such cases. The chamber is an official institution. For this reason it is difficult for human rights activists to get access to the people who are accused of having supported the insurgents. Independent lawyers have in some cases been deprived of their license to practice as a lawyer. A human rights activist in Grozny (A) referred to Committee Against Torture as one organization that are directly and actively involved in criminal cases relating to members of the insurgency or supporters of the insurgency.

As an example of the human rights situation in Chechnya a human rights activist in Grozny (A) referred to the case of Ruslan Kutaev, age 57, who was arrested on February 20 2014 by the Chechen authorities on politically motivated drug charges. Kutaev was allegedly found in possession of heroin.

A human rights activist in Grozny (A) stated that when independent lawyers are prevented or discouraged from representing people who are charged with terrorism related crimes, the message from the government is very clear: they want to be in complete control of the lawyers who are handling the defense of the accused in order to make sure that they are found guilty. In order to illustrate this point, reference was made to the case of Ruslan Kutaev. One of Kutaev’s defense lawyers was deprived of his license to practice law and could therefore no longer represent Kutaev. [Caucasian Knot has reported on the case of Ruslan Kutaev]⁵⁴

A human rights activist in Grozny (A) confirmed that sometimes it is possible for defense lawyers to reduce the sentence handed out to people accused of being members of the insurgency or having supported the insurgency. However, in practice all are who have been charged in terrorism related cases are found guilty of some crime. It was added that more than 90% of those charged with being affiliated with the insurgents are convicted solely on the basis of a confession that in turn has been obtained by force.

In order to illustrate the lack of rule of law in Chechnya a human rights activist in Grozny (A) referred to the February 2014 case concerning two men who were accused of the killing of a police officer. A jury found the accused not guilty of banditry and they were released. However, the next day Kadyrov on television stated that the jury’s verdict was wrong and that the jury members were not lawyers. Armed people illegally detained the brother of one of the two men. The relatives had to hand over the recently acquitted man over to the police. He is still held in illegal detention

⁵⁴ Human Rights Watch, *Russia: Chechen Activist Leader Arrested, Beaten*, 8 April 2014, <http://www.hrw.org/news/2014/04/07/russia-chechen-activist-leader-arrested-beaten>

awaiting an appeal against his acquittal. [Caucasian Knot has reported on the case of the once acquitted and then detained man Alvi Abdurakhmanov]⁵⁵

A human rights activist in Grozny (A) explained that the police fabricate cases concerning support to the illegal armed groups. Typically, such fabricated criminal cases would be raised against young men who may appear or look as Salafists. Long beards could be sufficient reason for the police to fabricate a case. The “suspect” would be arrested and beaten until he signs a confession. With this signed confession and without any other evidence the Chechen courts would find him guilty and convict him. It was added that Chechen police and Chechen FSB is under pressure to show results and they are rewarded with bonuses if they reach the required number of arrests.

Treatment in detention

A human rights activist in Grozny (A) stated that members of the Chechen Public Monitoring Commission have access to all official prisons and detention centers in the Chechen Republic. Reference was made to a case in which a member of the Chechen Public Monitoring Commission reported the use of beatings of prisoners in October 2013 in a large prison in Chechnya. The member has subsequently been charged with discrediting the Federal Penitentiary service and the court case is in progress in Chechnya [at the time of the meeting with the human rights activist in Grozny (A)].

A human rights activist in Grozny (A) stated that the Chechen police do not differentiate between old people or young people, men or women. All are at risk of being subjected to the same treatment in detention including torture. In one case a 15 year old boy was held in incommunicado detention for several days. During that time he was beaten until he signed a confession. In another case an 80 year old man was beaten badly because he talked at the historical conference held on 18 February 2014 to mark the 70th anniversary of the deportation of the Chechen and Ingush peoples. It was added that beating people in detention is a common way to force confessions from people regardless of the crime the detainee is suspected of having committed.

A human rights activist in Grozny (A) explained that the police fabricate cases concerning support to the illegal armed groups. Typically, such fabricated criminal cases would be raised against young men who may appear or look as Salafists. Long beards could be sufficient reason for the police to fabricate a case. The “suspect” would be arrested and beaten until he signs a confession. With this signed confession and without any other evidence the Chechen courts would find him guilty and convict him. It was added that Chechen police and Chechen FSB is under pressure to show results and they are rewarded with bonuses if they reach the required number of arrests.

A human rights activist in Grozny (A) stated that the police do not really need to interrogate people because the police have informants everywhere. These informants do not receive money for their information. Often they may have committed some minor violations of the law in the past or they could be drug addicts or drug dealers and for that reason the police are now able to force them to work as informants.

General fear/recent campaign

When illustrating the general level of fear in the Chechen republic a human rights activist in Grozny (A) referred to the case of four young men who were arrested by the police in January 2014. The men all had long beards that could explain why they were arrested, but there could be other reasons as well. The four young men were neighbors in

⁵⁵ Caucasian Knot, *Chechen resident acquitted by jury disappears after new detention, relatives assert*, 31 March 2014, <http://eng.kavkaz-uzel.ru/articles/27705/> and Caucasian Knot, *Chechen resident acquitted by jury is held by MIA, his relatives assert*, 10 April 2014, <http://eng.kavkaz-uzel.ru/articles/27806/>

Security and human rights in Chechnya

Grozny. One was released immediately, but the other three men were held incommunicado for two months. During that period of time the families did not contact Memorial in Chechnya for help. Finally, the father of one of the three men came to Memorial and asked for help. Memorial then wrote letters to various authorities in Moscow and in Grozny demanding information on the whereabouts of the three young men. Three days later the three remaining young men resurfaced with the explanation that they had paid a visit to Volgograd. However, the human rights activist in Grozny (A) is certain that they had been in detention and had been subjected to pressure to present the explanation concerning a trip to Volgograd. There were no marks of torture on their bodies and it is safe to assume that they were under pressure not to tell anyone they had been detained by the Chechen authorities. It is very likely that the four young men will leave Chechnya due to the fear of being arrested once again because they are not in the Chechen authorities' spotlight. It was stated that once a person has been detained by the police in relation to the insurgency it is very likely it will happen again. The human rights activist in Grozny (A) did not know exactly why the four men were arrested but they all had large beards and it could be that they were suspected of having ties to the insurgency. It was added that two days prior to the arrest of the four young men, another young man was kidnapped by unknown men. This man has not been found yet.

A human rights activist in Grozny (A) explained that from January 2014 hundreds of young men were arrested and detained illegally for up to 10 days and subjected to beatings. They were all detained because they had large beards. During the time in detention they had their beards removed and they were subjected to beatings.⁵⁶⁵⁷

A human rights activist in Grozny (A) explained that in every village the Imam is instructed to report to the authorities on how the young men look, dress, walk and pray in the mosque. The authorities are looking for any signs that the young men have joined the insurgents or the Salafi movement.

Family to insurgents and supporters

When asked about the situation for family members of suspected active insurgents or family members of suspected supporters of the insurgency, a human rights activist in Grozny (A) explained that it would be very rare, if at all, that the Chechen authorities pay attention to distant relatives and such relatives would not be punished or exposed to beatings or torture. However, close relatives of suspected active insurgents as well as relatives of suspected supporters are in real risk of being detained and subjected to beatings and torture. Close relatives are fathers, mothers, brothers and sisters. But it would be the exemption if the Chechen authorities would pay that kind of attention to more distant relatives. Even male cousins to a suspected supporter of the insurgents would only very rarely come in the spotlight of the authorities.

When asked if people who have relatives in the insurgency or relatives who are suspected of supporting the insurgents routinely are under pressure to enroll as police informants in connection with police interrogations or questionings a human rights activist in Grozny (A) explained that there are definitely many such cases. The police have many means of controlling the population. One of these is to request a signed letter of collaboration from people as a precondition to let them leave the police station. This could be followed by phone text messages and even surveillance and monitoring of telephone calls. Letters of collaboration are part of the psychological pressure that Chechens are subjected to.

⁵⁶ Caucasian Knot, In Chechnya, law enforcers detain young people because of their appearance, local residents report, 16 January 2014, <http://eng.kavkaz-uzel.ru/articles/26983/>

⁵⁷ Caucasian Knot, *Chechen residents report on inspections and detentions in Gudermes mosque*, 14 January 2014, <http://eng.kavkaz-uzel.ru/articles/26959/>

Police informers

A human rights activist in Grozny (A) stated that the police do not really need to interrogate people because the police have informers everywhere. These informants do not receive money for their information. Often they may have committed some minor violations of the law in the past or they could be drug addicts or drug dealers and for that reason the police are now able to force them to work as informers.

A human rights activist in Grozny (A) stated that according to an official statement every policeman must produce at least two new informers every month. Some policemen are lazy and do not bother to actually find informers. Instead they register random people from the town or village as informers without their knowledge. This can lead to problems for these people in case other police units at some point believe that they are in fact informers. Furthermore, the letters of collaboration is a part of the police bureaucracy because the police would have to document their results in terms of enrolling informers.

Orders to appear for questioning

A human rights activist in Grozny (A) explained that Chechen police make use of orders to appear for questioning at the police station (повестка). These police orders would state that a person is requested to come to a specific police station for questioning or appear in a court as a witness to a crime. It was emphasized that Chechen police would not state in the police order that a person is under suspicion of being a member of the insurgency or a supporter of the insurgents.

A human rights activist in Grozny (A) emphasized that a person suspected of anything related to the insurgency according to art. 208 of the Russian penal code would never be served with a police orders to appear for questioning at the police station. This would not make sense as the individual would then be warned and given time to escape the investigation.

When asked about the prevalence of false documents ordering people to report for questioning at the police station or in court in connection with a case of support to the insurgency, a human rights activist in Grozny (A) explained that such false documents are very common and easy to come by. They are common because people who want to leave Chechnya for Europe believe they will be rejected asylum unless they are able to document that they are in risk of being persecuted. It was emphasized that these people could have a real and individual conflict with the Chechen authorities, but they may believe that they need to produce some documents as proof and for that reason many false police orders to appear for questioning at the police station are available.

A human rights activist in Grozny (A) explained that police orders to appear for questioning at the police station are delivered by post or delivered by the police to either the person in question, a family member in the household or a neighbor if the person is not in his home.

According to a human rights activist in Grozny (A) investigators from the Investigative Committee also make use of orders to appear for questioning, and sometimes they do not explicitly state the reason in the form. However, if there was reason to believe that the person in fact has contact with insurgents or is somehow supporting them, investigators would definitely not send an order to appear for questioning at the office of the Investigative Committee.

Insurgents

A human rights activist in Grozny (A) explained that he had no information about the number of active rebels or insurgents in Chechnya. Official numbers say around 120 people. Almost every day there is news that an active member of the insurgency has been killed. It could be speculated that the local Chechen authorities and the Russian

Security and human rights in Chechnya

federal authorities have a common interest in keeping up the belief that there is an active insurgency, even though it might be almost defeated in Chechnya. It was added that if there was a real will to eliminate the few remaining insurgents, the Chechen authorities could easily do so as they have all the equipment at their disposal.

A human rights activist in Grozny (A) explained that there are some active insurgents hiding in the villages in Chechnya among the general population and that they could maybe conduct some small scale attacks, maybe even in Grozny. However, the insurgents are not really active in Chechnya but mainly in Ingushetia and Dagestan. These people would never ask a stranger for buying and delivering supplies. They would always use persons whom they really trust.

A human rights activist in Grozny (A) was aware of cases where people have been contacted by unknown insurgents in the forests. Gathering wild garlic is the main income to some poor people and in some cases these people have come across unknown insurgents who were in need of food. The wild garlic is found in some remote areas in the forests all over Chechnya but it is especially abundant around Urus-Martan and Bamut in Achkhoy-Martan. People go there in groups, men and women, where they set up camps and stay for some time while they gather wild garlic in the daytime. It is mostly young men from poor and marginalized families or young men who are practically orphans and have very few means of making a living that pick wild garlic. The season for collecting wild garlic begins in February and ends in late April.

Reprisals by insurgents

When asked what would happen if the insurgents became aware of someone who had been forced by the police to sign up as an informant, a human rights activist in Grozny (A) explained that it is not possible to state anything conclusive about this. The person might experience some problems with the insurgents but on the other hand, the insurgents know very well that people are forced to sign confessions and act as informants. Usually, the insurgents would only target representatives of the Chechen authorities. The human rights activist (A) did not know of specific cases of reprisals by the insurgents against people who have been forced to act as police informants. It was added that it is mostly a question of shame if a person has given the police some information about a family member. Usually the insurgents do not harm civilians and ordinary Chechens, but they are fighting the Russian federal forces in Chechnya and the Chechen police.

When asked if there were any examples of civilians being killed by the insurgents, a human rights activist in Grozny (A) explained that it depends on which insurgents we are talking about. There are substantial differences among the insurgency groups and some are more radical than others.

Questions:

Have you ever heard of Chechens who have relocated to other parts of Russian Federation were arrested and transferred back to Chechnya because they were suspected of having provided food, medicine or transportation to members of the insurgents in Chechnya?

Have you ever heard of Chechens who have relocated to other parts of Russian Federation were arrested and transferred back to Chechnya because one of their family member or relative was suspected of having provided food, medicine or transportation to the insurgents?

If you are aware of such judicial transfers of people who are suspected of being somehow affiliated with the insurgent back to Chechnya for prosecution, please provide as much details as possible (when, where, who etc.).

We have asked a lot of interlocutors about this issue - including in 2011 and 2012 - but so far no one has been able to inform us about any specific cases.

No information was provided to the questions above.

Human rights activist in Grozny (B)

A human rights activist in Grozny (B) stated that there is a dark side to all the newly constructed buildings in Grozny. Some of the people who owned houses and small businesses in the buildings that were demolished to make way for the redeveloped areas e.g. the construction of Mosques and shopping centres have lost their property without proper compensation. In some cases the aggrieved persons have gone to court with their claims for compensation, but even [though the] applicants [the aggrieved persons] submits the evidence that the mayor and the city of Grozny was involved in the demolition of property to pave way for new buildings it had no consequences for the mayor or for the compensation to those who lost their property.

A human rights activist in Grozny (B) also referred to an example from Achoi Martan where the local market was demolished by local authorities. After the demolition the construction of new building projects began. The local authorities refused to pay damages to individuals whose shops were demolished. The cases illustrate that the courts do not compensate ordinary people who have lost property and that the Chechen authorities can act with impunity. The court system is not able to intervene and provide protection under the laws to ordinary Chechens. It was added that in one of the cases the judge said he [the judge] could not rule against the authorities as this would be dangerous for him and that he also had to be able to live in the republic.

A human rights activist in Grozny (B) referred to a case in which a woman was accused on three different articles of the criminal code. The case was fabricated by the Chechen police for unknown reasons. During the interrogation police officers were present in the room and signalled to the investigator what to do in the case. The investigator chose to follow these instructions.

International Crisis Group (ICG) analyst, Moscow

Violence/kidnappings/disappearances

According to an ICG analyst in Moscow the level of deep-rooted fear amongst the general population is larger than ever before, even though incidents of violence including cases of kidnappings have decreased in the Chechen Republic in the past five years. The authorities' use of collective punishment of family members to suspected insurgents as well as psychological pressure by e.g. fabricating criminal cases against ordinary people involving narcotics or immoral acts has played a significant role in that regard. It was added that most Chechens feel unsafe even in their own homes because they do not know whom to trust.

Security situation

An ICG analyst in Moscow explained that the Caucasian Knot⁵⁸ report on security incidents. Recently an attack on the Chechen forces resulted in four deaths, but there was no mentioning in the Russian or Chechen newspapers or television. It was added that according to Caucasian Knot, that is considered the best source on this issue, the number of victims (both killed and injured) due to the conflict in Chechnya is still relatively high – in 2013 the number was approximately 100 – and could be compared to the number of victims in Kabardino-Balkaria. It was added that it does not take many insurgents to conduct a suicide bombing, plant a bomb or leave a car bomb that kills a large number of people.

An ICG analyst in Moscow stated that there are no longer major battles between the insurgents and Chechen or Russian forces. The last major insurgency attack was in 2010, when militants attacked Kadyrov's home village of Tsenteroi; the last biggest clash was in Shatoy district on 29 June, 2013. Minor clashes in the forest take place, in which insurgents and Chechen forces are injured or killed. It was added that government statistics on these clashes do not always reflect reality.

An ICG analyst in Moscow explained that Kadyrov and the Chechen government need an enemy in the shape of the insurgency to keep the large security apparatus going and to unify society.

Insurgency

An ICG analyst in Moscow explained that in March 2014 it was confirmed on the Caucasian Emirate's web site that the leader of the Caucasian Emirate Dokku Umarov had died. The precise circumstances surrounding his death are not known, but rumors has it that he had been in poor health for some time. The new leader of the Caucasian Emirate Abu Mukhammad is from Dagestan. Prior to the death of Dokku Umarov there were reports of internal dissatisfaction within the Chechen insurgency commanders concerning the strategy of the movement and the decision to give up on the idea of [a] Chechen national

⁵⁸ According to the English version of the website of Caucasian Knot "The Internet mass medium named "CAUCASIAN KNOT" was founded by the International Society "Memorial" in 2001. [...] "The main aims of the "CAUCASIAN KNOT" are to ensure free access to truthful and non-engaged information about events in the Caucasus; inform the Russian and global community about violations of human rights, situation in armed conflict zones, cases of ethnic or political discrimination and refugees' problems; and provide information support to promotion of civil initiatives and independent mass media." [...] "The main partners of the "CAUCASIAN KNOT" are: the Institute of Human Rights, the "Panorama" Information and Research Centre, website bbcrussian.com and Internet medium "Gazeta.Ru". The edition is funded from various charitable foundations." See more at: <http://eng.kavkaz-uzel.ru/>

state. The leadership succession created some disagreement between the Chechen commander Aslambek Vadalov and Ali Abu Mukhammad (a.k.a. Aliaskhab Kebekov), who is an ethnic Avar from Dagestan and who held the position of Qadi (judge) in the Caucasian Emirate. However, in the end Ali Abu Mukhammad was appointed the new Emir of the Caucasian Emirate.

An ICG analyst in Moscow stated that there seem to be some active insurgents at the administrative border to Ingushetia and Dagestan. Reference was made to the Internet mass medium Caucasian Knot who has reported of armed clashes between militants and Chechen police in the Shatoy District and in the Sharoy District from June to September 2013.

According to an ICG analyst in Moscow a large number of federal Russian soldiers are still deployed in the Khankala base near Grozny and some federal soldiers are based in Borzoi in the south near the border to Georgia.

An ICG analyst in Moscow stated that contrary to Dagestan and Kabardino-Balkaria where many insurgents live or stay in the cities for some time, the few active Chechen insurgents do not dare to enter the cities in Chechnya out of fear of being detected by the Chechen authorities. There are no men with long beards, wearing uniforms and carrying arms in or around Grozny. It was added that the police probably know who the insurgent leaders are, but young people join the insurgency and the insurgents constantly move across the administrative borders to the neighboring republics.

According to an ICG analyst in Moscow people fear to enter the forests and for example there are hardly ever hunters in the forests because some [hunters] have been killed by the insurgents. It was added that there are cases of detention of people who have bought food for a day trip to Sufi religious places in e.g. the mountains in the south. These people were illegally detained on suspicion of supporting the illegal armed groups and later released after human rights defender intervention into the case. However, it would usually be police from another area who would conduct such groundless arrests.

Chechen MVD and Courts

According to an ICG analyst in Moscow in 2012 the various Chechen police forces numbered approximately 30,000 men. In Dagestan the same number was 18,000 despite the fact that the population is three times larger than the Chechen population.

An ICG analyst in Moscow stated that the Chechen FSB is led by an ethnic Russian whereas the file and rank Chechen FSB officers are likely a mix of Russians and Chechens. It was added that the Chechen FSB is directly involved in anti-terrorist operations in few cases only. In Chechnya mostly the police and police special forces are responsible for that kind of operations. It was added that the Chechen police and OMON would include very few ethnic Russians as well as other nationalities.

An ICG analyst in Moscow stated that all judges in the Chechen Republic, as well in other regions, in one form or another are federally appointed but almost all of them are Chechen. (Judges of the magistrate courts are appointed by regional assemblies or elected by the residents of the judicial district depending on regional law.) Only in two or three districts courts judges are Russians.

Arrests, detention and trial of persons

Security and human rights in Chechnya

According to an ICG analyst in Moscow it is difficult to establish the number of arrests of suspected members of or supporters of the insurgency. Underreporting is common because relatives of arrested persons often are instructed by the authorities not to report arrests to human rights organizations or others. Human rights organizations are usually only notified of arrests by the relatives when the arrested persons, usually male relatives, are not released.

An ICG analyst in Moscow stated that the insurgency has weakened and the number of arrests of suspected insurgents or killings of active insurgents has declined. However, Kadyrov must be able to show criminal cases against active insurgents to justify to the federal government the huge security set-up in Chechnya. It was added that Chechnya has more than twice as many police officers as Dagestan. It should be noted that the population of Dagestan is more than two times larger than the Chechen population.

An ICG analyst in Moscow explained that close relatives of suspected insurgents are facing the same high level of pressure from the Chechen authorities as before. The only difference is that today there are not as many insurgents left in Chechnya as was the case some years ago.

An ICG analyst in Moscow stated that there are almost no examples of disappearances in Chechnya today. Instead, fabricated criminal cases are instigated against alleged supporters of the insurgents. Following the same pattern, alleged supporters of the insurgents are held incommunicado for from 12 hours and up to three or four days. During that time they are exposed to pressure to reveal any information they may have about the insurgents, and they are forced to sign a confession that they have provided support to the insurgents. Beatings and torture are routinely used by the police to obtain the confession. Once a confession has been signed, the case is basically concluded from the perspective of the police. It is only after the confession has been signed that the arrest becomes official and relatives are informed about where the person is being held. If it is clearly visible that the suspect has been subjected to ill-treatment and torture, a defence lawyer would not be allowed access to the detainee for some weeks or until the time that the marks have disappeared. If the marks from the ill-treatment during the incommunicado confinement are not visible, a lawyer would be allowed access earlier. Especially lawyers provided by the state are not interested in meeting the detainee and if these lawyers actually meet the detainee, they simply ignore signs of ill-treatment and torture. It was added that if the suspect should die as a result of the treatment during the incommunicado confinement, the Chechen authorities would present his death as a successful elimination of a member of the illegal armed groups.

When asked if it is possible to provide an estimate of the number of cases against alleged supporters of the insurgents in Chechnya in 2013 an ICG analyst stated that [in 2013] 30 accomplices and one recruiter were detained, 17 supporters surrendered [surrendered], according [to] official statistics. There are serious doubts about the justice of many criminal charges against accomplices as many were blamed for 2002-2005 events and it remains unclear why police had not shown interest in them for 10 years. The greatest numbers of accomplices were detained in Vedeno and Achkhoy-Martan districts and the city of Grozny, a wave of detentions followed the killing of prominent field commander Gakayev.

An ICG analyst in Moscow went on to explain that independent lawyers on the other hand would try to meet the detainee and immediately write their own report about the physical state of the detainee and describe any signs of beatings and torture, and the lawyers would take the oral testimony from the

detainee. This is done in order to have something on file if the detainee who has been subjected to ill-treatment and torture should at a later stage withdraw his claim that the written confession was obtained by force by the police. It was added that the suspect is often charged on four or five different counts e.g. participation and support to illegal armed groups, terrorism, illegal possession of firearms and banditry. If the independent lawyer has thorough documentation supporting the fact that the confession was obtained by force, the charges would become subject of negotiation and ultimately they would be reduced. However, it was emphasized that regardless of the efforts of independent lawyers, the accused person would be found guilty of some crime by the court. The verdict could be two to three years in prison instead of 15 to 20 years if the accused had been found guilty of all the initial charges. It was added that the courts are working closely with the Investigative Committee and the Prosecutor's Office. If the accused have been detained while the criminal cases have been investigated, in almost 100 percent of the cases the accused are found guilty. In some cases the accused have been released on bail in which case they stand a slightly better chance of being found not-guilty. However, no one wants to open up for complaints concerning unjustified arrests and eventually claims for compensation. If the judge realizes that the person is not guilty and it is obvious that the confession has been obtained by force, he would often impose the mildest possible sentence.

An ICG analyst in Moscow explained that if the trial involves a jury, the accused stand a better chance of being found not-guilty. It was estimated that approximately 20% of all accused are found not-guilty by juries. However, in a February 2014 case concerning two men who were accused of the killing of a police officer, a jury found the accused not guilty of banditry and they were released. The two men quickly went to some relatives far away from Grozny. The next day Kadyrov on television stated that the jury's verdict was wrong and that the jury members were not lawyers, he was angered by the release of the accused despite the case having been investigated for 1.5 years, and the accused having confessed. Armed people illegally detained the brother of one of the two men, Alvi Abdurakhmanov. Police officers explained to his relatives that they were looking for him to carry a blood feud for the police officer killed in by the gang, and if the family would not give him to them, they would detain his brother and sister, and indeed kept the brother for a few hours. Distant relatives of Abdurakhmanov, at whose house he hid that time, handed over Alvi to the police – a very uncommon act for Chechen society - after Kadyrov's critical statement on this case on local TV. He has been illegally kept in police office despite the Russian Supreme Court recent judgment confirmed the jury trial decision. The other man in the case is still at large. It was added that jury trials are not in use in connection with charges of terrorism.

When asked if jury trials are used in connection with charges involving "participation in an [illegal] armed formation" according to § 208, 2 (i.e. supporters of the insurgents) and ICG analyst in Moscow stated that they are not.

An ICG analyst in Moscow explained that the police as well as the Investigative Committee and the Prosecutor's Office have to show results in terms of killed militants, investigated crimes or convicted members and supporters of the illegal armed groups. Law enforcement agencies enjoy almost complete impunity and they have carte blanche to do as they please. In particular this includes Chechen OMON and

ROVD in Shali District (the previous police chief was Magomed Daudov) and ROVD in Kurchaloi District (Kadyrov's home district) and in Urus-Martan district; Regiment of patrol police №2 (PPSM-2) named after Ahmad Kadyrov and so-called "oil regiment". It was added that most Chechen OMON, "oil regiment" and PPSM-2 officers are poorly educated as they have maybe attended school for only two or three years. Other police units do not have the same kind of power. Contrary to the Chechen OMON, the Investigative Committees have employed quite well educated Chechens who have degrees from university law faculties. Many of these investigators dislike the police impunity system, but they are helpless when confronted with the Chechen OMON or other "untouchable police units" close to Kadyrov. The case concerning the dismissal of the now former head of the Investigative Department of the Chechen Republic Investigative Committee, Sergei Bobrov illustrates the way power is exerted in Chechnya. Bobrov tried to do his job and he initiated a large number of investigations of criminal cases including cases concerning honor killings such as the case of three women who were found killed near Grozny in May 2013. The three killings were believed to be committed by members of the Shali police force. As a consequence of his dedication to his work, Bobrov received explicit threats, [the] investigator [that] worked with that case was treated [threatened] of being raped by the chief of the Shali Police Department including having it shown publicly. Eventually, Bobrov resigned from his job.

An ICG analyst in Moscow finally referred to the investigation into the murder of human rights activist Natahlia Estemirova and the investigation into the case of Umarpashaev who was illegally detained by the Chechen OMON as illustrative of the complete impunity enjoyed by Chechen OMON and other police units close to Kadyrov. Both cases have been transferred for investigation outside of the Chechen Republic. Igor Sobol, who is in charge of the inquiries into both cases for the Investigative Department, has been threatened that he would be shot if he came close to the Chechen OMON and nobody responds to his letters to appear for questioning.

An ICG analyst in Moscow stated that employment in the Chechen police force depends on bribery and personal networks, including contributing in cash to the Kadyrov Fund.

An ICG analyst in Moscow stated that in most criminal cases known to human rights organisations involving participation in or support to the illegal armed groups there is no proper evidence. The Chechen police never conduct a proper police investigation because they simply are not able to do that. Chechen police only know how to hunt insurgents, but still they are required to show results as if they were a fully functioning police force.

An ICG analyst in Moscow explained that the Chechen police operate an extensive network of informers at village level throughout the republic. If someone leaves a village it will be known within a few days and could be reported to the local police by an informer. If someone disappears from a village and never returns, it would definitely be noticed by other villagers. Even if people leave the village to work in Russia, there might be uneducated people in the village that would think that the person who left had joined the insurgency and report their suspicion to the local police. When asked how the police would follow up on such reports the ICG analyst in Moscow explained that it would not be possible to state a general pattern of behavior or identify a specific and typical reaction. The reaction of the police would depend on the circumstances of the specific situation.

An ICG analyst in Moscow stated that the people who actively support the insurgents by providing food, clothes, medicine and other supplies are not complete strangers to the insurgents. The supporters are relatives, friends or people known from the Mosque or the village by the insurgents. It was added that most insurgents are known to be insurgents by members of their local community as well as by the local authorities.

An ICG analyst in Moscow agreed with the Human rights activist (A) that more distant relatives of either members of the insurgency or supporters of the insurgents very rarely are targeted by the Chechen authorities. It would be the exemption that other relatives than brothers or fathers are questioned or detained by Chechen police.

An ICG analyst in Moscow stated that there has been a breakdown of traditional values in the Chechen society and for examples women can no longer be considered safe from physical violence if they are detained or arrested. However, women are not exposed to beatings and other forms of physical violence if in police custody as often as male detainees.

Concerning the situation facing family members of suspected active insurgents or family members of suspected supporters of the insurgency an ICG analyst in Moscow agreed with the view expressed by a human rights activist in Grozny (A)⁵⁹. However, close relatives of suspected active insurgents as well as relatives of suspected supports are in real risk of being detained and subjected to beatings and torture. Close relatives are fathers, mothers, brothers and sisters. It would be the exemption if the Chechen authorities would pay that kind of attention to more distant relatives of suspected active insurgents as well as relatives of suspected supports. Even male cousins to a suspected supporter of the insurgents would only very rarely come in the spotlight of the authorities. In July 2014 suspect insurgent, alleged in killing police officer in Grozny, was killed in special operation. All his family, including uncles, was forced to leave their native village of Goy-Chu and republic. Interior minister said on the need of collective responsibility on Chechen TV.

Freedom of movement

An ICG analyst in Moscow stated that there are no permanent checkpoints (блокпост) within the Chechen republic, except some high mountain areas. Since 2007 there have been no permanent checkpoints within the cities in Chechnya, except that near security official and some administrative buildings. In the case of special operations related to the insurgents, the authorities would set up temporary checkpoints in the area.

⁵⁹ When asked about the situation for family members of suspected active insurgents or family members of suspected supporters of the insurgency, a human rights activist in Grozny (A) explained that it would be very rare, if at all, that the Chechen authorities pay attention to distant relatives and such relatives would not be punished or exposed to beatings or torture. However, close relatives of suspected active insurgents as well as relatives of suspected supports are in real risk of being detained and subjected to beatings and torture. Close relatives are fathers, mothers, brothers and sisters. But it would be the exemption if the Chechen authorities would pay that kind of attention to more distant relatives. Even male cousins to a suspected supporter of the insurgents would only very rarely come in the spotlight of the authorities.

Security and human rights in Chechnya

According to an ICG analyst in Moscow traffic police (дпс) man some check points on the roads leading in and out of Grozny. They could ask drivers to open the car trunk. The traffic police are not involved in anti-insurgency activities as such. Furthermore, there are some checkpoints at the administrative borders to Ingushetia and Dagestan, and Stavropol krai. In fact these borders as well as other administrative borders in the North Caucasus look like state borders. This is only partly because of security concerns but also because of the hostile attitudes between several of the local leaders in the region e.g. the mayor of Khasavyurt in Dagestan and Ramzan Kadyrov, Ramzan Kadyrov and head of Ingushetia Yunus-Bek Yevkurov. It was added that car license plate have region specific numbers making it easy to recognize a car registered in Chechnya. However, it is much easier to travel inside of Chechnya as well as in and out of the republic compared to the situation in 2007. It was added that there are no systematic checks of documents when crossing the administrative border between Chechnya and Ingushetia. However, at the administrative border between North Ossetia and Chechnya everybody is checked.

Commercial air plane tickets are rather expensive and so is the train from Grozny to Moscow, so most people use buses when travelling to other regions. Anyone can buy a bus ticket and until 2013 there had not been requirement for showing any kind of identity documents when buying bus tickets, passports become required after several terrorist attacks on transport. Passengers on busses crossing the administrative borders are not checked by the authorities except in special circumstances such as elections, whereas passengers arriving in or leaving from Grozny on commercial air planes and on the trains have to go through extra security control.

An ICG analyst in Moscow stated that passengers arriving in or leaving from Grozny on commercial air planes and on the trains have to go through extra security control. If a person is wanted by the Chechen authorities and the authorities have extended the search to the federal level that could “ring a bell” with the authorities in the airport or at the train station in Grozny and the person in question would risk being detected and detained. However, it is not clear how effective the system is and whether the person would be able to leave Chechnya unnoticed through the airport or the train station. It was added that it is possible to cross the administrative borders of Chechnya without showing any kind of identity documents, even though there are occasional identity checks carried out at the administrative border to Dagestan and more regular identity checks at the administrative border to Ingushetia, North Ossetia and Kabardino-Balkaria.

An ICG analyst in Moscow explained that Chechens have a very strong sense of homeland, and the native village of the family is known by all Chechen. The family is at the center of every Chechen’s mind. It is close to impossible to imagine abandoned children in Chechnya, because there would always be some relative who would cater for the child.

Duty to appear

According to an ICG analyst in Moscow in not too serious criminal cases Chechen police do make use of orders to appear for questioning at the police station (повестка).

Salafis

An ICG analyst in Moscow explained that the Chechen leaders have declared their intention to destroy Salafism in Chechnya and everything that is not consistent with the traditional Chechen Sufi interpretation of Islam. Adherents to the Salafi movement are denoted “Wahhabists”, enemies of Russia and enemies of Islam. What can be seen is that the traditional Chechen Sufi interpretation of Islam is being strictly implemented on the Chechen population. Adherents to the Salafi movement are at best ignored. However, in the beginning of 2014 Kadyrov publicly criticized the Salafi movement and he swore to fight the movement and destroy it with the help of Imams, police and others. As a result, in January and February 2014 a campaign of mass arrests of men with long beards took place in the Mosques, at work places, universities and in the streets. Hundreds or even thousands were arrested, taken to the police station or a barbershop and forced to shave off their beards. Many were beaten and some were taken to Kadyrov’s home in Tsentoroy. All, but one, were released after a day or two. Wife of one detained man told ICG her husband was probably kidnaped by security officials and disappeared two days after been detain for few hours. In some cases the relatives were brought to the police station and instructed to beat their detained male family member. As a consequence many chose to remove their beards before they were arrested and they stayed away from the Mosques. It was added that during ICG’s stay in Chechnya in February and March 2014 none of the victims of the so-called “anti-Wahhabist campaign” wished to speak with ICG and there was no mentioning of the campaign in the Chechen or Russian media. ICG obtained information about the campaign from spouses and other relatives of the victims of the campaign. The spouses stated that their men were “paralyzed by fear”.

An ICG analyst in Moscow explained that men with long beards are at risk of being subjected to body-searches and having their mobile phones confiscated and checked for compromising information e.g. video clips of Salafi inspired speeches or insurgents’ actions as the police are looking for evidence of some criminal activity. It was added that some male adherents to the Salafi movement, apart from their long beards, are easily recognizable because they often wear knitted skull caps, long shirts and wide trousers. Another way of identifying Salafis is that they leave the Mosque shortly after the service has ended on Friday, while Sunnis stay for additional pray. However, despite the campaign against Salafi followers, the Salafi movement is gaining supporters among young men in Chechnya.

HR activists and opposition

An ICG analyst in Moscow stated that Kadyrov in February 2014 on Chechen state television verbally attacked the chairperson of the Committee Against Torture, Igor Kalyapin. Local human rights activists are either subjected to threats or paid by the Chechen government to align with the official policy.

Concerning the situation of people who do not conform to the thinking of Kadyrov, an ICG analyst in Moscow referred to the recent case of the civil society activist Ruslan Kutaev. On 18 February 2014 Kutaev participated in an academic historical conference held to mark the 70th anniversary of the deportation of the Chechen and Ingush peoples. During the conference the issue of economic compensation to the victims of the deportation was raised. Apparently, this made Kadyrov very angry as he believes that the Chechens deserved to be deported because they supported Germany and Hitler against the Soviet Union

during the Second World War. For several years now the issue of Stalinist deportation of Chechens to Central Asia has virtually been banned from public discussion, as are public events on its memorial day, commemorated every year on February 23, which coincides with the Russian national holiday celebrating its military men, the so-called “Day of the defender of the homeland”. In 2014 the 70th anniversary of the genocidal deportation also coincided with the closing ceremony of the Winter Olympic Games in Sochi. Public memorial events were banned in all three North Caucasus republics where Chechens and Ingush reside. However, in Chechnya a real war on memory was launched. Kadyrov made it clear that no mourning events would take place in Chechnya in February any more, instead the unified mourning day from now on would be on 10th May, the day when his father was buried. The following day, a number of the participants in the conference including Kutaev received a phone call to see the head of administration in Chechnya, Magomed Daudov. Kutaev did not respond to this call and on 20 February 2014 he was taken away from his home by a group of police officers. Kutaev was beaten and mistreated by Daudov and the police and he was subsequently charged with possession of three grams of heroin. A few days later Kadyrov said in an interview: “He [Kutayev] held the conference dedicated to the 23 February, that’s why he was detained.” However Kutayev was sentenced for 4 years in prison.

According to an ICG analyst in Moscow the case of Kutaev is a clear example of a fabricated criminal case and should be seen as a warning to the civil society not to oppose Kadyrov in any way. The case is also illustrative of the psychological pressure that is often applied against family members of persons who have fallen out against Kadyrov. The day after his arrest, Kutaev was shown a fresh photograph of his nephew who lives in Moscow with the implicit threat that the Chechen authorities knew of the whereabouts of even more distant relatives to Kutaev. It was added that the Chechen authorities no longer need to make use of violence because the level of terror is so high and deep-rooted in the Chechen population. Threats are usually sufficient to make people subject themselves to the will of Kadyrov.

Women in detention

An ICG analyst in Moscow stated that today women in detention are more likely to be exposed to ill-treatment and torture as opposed to the situation some years ago when violence against women was considered to violate Chechen tradition. Recently, in one confirmed case a woman was raped while in police custody.

Kadyrov

An ICG analyst in Moscow explained that Kadyrov often is called “King” in the Chechen media.

An ICG analyst in Moscow found it plausible that Ramzan Kadyrov has been psychologically affected by his upbringing with a distant father figure. In addition to that it is possible that he affected by a feeling of guilt or responsibility of the death of his father who was killed while Ramzan Kadyrov was in charge of the presidential body guard. It was added that it is possible that Ramzan Kadyrov is genuinely interested in fighting illegal drugs and in helping drug addicts because his older brother died of drug abuse.

Economy

An ICG analyst in Moscow stated that some functioning agriculture can be found in Kurchaloy District and Gudermes District in the eastern part of Chechnya close to Kadyrov's home region, in Shelkovskoy district too. In addition some factories and companies produce food and goods for local consumption.

An ICG analyst in Moscow explained that the black economy is thriving in Chechnya. Almost every state employed and businessmen are obliged to pay a part of their salary or income to the special "Kadyrov Fond" even though there is no legal basis for that kind of tax. In one case a headmaster refused to pay the tax and consequently lost his job.

Transfer of suspects from other parts of Russia to Chechnya

When asked if the ICG analyst in Moscow had ever heard of Chechens who have relocated to other parts of Russian Federation were arrested and transferred back to Chechnya because they were suspected of having provided food, medicine or transportation to members of the insurgents in Chechnya, the ICG analyst in Moscow stated: Yes, and referred to two news reports from www.newsru.com.

A news report from July 17, 2010 referred to the arrest in the city Astrakhan of a Chechen man who in January-March 1999 had provided the illegal armed groups with food. See: <http://www.newsru.com/russia/17jul2010/sdm.html>

A news report from March 1, 2011 referred to a Chechen man detained by Moscow police officers suspected of having provided money and food to the illegal armed groups in Chechnya during the summer of 2009. See: <http://www.newsru.com/arch/russia/01mar2011/terra.html>

When asked if the ICG analyst in Moscow had ever heard of Chechens who have relocated to other parts of Russian Federation were arrested and transferred back to Chechnya because one of their family member or relative was suspected of having provided food, medicine or transportation to the insurgents, the ICG analyst in Moscow replied: "I do not know such cases."

If aware of such judicial transfers of people who are suspected of being somehow affiliated with the insurgent back to Chechnya for prosecution, the ICG analyst in Moscow was asked to provide as much details as possible about the cases. The ICG analyst in Moscow replied that sometimes Chechen police detain people in other regions [of Russia], sometimes local law enforcement structures help them. The department on combating extremism of MVD [in Chechnya] is now under Kadyrov's people control, this department can operate all around the country. Reference was made to eight news articles:

A news report from 7 December 2008 refers to the arrest by Moscow police of a Chechen militant suspected of participating in the attack on the village of Alhazurovo near Urus-Martan in March 2008. The militant was on the federal search list and was arrested at Kazan train station in Moscow. According to the report the militant was transferred to Chechnya. See: http://www.infox.ru/accident/crime/2008/12/07/boevik_chechnya.phtml

Security and human rights in Chechnya

News report from March 25, 2009 reports the arrest of a Chechen man in Kaliningrad and subsequent transfer to Chechnya for prosecution for committing a number of serious crimes in Chechnya. No further detail about the crimes committed was reported. See: <http://www.tuta-bonus.ru/news/659>

An article in Kommersant from 17 February 2011 reported the arrest in Moscow of four Chechen men suspected of being active members of the illegal armed groups in Chechnya. The men were arrested by Chechen police in cooperation with local police at the Kiev railway station in Moscow. One of the arrested was on the federal search list. All four would be transferred to Chechnya for prosecution. See: <http://kommersant.ru/doc/1586922>

A news report on the website of the Chechen government website of 27 November 2009 referred to a report from Interfax that Chechen police in cooperation with local police and FSB operatives had arrested three members of the illegal armed groups in Astrakhan. One of the arrested had acted as a money courier for the illegal armed groups. See: <http://chechnya.gov.ru/page.php?r=126&id=6409>

An article on the website of Caucasian Knot from 8 October 2010 reported the arrest by Chechen police of a Chechen man in Novgorod suspected of being member of the illegal armed groups and participation in attack on settlements in the Vedeno district in Chechnya. The man was reportedly transported back to Chechnya for prosecution. See: <http://www.kavkaz-uzel.ru/articles/175967/>

A news report on the website of the Chechen government from August 1 2011 reported that two members of the illegal armed groups were detained in Astrakhan by local police in cooperation with Chechen police. They were transferred to Chechnya for prosecution of carrying out an armed attack on police officers in Chechnya on 6 July 2011. See: <http://chechnya.gov.ru/page.php?r=168&id=953>

An ICG analyst in Moscow referred to a report from 12 April 2012 about alleged insurgents arrested in Belarus by Belarussian KGB and transferred to Russia in accordance with international agreements. The arrested were suspected of having killed Chechen police officers. See: <http://news.rambler.ru/13542879/>

An ICG analyst in Moscow also referred to a report from Caucasian Knot from 6 January 2014 about an alleged insurgent arrested in Ukraine and transferred to Chechnya. The alleged insurgent was wanted by Interpol and suspected of having killed an injured several people in an attack in 2005: <https://kabardino-balkaria.kavkaz-uzel.ru/articles/236260/>

International Organisation for Migration (IOM), Moscow

IOM Moscow explained that around 2500-3000 Russian citizens have returned to Russia on IOM's assisted voluntary return programmes and some have benefitted from a reintegration programme. 1500 of these have returned from Poland. In addition to these figures 300 Russian citizens have returned from other European countries than Germany. It was estimated that 90-95% of the Russian citizens who are returning with the assistance of IOM are Chechens. Approximately 70% of the returnees participate in IOM's reintegration programme. The exact composition of the reintegration programmes varies from country to country. IOM consider the amount of 4.500 Euros to be the minimum to sustain a family.

IOM in Moscow explained that the Austrian reintegration programme for Chechens is now involving 160-200 cases a year which is an increase compared to previous years when it was around 100 cases. Normally one case is a family with children.

According to IOM Moscow returnees only rarely wish to return to somewhere else than their native region, although technically they could go and settle anywhere in the Russian Federation. It was added that healthcare is free of charge where one has residence registration.

IOM Moscow stated that the returnees register their residence upon arrival at their destination in Russia, including a restoration of their internal passport if necessary.

IOM Moscow stated that as a group the returnees are not experiencing harassment by the authorities during the process of restoring their documents or registering their residence. However, in some cases returnees could experience the kind of general bureaucratic latency by some government officials that any Russian citizens could experience when in contact with the Russian bureaucracy. IOM Moscow always notifies the local FMS office when returnees arrive, and this has proved to work very well in terms of making the procedures less troublesome. It was added that some returnees have their internal passport and therefore they do not need to go to the FMS office to get it restored. IOM Moscow stated that even if a returnee had been out of the country for a long time the residence registration would still be in the FMS system and it would not pose a problem to return to the same location..

IOM Moscow stated that they had not received any reports of returnees experiencing problems with registration of residence in Chechnya or elsewhere in the Russian Federation. Anyone could be unlucky and experience petty corruption or discrimination from officials but it was emphasised that this was not the rule. In the end everyone gets their residence registration, even without paying a bribe. It was added that corruption and harassment were not specifically targeted at Chechens or returnees.

IOM Moscow stated that according to their information most Chechens travelling to Europe go to Brest in Belarus.

IOM Moscow was not sure if the Chechens had to bribe the Belarus border guards as they are free to cross the border to Poland without any obstacles. From the border they are sent to a reception centre for the registration of their asylum application and fingerprints. In front of the reception centre and before the fingerprints are taken and the identity of people has been established minibuses are waiting offering to transport people to all other destinations in Europe such as Brussels, Vienna, Berlin, and Copenhagen etc.

Security and human rights in Chechnya

IOM Moscow stated that the main problems in Chechnya today are high unemployment and the republic's poor economy. Most Chechens migrating to Europe are from poor rural areas with limited employment opportunities. It was estimated that 80% of the Chechens that leave for Europe are migrating for economic reasons. IOM in Moscow added that the Chechen who go to Moscow, St. Petersburg or other big cities in Russian tend to stay in those cities. The Chechen who have decided to go to western Europe usually do not travel through Moscow or St. Petersburg..

IOM Moscow stated that they have not received reports of the returnees to Chechnya experiencing any kind of problems or conflicts with the local authorities. None of the Chechen who have returned on the assisted voluntary return program has been charged with support to or affiliation with the illegal armed groups. No one on IOM's program has been prosecuted in connecting with the insurgency. It was added that it is not possible to monitor everyone closely and that in some cases the IOM does not have any contact at all with the returnee. It was added that in general there is no negative attitude towards migrants returning from Europe from the side of the Russian authorities or the Chechen authorities. In fact the Chechen authorities show a very positive attitude towards returnees.

Journalist specialised in the North Caucasus (A)

A journalist specialized in the Caucasus region (A) explained that anyone who encounters problems with the Chechen police have very limited means of help and assistance. Not even Memorial has the means to assist all those who have reasons to fear the Chechen authorities. If people contact the journalist specialized in the Caucasus region (A) they would be referred to Igor Kalyapin of CAT. Igor Kalyapin is well-known by Chechens after he took on the case of Umarpashaev.

A journalist specialized in the Caucasus region (A) explained that Chechens would only leave Russia if they have a really serious problem with the authorities in Chechnya. Most Chechens are not keen on leaving their home, but if they believe that they are in danger because of some serious problem with the Chechen authorities or if the intimidation and small scale harassment become unbearable they would ultimately have to leave Chechnya. It was added that many Chechens choose to stay in Chechnya despite being in an insecure situation.

When asked where Chechens who have a conflict with the Chechen authorities would go if they decide to leave Chechnya, a journalist specialized in the Caucasus region (A) explained that they do not tell anyone where they go, but in general they do not stay in the Russian Federation. They would rather opt for Europe or Central Asia e.g. Kazakhstan. They are afraid of the Chechen authorities and they know that people have been killed by the Chechen authorities even in Austria. It was emphasized that any openly critic of Kadyrov would not be safe in any place in the Russian Federation. Such critics would not only have their personal security to consider but their family members in Chechnya would receive threats and risk physical harm.

A journalist specialized in the Caucasus region (A) explained that people with a less serious conflict would probably choose to go to Moscow or the Moscow Region. A large number of Chechens live and work in Moscow. Many Chechens also worked in construction in Sochi leading up to the Olympic Games. There are other larger communities of Chechens in other large cities working in the construction business and industry.

A journalist specialized in the Caucasus region (A) had not heard of cases where people accused of having supported the insurgency in Chechnya with food, shelter or medicine had been officially transferred from other parts of the Russian Federation to Chechnya to stand trial. Neither did he know of cases where non high profiled Chechens have been unofficially transferred i.e. kidnapped and taken back to Chechnya to stand trial. However, he had heard of two Chechens brothers who were deported from Germany and killed in Chechnya within two weeks after their arrival.

Journalist specialised in the North Caucasus region (B)

A journalist specialized in the North Caucasus region stated that the level of discrimination, xenophobia and racially motivated violence against persons from the North Caucasus has declined in the past years and is directed much more towards migrants from the countries in Central Asia. It was added that the current positive situation for Chechens in Russia depends on the good relationship between President Putin and Ramzan Kadyrov.

A journalist specialized in the North Caucasus region stated that the level of support to Ramzan Kadyrov may vary among Chechens in the various cities of the Russian Federation, but all Chechens believe it is positive that the perception of Chechens among the Russian population has improved.

A journalist specialized in the North Caucasus region explained the perception of Chechens in Russia has improved after the Winter Olympic Games in Sochi. Furthermore the current situation in Ukraine has created a new enemy and that has moved the focus away from the people of the North Caucasus. However, the general attitude among Russians towards people from the North Caucasus can move in both a negative and a positive direction, and it would be easy for the Russian authorities to provoke a negative attitude towards people from the North Caucasus if it would be politically opportune to do so.

A journalist specialized in the North Caucasus region stated that in leading up to the state council elections in 2006 he was visited by the local police officer at his home in Moscow. The police officer wanted to make a list of all the journalists' family members. When asked why he would do that, the police officer admitted that he was under instruction from the MVD to check up on all Chechens in the local area before the elections. Since then there has been other elections but the journalists were never again visited by the police. It was added that in 2008 it was the Georgians that received the attention from the Russian authorities and had a negative image in the minds of the Russian people. Now Ukrainians are in focus and accused of attempting to commit terroristic acts. In general the sentiment towards different groups in Russia is to a large extent determined by the authorities. It was added that more than 10 years of negative propaganda aimed at Chechens of course has not completely disappeared, and some Russians continue to fear of people from Chechnya because of the propaganda.

A journalist specialized in the North Caucasus region stated that false accusations and fabricated criminal cases, e.g. police planting drugs, ammunition or explosives, against Chechens residing in the Russian Federation outside of the Chechen Republic is a thing of the past. Such cases are now very rare and the problem has decreased for several years.

Insurgents in Chechnya

A journalist specialized in the North Caucasus region stated that the actual number of armed insurgents fighting in the North Caucasus is very low. It was added that the insurgents in Ingushetia, Dagestan and Kabardino-Balkaria are motivated by the idea of the Caucasus Emirate whereas the insurgents in Chechnya to a much larger extent are motivated by nationalistic ideas. The Chechen insurgents are in reality fighting for separatist reasons and the very small groups of insurgents are all that is left from Dudaev's fight for independence in the 1990's.

A journalist specialized in the North Caucasus region stated that the insurgency groups in Ingushetia and Dagestan are sympathetic to the fight for world Jihad and they are connected with the groups in the Middle East that share those ideas.

A journalist specialized in the North Caucasus region explained that a split among the insurgent groups took place in 2007 after Doku Umarov claimed that there was no such thing as a Chechen identity but only one Caucasus Emirate from sea to sea. The Chechen insurgent leaders and groups temporarily left the structure as they understood that the ideas behind the Caucasus Emirate was different than theirs.

A journalist specialized in the North Caucasus region explained that among Chechens the ideas of world Jihad and radical Islam have almost no followers or supporters when compared to the population in Ingushetia and Dagestan.

Prosecution of suspected supporters of the insurgents

According to a journalist specialized in the North Caucasus region one reason for the practically 100% conviction rate for people accused of having supported the insurgents is because of the inherited soviet legal system. The result of the work of the police is only seen in figures and the ones that are promoted are the ones who can produce the highest number of arrests or convictions. This means that the police and the prosecutor have a common interest and that is to ensure a steady flow of arrests and convictions. In addition to that there is a tradition of never admitting to a mistake. This means that once arrested and accused of a crime it is very unlikely that a person would not be convicted of some offence. This inheritance is one of the reasons why even today people are convicted of having provided support to the insurgents in Chechnya, even though there are almost no insurgents left to support in the republic.

Rule of law

A journalist specialized in the North Caucasus region stated that today the police and other law enforcement structures in Chechnya enjoy complete impunity and the only one who can control them is Ramzan Kadyrov. In short there is no rule of law in Chechnya as in reality the law is under complete control of one person, Ramzan Kadyrov.

A journalist specialized in the North Caucasus region (B) stated that unlike in other republics in the Russian Federation the Chechen Ministry of Interior is under almost complete control of the Chechen authorities and although the heads of the republic ministries and departments are officially appointed by the Federal Ministries in Moscow, Ramzan Kadyrov, unlike the heads of the neighbouring regions, has more influence on local law enforcement officers, which gives him a significant advantage to maintain his power base compared to the other republics.

Residence registration

A journalist specialized in the North Caucasus region stated that seven-eight years ago the attitude towards Chechens was very different from today. The wars in Chechnya and the terrorist attacks in Moscow were still in the minds of people and the authorities paid special attention to Chechens. At that time a Chechen registering his residence would face a visit by the local police officer and would be asked a lot of questions and even demanded to give his fingerprints. However, now the situation is different and registration of residence is unproblematic for Chechens. If a person owns an apartment it is no problem at all to register. It was added that five years ago the laws on residence registration were changed so that a citizen can stay for three months in a place without registration whereas it used to be three days. As a consequence the police no longer stop citizens from the North Caucasus on the streets and ask for registration papers.

Jobs

A journalist specialized in the North Caucasus region stated that finding a job and an apartment is the real challenge for citizens from the North Caucasus moving to a new area or city in Russia, but that applies to all Russian citizens. However, residence registration does not pose a real problem to Chechens.

A journalist specialized in the North Caucasus region stated that there is an unofficial instruction in the federal Ministry of Interior not to employ persons of Chechen origin in the ministry, the police and other government agencies under the MVD. This is even the case for persons of Chechen origin who are Moscow residents and have

Security and human rights in Chechnya

graduated from university. The existence of this unofficial instruction has been confirmed to the journalist by sources within the Ministry of Interior.

A journalist specialized in the North Caucasus region stated that there are examples of discrimination of north Caucasians in terms of vacant job positions in the Ministry of Interior including the Prosecutors office. If there are two equally qualified candidates and one of them is from Chechnya and the other is an ethnic Russian, the latter will get the job. It was added that there are no Chechens among the heads in the Ministry of Interior in Moscow, but many Chechens are employed in lower level positions.

Renting

A journalist specialized in the North Caucasus region stated that in listings for flats or rooms for rent it is not uncommon that they read “no Caucasus people” or “only Russians”.

Khamzat Gherikanov, Chairman of the Board, Chechen Social and Cultural Association, Moscow

According to Khamzat Gherikanov, Chechen Social and Cultural Association, it is a firmly rooted tradition in the Russian legal system that the system cannot make a mistake. When the system has allocated resources on conducting an arrest of a suspected supporter of the illegal armed groups and investigated the case, the suspect simply has to be found guilty. That explains why the conviction rate is so high.

Khamzat Gherikanov, Chechen Social and Cultural Association, stated that the perception of Chechens in the general Russian population has improved in recent years and in particular after the Sochi Olympics and the current situation in Ukraine. People from the North Caucasus are no longer considered to be dangerous to Russia. However, many Russian nationalistic organisations attempt to develop an idea that what they label as “non-Russians”, such as people from the North Caucasus or Tartastan, should not feel at home in Russia and they should stay in their home regions in Russia.

Khamzat Gherikanov, Chechen Social and Cultural Association, explained that leading up to the elections for parliament in 2011 the political parties including the democratic parties began to use nationalistic language. This went on during the election of the mayor of Moscow in September 2013 and included even United Russia and the Communist party.

According to Khamzat Gherikanov, Chechen Social and Cultural Association, there has been an increase in the media attention devoted to local incidents of street violence with a potential “nationality angle”, such as a fight involving people from the Caucasus and ethnic Russians. In the case of a fight between a Russian man and a man from Azerbaijan who used a knife almost led to a uprising in South Moscow. The media present such cases as if Russians are under pressure from non-Russians despite the fact that ethnic Russians constitute the great majority of approximately 80% of the population in Russian.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that the negative media attention towards people from the North Caucasus stopped just before the Sochi Olympics. After the Olympics began all stories in the media were idealising all Russians joining the nation in order to create a beautiful image of a united Russia to the world. At once there were no attacks on or negative statements towards North Caucasians or other non-Russian nationalities. The subject was closed.

Khamzat Gerikhanov, Chechen Social and Cultural Association, considered it likely that as long as the turbulent situation in Ukraine persist, the people from the North Caucasus will not be the focus of attention in Russian media or among nationalistic groups.

When asked if the terror attack at the Volgograd train station in any way affected the perception of people from the North Caucasus in Volgograd and Russia in general, Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that the attack had no consequences regarding the perception or the daily life of Chechens or other people from the North Caucasus. It was added that there are no longer any reports regarding problems for people from the North Caucasus in Moscow in terms of fights or other racially motivated violence.

According to Khamzat Gerikhanov, Chechen Social and Cultural Association, it almost seems as if there was a directive from Kremlin before the Sochi Olympics that everything must be fine in Russia in order to show that the nation is strong and undivided. However, there are racially motivated fights in Moscow, as there always has been, but in terms of media attention the subject appears to be closed and no one writes about it.

Security and human rights in Chechnya

Khamzat Gerikhanov, Chechen Social and Cultural Association, explained that new anti nationalistic laws have been passé in Russia. After the riot at Bolotnaya and Pushkin squares the government recognised that nationalistic violence presented a problem. Several people were prosecuted following the riots and the authorities wanted to react firmly against nationalistic tendencies even though they are “pro-Russian”. In the past years there have been several large fights initiated by the nationalistic movements or groups in and around Moscow. The authorities did not expect such large riots and are afraid that these nationalistic groups should develop into something more organised that might eventually challenge the authorities.

When asked how the changing perception among the general population and the new laws translate into the life of ordinary people and the Chechens living in Russia outside of Chechnya, Khamzat Gerikhanov, Chechen Social and Cultural Association, explained that in recent time there have been no significant problems of Chechens being prosecuted, harassed, discriminated or accused of something only because of the fact that they are Chechens or North Caucasian. It was added that the negative attention from nationalistic groups or corrupt police officers in Moscow are directed against foreign citizens e.g. people from Central Asia.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that the one problem facing young well educated Chechens is finding a job within the judicial and security or defence related government institutions such as the Ministry of Interior, the police or the prosecutor’s office. Khamzat Gerikhanov, Chechen Social and Cultural Association considered that there might be some unwritten decree that law graduates from North Caucasus should not be accepted in positions in these government institutions.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated in previous years Chechen could risk being stopped on the street, undergo a document/ID check, being taken to a police station, have fingerprints taken and forced to pay a bribe to be released. That does not happen anymore. Chechens in Moscow and other places in Russia are no longer at risk of being falsely accused in connection with fabricated criminal cases involving drugs, ammunition or explosives, and Chechen children are not harassed, shouted at or mocked of being Chechens. The police have shifted their attention to people from the former Soviet republics in Central Asia. Citizens of the former soviet republics must register their residence within three days after arrival in Russia, whereas Russian citizens have to register within 90 days of arrival in a city. Some of the migrants from Central Asia do not manage to register within three days and the police therefore consider them an easy prey and demand bribes from them. The fact that migrants from Central Asia are more numerous in Moscow than Chechens could explain why police officers would rather collect bribes from this group than from Chechens.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that registration of residence has become much easier compared to two years ago. Now the FMS has set up one service centre in Moscow where one can go and receive all necessary information, hand in the required documents i.e. a copy of the internal passport and fill in the notification of registration. It is no longer necessary to go to the police or to the house manager of the apartment complex and fewer administrative steps are involved, including the opportunity to use an electronic procedure. The new procedures have made it significantly easier to register residence and the procedure is concluded in a couple of days. The registration is valid for five years. In general the services to citizens in Moscow have greatly improved with the city’s new mayor, Sobyenin, who won the election in September 2013.

Gerikhanov, Chechen Social and Cultural Association, explained that migrant workers in large numbers used to register residence in the same apartment, while they lived somewhere else. Such apartments were known as “rubber apartments”. As a consequence, there is now a limit on the number of people who can register in an apartment. The limit depends on the size of the apartment.

When asked if he had heard of landlords receiving phone calls from the police because they had Chechen tenants Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that he had not heard of that. However, when citizens register their residence at landlords, the information is automatically transferred to the local police. It is the responsibility of the police to check the person registering and to check if the owner of the apartment pays taxes. Of course these checks could occasionally involve Chechens, but the police are not as a rule hostile against Chechens tenants or landlords.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that there is corruption within the Russian police and for some police officers crimes are seen as an opportunity to extort money from the persons involved. It was added that the traffic police are especially prone to this behaviour and even small traffic violations can be used to extort money. This is the reason why many Russians have attached small cameras in their cars in order to have evidence in case the traffic police accuse them of a traffic violation. The traffic police have attempted to ban these cameras arguing they present a danger to road safety.

When asked what the biggest challenge is for a Chechen who wants to leave Chechnya and move to another part of the Russian Federation, Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that finding a job would be the most difficult issue. However, the lack of jobs is a national problem and not specific to Chechens. Unless a person is a highly needed specialist, jobs are very difficult to find. If the a person has no network in terms of friends or relatives, finding a job and an apartment would be more difficult and in such a case it might be more difficult for someone from North Caucasus compared to an ethnic Russian. However, finding accommodation for Chechens has become less troublesome year by year. Actually, in general Chechens are good tenants. They are known to undertake improvements of the apartments that they rent and live in, and complaints from landlords of Chechen tenants are almost non-existing.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that the challenge is that some people, in particular in Moscow, do not have a clear perception of the nationalities of the Russian Federation. For them all people from the Caucasus are considered the same. Therefore the Muscovites' perception of people from the South Caucasus such as Azeris, Georgians or Armenians reflects on Chechens and other Russian citizens from the North Caucasus. In recent years there has been a negative perception among Russians of people from the southern Caucasus countries.

Khamzat Gerikhanov, Chechen Social and Cultural Association, did not doubt that housing and other social benefits in the European countries are attracting some Chechens, and most do not choose to migrate internally in Russia but prefer to seek a brighter future in Europe.

Lawyer from Grozny

A lawyer from Grozny explained that cases of gender based violence and criminal cases constitute the majority of cases in which the lawyer is involved. From 2003 to 2009 the lawyer worked specifically on cases involving persons accused of having supported the insurgency.

Pressure on lawyers

A lawyer from Grozny explained that since Ramzan Kadyrov came to power in 2006 all lawyers working on cases related to the insurgency were informed that they should not put too much effort into these cases. Otherwise, they could risk losing their license to practise law. The lawyer from Grozny was familiar with colleagues who have lost their license in that regard.

A lawyer from Grozny stated that alongside the fear of losing their license some lawyers have also felt under pressure by insurgents and the Chechen authorities not to take on insurgency related cases.

Question: Could you please describe what kind of specific pressure has been applied from insurgents and from authorities? How does the pressure materialize itself in practice? No answer provided.

A lawyer from Grozny explained that it is difficult to find a lawyer in Chechnya who is willing to take on cases that involve the insurgency. This would include cases of legal defence of people who are accused of providing support to the insurgents. The defence lawyers in Chechnya are afraid of reprisals from the authorities. Very few lawyers in Chechnya dare to conduct a proper legal defence, and they are under pressure from the authorities not to do this. It was added that although everyone in Chechnya will be supplied with a defence lawyer, very few lawyers would take on a case involving support to the insurgency and provide proper legal defence out of fear of losing their license to practice law.

A lawyer from Grozny referred to a case from 2012 in Argun in which a colleague was representing a young man accused of having supported the insurgency. The young man was released by the court as there was no evidence to substantiate the charges. After his release, he was apprehended in his home by the Chechen police. He managed to make a phone call and tell what was about to happen before he was taken away. Local residents saw that he was taken from his home by police officers. One week later he was found dead in the river in Grozny. His body showed marks from torture. His lawyer was subsequently accused of knowing that the young man was in fact guilty and that he would join the insurgency as soon as he was released. The police claimed that the young man was now dead because he had joined the insurgency. Other lawyers mobilized support for the young man's lawyer and the case ended without further legal steps being taken against the defence lawyer.

A lawyer from Grozny explained that it is possible for lawyers to establish good relations with individual police officers in Chechnya. Such relations are very helpful in terms of receiving information about specific cases or incidents relevant to the lawyers. However, it was added that a lot of pressure is applied on defence lawyers by the Chechen authorities. Since 2002 six lawyers have disappeared in Chechnya.

A lawyer from Grozny explained that when working on a specific case involving accusations of support to the insurgents, the prosecutor denied a request for access to information filed by the lawyer from Grozny. The prosecutor explained that the request was denied for the lawyers own safety. It was added that everyone working with cases in the legal system in Chechnya are afraid to get into trouble with the Chechen elite. Even Russians who are employed by the federal authorities and stationed in Chechnya are afraid of the Chechen ruling elite. The lawyer from Grozny knew of two investigators who left their positions because of the injustice they witnessed in Chechnya. Some prosecutors and officers in the Investigative Committee have admitted that they cannot perform their duties and have suggested that the lawyer from Grozny should file complaints with the European Court of Human Rights.

Rule of law/criminal cases involving support to the insurgents

A lawyer from Grozny stated that in Chechnya laws exist only on paper. Rule of law in Chechnya has broken down completely.

A lawyer from Grozny explained that fabricated criminal cases involving support to the insurgents follow the same pattern. First the people who are victims of a fabricated criminal case are illegally arrested and taken to special detention facility or centre outside of the regular detention system. Here detainees are routinely exposed to ill-treatment and torture with the purpose of extorting a written confession from the victim. Only after the confession has been signed, the victims are officially arrested and transferred to an official detention facility. At this point a doctor is called to examine the detainee and a defence lawyer is allowed access to the person. A decent lawyer would insist on having traces of ill-treatment and torture registered and included in the police file. However, the authorities do not want that to happen and they apply pressure on the doctors not to register marks from ill-treatment and torture on the body of those entering into the official detention system. It was added that it has become more difficult to prove that a detainee has been exposed to ill-treatment and torture because the Chechen police develop their methods. Previously the illegal detention lasted some days, but now the police keep the person in illegal detention for as long as it takes for signs of ill-treatment and torture to disappear. Usually that would be ten to fifteen days. Finally, the police have become better at applying pain while leaving as few traces of ill-treatment and torture as possible.

A lawyer from Grozny stated that everyone who has been detained in an unofficial detention facility or centre would be eligible for a disability pension due the severe torture that routinely takes place there. In almost 90% of the cases the lawyer from Grozny had been involved in, the legal defence attempted to convince the court that torture had taken place at an unofficial detention facility. However, it is almost impossible to prove to the court that the defendant was exposed to torture while in incommunicado detention. It was added that when speaking in privacy with the source some judges have acknowledged that all defendants in cases related to the insurgency have been subjected to ill-treatment and torture.

A lawyer from Grozny referred to a case from January 2007 where the lawyer attempted to prove that torture had taken place. However, it was impossible to prove as there were no available neurologists to examine the detainees for signs of damage to the brain caused by ill-treatment and torture. The lawyer could not convince any doctors with this kind of expertise from the hospital in Grozny to go to the official detention centre and conduct an examination of the victim as they were afraid of going there.

A lawyer from Grozny referred to a court case from 2012. Two young men from Argun were accused of having some kind of relations with the insurgents. They were released by the Chechen Supreme Court in a jury trial. Once they had been in the spotlight, the young men subsequently had no other choice than to join the insurgency in Chechnya out of fear of further prosecution. All involved in the case including the judge and the jury members were accused of supporting the insurgents. The defence lawyer later died of a heart attack.

A lawyer from Grozny referred to a case from January 2007 involving a young man accused of supporting the insurgents. The young man was illegally arrested and detained in a facility where severe beatings, other kinds of physical violence, ill-treatment and even torture are known to take place. The prosecutor asked for a guilty verdict and twenty years imprisonment for the young man, but the judge ruled that the young man was innocent. Consequently, the judge did not have his position prolonged and now he is a lawyer in Grozny. His family is abroad because of fear of reprisals. During the trial a doctor who had examined the young man and registered the traces of the ill-treatment gave evidence regarding the treatment of the young man while in detention. The doctor was

Security and human rights in Chechnya

exposed to pressure and accused of being a traitor. The doctor had to leave for Europe out of fear of becoming a victim of a fabricated criminal case. The young man was later prosecuted one more time, and he is now in Norway.

A lawyer from Grozny stated that there is absolutely no chance of being found not guilty of supporting the insurgency if a state appointed lawyer is in charge of the defence. It was emphasized that approximately 90% of all cases involving support to the insurgency are fabricated.

A lawyer from Grozny stated that the most common charges in cases where someone is accused of having supported the insurgency involve buying and providing food items, Snickers chocolate bars or bread to the insurgents. According to the cases the defendant most often have meet the insurgents while picking wild garlic in the forest. These charges are totally false and fabricated. It was added that according to the law giving food to someone is not a crime, unless you actually know that the person is part of an illegal armed group and you support his ideas and therefore supply him with food or Snickers.

When asked about how it could be that the Chechen authorities continue to arrest and accuse people of supporting the insurgency when there are now very few active insurgents left in Chechnya and the republic has been safe from any major terrorist attacks in the past years, a lawyer from Grozny explained that it is a question of business. If there was complete peace in Chechnya all the Russians on contract in the Chechen law enforcement structures would be out of work. If the Chechen police did not make any arrests, it would mean that Chechnya would be free from insurgents and many Chechen police officers would no longer have a job.

A lawyer from Grozny stated that in some cases Chechen police officers pretend to be insurgents recruiting young men. When they stumble upon someone who is ready to join the insurgents, the police arrest him.

When asked about the number of court cases in Chechnya involving support to the insurgency a lawyer from Grozny was not aware of the number of such cases. However, the information provided by the Chechen Prosecutor's Office of 30 court cases in 2013 regarding support to the insurgency would not reflect the real number of cases. The real figure is much higher as the police departments are required to make at least one arrest per month in such cases. The people who are arrested are quite quickly found guilty by the courts.

A lawyer from Grozny explained that the majority of those arrested and accused of having supported the insurgents are young men. It was added that the family members of people who are accused of having supported the insurgents would also risk being subjected to the same treatment as the one accused of having provided the actual support i.e. being illegally arrested, held in incommunicado detention and subjected to severe beatings and torture. Reference was made to a case from 2012 in which a woman was held for 24 hours in a detention facility. She was severely beaten several times in the head so that her ears were damaged and her teeth were broken. The police suspected that a man she was supposed to meet was an active insurgent. The woman was convicted and received a sentence of one year in prison. It was added that the woman's lawyer had evidence to prove that she was innocent, but the lawyer was too afraid to present the evidence in court. The woman therefore pleaded guilty and received the one year prison sentence. Had she not pleaded guilty, she would have received a harsher verdict.

A lawyer from Grozny explained that the fabricated criminal cases against family members of suspected active insurgents all follow the same pattern. Although the cases are all different, the description in the official reports of the accusations and the names of the people involved are often the same as in reports from previous cases. This clearly indicates that the police do not even bother to write something new for each case and that the cases are fabricated.

A lawyer from Grozny stated that the police would never acknowledge a mistake such as arresting or accusing the wrong person. When they have arrested someone who is completely unrelated to the insurgency, they would rather fabricate a case against that person than admit to the mistake.

A lawyer from Grozny explained that the length of the prison sentence depends on several factors such as evidence of torture during the incommunicado confinement. If the defendant has small children, if the defendant has cooperated with the police and plead guilty to the charges, the judge could opt for a lenient verdict.

Insurgents

A lawyer from Grozny stated that there are very few active insurgents left in Chechnya. The few who are remaining are found in the border region towards Dagestan and Ingushetia. The insurgents are mainly active in Dagestan.

A lawyer from Grozny stated that most or all cases where people are accused of having supported the insurgency with food, shelter, transportation or medicine are likely to be fabricated or false. Especially relatives of active insurgents are likely to be falsely accused of supporting the insurgents. If a relative of an insurgent is arrested, he or she would definitely be exposed to ill-treatment and torture and a fabricated criminal case would be instigated. However, it is very unlikely that people in Chechnya would actually get in contact with active insurgents due to the very limited number of insurgents in Chechnya that are left to support.

A lawyer from Grozny stated that real insurgents are killed by the Chechen authorities rather than apprehended and prosecuted.

Level of fear

A lawyer from Grozny stated that the level of fear in Chechnya is very high. People are afraid to seek help from lawyers or from the police in cases where they have been accused of supporting the insurgency.

Notification to appear for questioning

A lawyer from Grozny stated that in recent years the Investigative Committee have not even used notifications to appear as a witness let alone as a suspect in cases regarding support to the insurgency. Usually, the police would call the person on the telephone as this would not be registered anywhere. The police are so certain that they will succeed in getting a conviction that they do not bother with paperwork.

Wars in Chechnya

When asked if people who were active fighters during the first and second war in Chechnya would face problems with the authorities today a lawyer from Grozny explained that there could be such cases. If the police were in a desperate need to show results concerning the number of insurgency related arrests, they could go to the archives looking for a pretext to arrest someone who was active during the two wars. It was emphasized that some kind of recent conflict would attract the attention of the police and make them look for a pretext connected to the events during the two wars. The police would not build a criminal case solely on events that took place during the first war in Chechnya.

A lawyer from Grozny stated that family members to active insurgents are being prosecuted today in Chechnya. But there are no cases of prosecution of relatives to people who fought in the first war in Chechnya or 15 years ago when the second war in Chechnya began.

Judicial transferral

When asked about the transferral or extradition from one Russian federal administrative entity to the republic of Chechnya of persons wanted for criminal activities, a lawyer from Grozny explained that there was one case from 2007 that was related to the insurgency. A young man was suspected of having a relation to active insurgents. The Chechen authorities had his name put on the federal list of wanted persons. The young man fled the republic and hid out on a farm in the Perm Region. The young man remained in hiding for two years until 2009 when he was found by

Security and human rights in Chechnya

the police in Perm region and transferred back to Chechnya. According to the lawyer from Grozny who had access to the young man when he was in detention in Chechnya, he appeared to have been subjected to torture.

When asked about what kind of relations the young man had with the insurgents, a lawyer from Grozny explained that the young man in fact had relatives who had been active insurgents. In 2009 the young man was sentenced to one year in prison. He was released after nine months because his relatives were mobilized and they managed to contact an independent lawyer.

Mairbek Vatchagaev, editor of the Caucasus Survey

Jihadist – The insurgency

Mairbek Vatchagaev, editor of the Caucasus Survey explained that only jihad groups are found in Chechnya. There are no other organized armed groups i.e. remnants from the fight for independence in the republic. The jihad group in Chechnya is very small and it only exists because it is in hiding. Unlike the other jihad groups in the neighboring republics who live and operate as insurgents in the cities, the Chechen jihad groups are found in the forests and the mountains and because of this they are considered by the other jihadist groups to represent the true resistance and they enjoy much respect. If the Chechen jihadists were killed or disappeared, the entire jihadist movement would be endangered.

Mairbek Vatchagaev, editor of the Caucasus Survey estimated that there are probably not more than one hundred jihadists in Chechnya. They are separated in three groups all hiding in areas characterized by dense forests and mountains.

The first group is in hiding in the forests close to the administrative border to Ingushetia. Emir Khamzat automatically became emir of the Chechen jihadists, and he is leading this group of jihadists. This is where Umarov was able to hide for the Chechen authorities for more than seven years. He never left the area.

The second group is in hiding in Vedensky District in the mountains called the Black Mountains by the Russians. This group was headed by the brothers Muslim and Khusein Gakaev who were killed in a military operation in January 2013. The new commander is Amir Mahran (Makhran). His real name is Saidov Mahran and he was born in 1975. Currently there is no information about the group apart from the fact that it exists. The group has not carried out any operations recently.

The third group is in hiding in the mountain forest near the border to Dagestan. This group is lead by Emir Aslanbek (aka Aslanbek Vadalov) who participated in the first war in Chechnya and who is a very experienced fighter. This group is known to operate in Dagestan. Vadalov was proposed new emir of the Caucasian Emirate by the emirs in Dagestan because he is in command of the largest group of jihadists in Chechnya. It was added that the administrative border to Dagestan is not a real border and it is quite easy to infiltrate into Dagestan from Chechnya. Many Chechens live in Khasavyurt and other cities in Dagestan near the administrative border to Chechnya and Chechens are responsible for actions carried out in Dagestan. They are under command of the Dagestan emir.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that the Chechen jihadists never come to the cities because they would be spotted immediately and either killed or detained.

When asked how it is possible for the insurgents to hide from the large number of Chechen security agents in a rather limited area, Mairbek Vatchagaev, editor of the Caucasus Survey explained that the combination of mountains and forests is unique to Chechnya and a great advantage to the Chechen jihadist. There are no trees on the mountains in Dagestan and Kabardino-Balkaria making it more difficult to hide there. Chechen jihadists are often referred to by other jihadists as “forest brothers”.

According to Mairbek Vatchagaev, editor of the Caucasus Survey that today the men among the 100 active jihadists in Chechnya today are men in their 30'ies. They would typically have joined the insurgency in the years 2007, 2008 and 2009 and they are motivated by ideology or religion. Before 2007 the jihadist that joined the insurgency around 2004 were motivated by vengeance against the Russians. The jihadists in Dagestan are typically younger than the ones in Chechnya i.e. in the start 20'ies.

Security and human rights in Chechnya

Mairbek Vatchagaev, editor of the Caucasus Survey believed that the Chechen authorities know very well all the current active jihadists. Whenever a person travels away from his village or home, the Chechen security agencies conduct some investigation into where the person has gone to and what the purpose of the travel is. It is unlikely that the jihadist would buy food and supplies themselves. They cannot go undetected to a village and would risk exposing the entire group if they did so.

Mairbek Vatchagaev, editor of Caucasus Survey explained that wounded jihadists would not be brought to a doctor or any other persons in villages or towns for treatment. The risk of them being detected and caught is simply too great and the fear is that the wounded jihadist would be exposed to torture and would ultimately reveal information that could lead to the elimination of the entire group. Seriously wounded jihadist can only be helped by God and they would rather die in the forest. However, if the Dagestan border is not far away and the wounded jihadist is able to move, he could try to go to Khasavyurt or send a trustworthy woman to a pharmacy in Dagestan to get some medication. It was added that only women carry information between the jihadist groups. The relatives of the jihadists are of course under some surveillance by the Chechen authorities. But the jihadists make use of an advanced system of couriers or intermediaries where the woman who meets with the jihadist at their hide out and who is typically a relative of one of them would pass on the message to another trustworthy woman. The chain of communication could have several intermediaries. In the same way food, medicine and other supplies are delivered to the jihadists. It was emphasized that the trusted women would be either a widow to killed jihadists or in some way related to the jihadist.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that there are no jihadists in Grozny and that it would be unlikely that people would be approached or contacted by the jihadist in areas near Grozny. It was emphasized that the jihadist support base would be near the areas where their hide.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that in 2013 the group under the command of Umarov was responsible for several bomb explosions and attacks on Russian federal soldiers in Chechnya. However, the jihadists are generally reluctant to conduct attacks because the Chechen authorities always retaliate with special operations. Basically, the main concern to the jihadists is to stay alive as the Chechen branch of the Caucasus Emirate. It is less important to conduct spectacular attacks.

Mairbek Vatchagaev, editor of the Caucasus Survey emphasized that Kadyrov definitely would crush the jihadists if only he was able to do that. Having active separatists in the republic is damaging for his image. At the same time president Putin has to fight many jihadist groups in Ingushetia, Dagestan and Kabardino-Balkaria besides the small groups in Chechnya. Every time a jihadist is killed, others are joining the movement making it an impossible task to defeat the uprising using military means only.

Jihadist leadership

According to Mairbek Vatchagaev, editor of the Caucasus Survey following Dokku Umarov's death only Chechen jihadists leaders were initially suggested as the new emir of the Caucasian Emirate. Aslan Butukaev (aka Emir Khamzat), who was Chief Khadi (judge) under Umarov, was supposed to become the next leader. However, he refused arguing that it would be difficult to have a Chechen leader of the Emirate who would be limited in his contact with the jihadist leaders in the region, partly due to the constant pressure from the Chechen police and security forces. It was added that the Russian and the Chechen authorities did their best in searching for Umarov. With the death of Umarov, the pressure on the Chechen jihadists has probably eased a little.

Supporters

According to Mairbek Vatchagaev, editor of the Caucasus Survey Kadyrov face problems because many people actually are supportive of the jihadists. They support the jihadist because they oppose Kadyrov, and not because

they are motivated by religious beliefs or supportive of the idea of a Caucasian Emirate. Another problem facing Kadyrov is that young men – poorly educated and educated alike – are ready to join the jihadists, and that the jihadist movement is popular even amongst many intellectuals. It was added that without popular support it would be difficult for the insurgents to hide from the Chechen authorities and they enjoy support even within the Chechen police.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that nine out of ten arrests in Chechnya are connected with suspicion of support to the insurgents. The Chechen authorities are not shy of burning down houses to deter people from supporting the jihadists.

According to Mairbek Vatchagaev, editor of the Caucasus Survey most jihadists are killed when the Chechen security structures succeed in infiltrating the jihadist groups. To the jihadists groups the biggest problem is to recruit new members and they have to be extremely careful when selecting new members in order to avoid infiltration. It is completely exaggerated when the news or media report that groups of 20 to 30 young men have left their villages to join the insurgents. The jihadist groups are very suspicious towards newcomers and do not readily accept them as new members. In recent times the biggest blow to the jihadists was the killing of the two Gakaev brothers. The Gakaev group was infiltrated by security agents and ultimately the group was destroyed.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that besides the three groups that constitutes the Chechen *vilayat* or front several smaller groups of young men are found in e.g. Argun who claim to be part of the jihadist structure and under the command of the Chechen Emir. Two years ago Kadyrov found some of these groups, but it turned out that they had no leaders, no arms and they were definitely not an integral part of the jihadist resistance, even though they claimed that they were.

Mairbek Vatchagaev, editor of the Caucasus Survey emphasized that the people who actively support the jihadists with food and other supplies are primarily family members of the jihadists or family members of killed jihadists or at least people whom the active jihadist know very well and have trust in. It was considered completely unlikely that the jihadists would approach strangers for support in terms of food, medicine or other kinds of supplies or assistance.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that in Grozny there are young individuals who are motivated by the jihadist ideology and they could attempt to fire some shots or maybe set off a bomb and then try to escape. These young men would typically direct their actions against representatives of the Chechen police, civil servants or mullahs. The real jihadists are not responsible for any actions in Grozny as they have no presence in Grozny or the surrounding area. Chechnya only covers approximately 4.000 square kilometers and with 27.000 police officers alone and not including the army and secret services very little space is open for jihadist operation or actions. It was added that some of these young men who occasionally carry out sporadic attacks live in the suburbs to Grozny. In Prigorodnoe south of Grozny a number of people who stem from Shatoi District have settled. Shatoi District is the native region of Dokku Umarov. Another suburb is Pervomayskoe north of Grozny. That suburb is also inhabited by people who have their origin in the mountainous areas of Chechnya. All these people are proud of their origin from the mountainous areas and there is a feeling that they should do something about the current political situation in Chechnya, but they are not a part of the established jihadist movement. They would love to join the insurgency, but the jihadists do not want to admit them in the movement. Besides, there is a limit to the number of groups and fighters that can operate inside Chechnya. The jihadists cannot come out of the forest; “once in the forest, always in the forest”. It was added that the life in hiding in the forest attracts some bizarre psychological

Security and human rights in Chechnya

types. However, the jihadists can be seen as the “back bone” of the resistance and the young men in the cities can be considered “the muscles”.

According to Mairbek Vatchagaev, editor of the Caucasus Survey neither the established Jihadist groups nor the small groups or individuals who carry out sporadic attacks target ordinary people. The aim is to attack and kill specific groups of people such as police officers, mullahs and civil servants. Kidnappings are the prerogative of the Chechen authorities it was stated.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that it is difficult to estimate the number of active supporters of the insurgency. People are very scared to speak about the insurgents even with people who they know well. The people who actively support the insurgents with food, medicine and other supplies or help are, of course, found in the three areas where the insurgents are hiding. Five or six years ago many people expressed their support to the jihadist movement including openly support the jihadist on social media, but today nobody dares to do that. However, for each jihadist there could be one thousand sympathizers but probably only between ten to fifteen trusted people who would be willing to actively support the jihadist with food and other supplies or help. That number is actually rather high considering the possible consequences for these supporters and the risk they run by being associated with the jihadists.

Mairbek Vatchagaev, editor of the Caucasus Survey believed that there is some truth in many of the criminal cases concerning support to the illegal armed groups. Not all of these cases are completely fabricated, but the majority of the genuine criminal cases would be found in the areas where the jihadists are found. Vatchagaev had personally not heard of people being arrested in or around Grozny for providing support to the jihadist. However, it could happen if for instance a woman has been purchasing and transporting some supplies from the city to the jihadist groups as a part of the network described earlier.

Mairbek Vatchagaev, editor of the Caucasus Survey stated that one of the typical asylum motives presented by Chechens in Western Europe would include the chocolate bar “Snickers”. An asylum claim in which the applicant would claim to have been asked by the jihadist to provide them with Snickers chocolate bars should be carefully examined as this would seem completely unlikely.

Underreporting

Mairbek Vatchagaev editor of the Caucasus Survey explained that information about the activities of the insurgents should be considered with caution. The authorities would often attempt to present actions by the insurgents as criminal acts and the information provided by the various insurgent related websites is also not reliable. It is therefore difficult to obtain accurate information about the number of incidents involving the insurgents and the authorities. However, it was emphasized that it would be an accurate assessment that offensive activities carried out by the Chechen insurgents are practically nonexistent and that the incidents in which authorities clash with the Chechen insurgents remains extremely low compared to the neighboring republics.

Mairbek Vatchagaev, editor of the Caucasus Survey explained that the limited reporting of shootings and explosions in Grozny on the website of the Caucasian Knot does not reflect the reality. Vachagaev believed that there must be more unreported cases, as suggested by the postings on shooting and explosions heard by bloggers and tweeters on the social media. It was estimated that for every 10 cases reported on Caucasian Knot, the Kavkaz Center would report of 100 cases and the real figure could be around 50. The problem is that there are no other reliable news outlets than Caucasian Knot.

Jihadist finances

According to Mairbek Vatchagaev, editor of the Caucasus Survey the jihadists do not need large sums of money to buy weapons and explosives. But they do need some money to pay for their supplies and to provide for their families. The Chechen jihadists are financed by sympathizers within the Chechen diaspora primarily in Cairo and Istanbul. However, it is difficult to get the money into Chechnya and it has to be done in small amounts at a time. It can be a challenge for the jihadist to provide for their families. That is why family members to the active jihadist are occasionally send abroad.

International Jihad

Mairbek Vatchagaev, editor of the Caucasus Survey stated that Osama Bin Laden never acknowledged the Chechen jihadists but his successor, al-Zawahiri, has stated that the Chechens are the best jihadists in the world. Approximately one thousand Chechen jihadists are participating in the fighting in Syria alongside Al-Nusra and ISIS. They are under the command of Khamzat, and they could be considered the active wing of the Chechen jihadists.

Racism

Mairbek Vatchagaev, editor of the Caucasus Survey stated that the Chechens who move to Moscow could expect some problems in terms of discrimination and racism. However, the business opportunities are better in Moscow than in most other places in Russia. Besides, newcomers to Moscow would find some help and support from contacts in the very large Chechen community in Moscow of approximately 200.000 people. In comparison there are approximately 40.000 Chechens in France.

Independent media

Mairbek Vatchagaev, editor of the Caucasus Survey stated that DOSH Magazine is the only independent magazine in the North Caucasus that writes about Chechnya. In Dagestan another independent news outlet named Chernovik meaning "rough draft" is published on a weekly basis. However, Chernovik does not report on Chechnya.

Informants

When asked to comment on the situation of the police informants in Chechnya, Mairbek Vatchagaev, editor of the Caucasus Survey, stated that the police are doing their job in the sense that they have to pretend that they are recruiting informants among people who allegedly have connections with the insurgents. The police must report to their superiors that they are fighting the insurgents. It was Vatchagaevs assessment that it is not possible that all those recruited by the police as informants are in fact real informants. It was added that they would be registered as police informants in the police registry so that the police can document the effectiveness of their work. The insurgents cannot possibly know who has been recruited as an informant and who has not. It is therefore the job of the insurgents to narrow the scope of people they are in contact with to an absolute minimum.

Ministry of Education in Grozny

The representatives of the Ministry of Education in Grozny stated that 230.000 children attend school in Chechnya. 23.000 people are employed as teachers. Chechnya has facilities for disabled children and children with special needs, including blind, hearing impaired and children with psychological issues.

When asked if it would be possible for a person from Chechnya not to speak or understand Russian the representatives of the Ministry of Education in Grozny stated that this would be highly unlikely as all teaching in Chechen schools is in Russian. The Chechen language is taught in Chechen schools as a language subject like English. The only reason why a Chechen would not be able to speak and understand Russian would be if that person has not attended school. It was added that Russian is the language used all over the Russian Federation.

The representatives of the Ministry of Education in Grozny explained that until 2004 there was nine obligatory school years in the Russian federation including in Chechnya. In 2004 this was changed to 11 obligatory school years.

The representatives of the Ministry of Education in Grozny explained that Chechen language is taught during all 11 years of the obligatory school. In the first four school years Chechen language is taught eight hours a week. In the next five years until the ninth year the number of weekly lessons is five to six. Finally, in the two last years in school the pupils are taught the Chechen language three hours a week.

When asked if it might be possible to find small isolated communities in Chechnya in which people speak or understand Russian language very poorly, the representatives of the Ministry of Education in Grozny stated that no such communities exist in Chechnya. It was emphasized that there are schools in every village and settlement in all districts of the republic, and no children are isolated in such a way that they do not attend school and thereby also learn the Russian language. It was added that even children who live in rural areas and help their family raising cattle go to school.

The representatives of the Ministry of Education in Grozny explained that education was only completely stopped for brief periods of 3-4 months duration during the most intense parts of the wars in Chechnya from around December 1994 to march 1995 and again from October 1999 to March 2000. It was added that these two relatively brief complete halts in education activities during the wars in Chechnya cannot explain why some people would claim not to understand or speak Russian.

The representatives of the Ministry of Education in Grozny suggested that those people that claim not to speak or understand Russian maybe did not attend school during the wars because they were either orphanages or abandoned children. However, it is clear that the percentage of children attending school right after the first and the second war in Chechnya was of course lower than today where almost 100% of all children in the republic attend school.

The representatives of the Ministry of Education in Grozny explained that 4-6000 children are born in Chechnya each year and that that number is increasing.

The representatives of the Ministry of Education in Grozny explained that Chechen and Russian are the two state languages of the republic. The administrative written language is Russian.

The representatives of the Ministry of Education in Grozny explained that in daily life and in workplaces the spoken language would be Chechen. It is common that people are better at writing in Russian than in Chechen. This situation applies to the entire republic, there are no regional variations in which any of the two languages are more used or understood than the other.

The representatives of the Ministry of Education in Grozny explained that the language used in radio, television and movies are a mix of Chechen and Russian. Some programs would be in Russian, others would be in Chechen and some would be a mix of the two.

The representatives of the Ministry of Education in Grozny stated that everybody in Chechnya needs to speak and understand Russian - at least when they travel to the neighboring republics or other places in the Russian Federation where the Chechen language is not understood.

The representatives of the Ministry of Education in Grozny stated that the language of the court is Russian. All official documents and laws in Chechnya are in Russian. If a person in court claims not to know Russian an interpreter would be provided. However, the representatives had not heard of such examples.

None of the representatives of the Ministry of Education in Grozny knew anyone that could not understand or speak Russian. It was added that even small children speak Russian. It was added that maybe children who grew up abroad would not know of the Russian language if their parents used the Chechen language in the home. Apart from that situation it was impossible for the representatives to find examples of Chechens who would not speak and understand Russian.

The representatives of the Ministry of Education in Grozny explained that different dialects of Chechen are used in the republic.

Ministry of Health in Grozny

The representatives of the Ministry of Health in Grozny stated that the Chechen Republic suffered many losses during the two wars, and the wars have touched on every family in the republic. However, the Chechen Republic is today in a completely different situation than by the end of the second war. The health situation in the republic is improving and strong efforts are made to reach the Russian federal standards.

The representatives of the Ministry of Health in Grozny stated that both primary and specialized health care is available throughout the republic, and that the hospitals are in fact of a better standard than in neighboring republics as a number of hospitals have been constructed recently. Though it was added that healthcare in Chechnya has not reached Western European levels.

The representatives of the Ministry of Health in Grozny explained that in the past four to five years the Chechen government has had its own budget to finance medical treatment to those who need it, such as cancer treatment or insulin for diabetics. According to the federal law there are certain groups of medicines that must be provided for free for certain groups of people. Treatment for cancer and diabetes is provided for free. In addition to that, a number of medicaments are provided for free to certain groups.

The representatives of the Ministry of Health in Grozny explained that doctors in “polyclinics” and hospitals are mostly Chechens. In a recently build hospital Russian specialist were invited for employment because the expertise was not available within the republic.

The representatives of the Ministry of Health in Grozny stated that in some cases of specialized treatment patients would have to receive the treatment outside of the republic. Open heart surgery was mentioned as one example of this.

The representatives of the Ministry of Health in Grozny explained that when a citizen needs treatment in another federal subject, the Chechen hospital would prepare the necessary documents and mail them to the receiving hospital. Last year approximately 3.000 persons from the Chechen republic were sent to treatment outside of the republic.

The representatives of the Ministry of Health in Grozny stated that those in need of cancer treatment have received that treatment outside of the republic. Some chemotherapy has been available in Chechnya for some time. However, recently a new oncology hospital has been finished and the Chechen republic will soon be able to provide chemotherapy, radiation therapy, surgery etc. The aim is to offer cancer treatment that reaches Western European standards.

The representatives of the Ministry of Health in Grozny explained that there are a total of 39 state licensed drugstores in the Chechen republic where prescription medicine can be picked up at no cost. It was emphasized that all prescribed medicine to a patient is free of charge at the state licensed drugstores.

The representatives of the Ministry of Health in Grozny stated that there are also commercial drugstores or pharmacies, but they are not licensed to sell for instance certain cancer medicines or morphine bases drugs for pain therapy or other medicines that can be misused by drug addicts. Private drug stores cannot make prescriptions, only medical doctors are allowed to do that. It was added that antibiotics and penicillin as well as psychotropic drugs can be bought at private drugstore or pharmacies on prescription.

The representatives of the Ministry of Health in Grozny explained that the regulations regarding what can be bought and sold in state licensed drug stores and in private drugstores are laid out by the federal ministry of health in Moscow.

The representatives of the Ministry of Health in Grozny explained that every hospital have one state licensed drugstore or pharmacy attached. It was added that there are around 73 hospitals in Chechnya including specialist clinics.

The representatives of the Ministry of Health in Grozny explained that at the hospital free primary health care is provided to everybody who needs it. Prescription medicine can be picked up at the state licensed pharmacy or the nearest private drug store if it has the medicine. Certain groups of people with certain groups of diseases are provided prescription medicine for free. Children below the age of three, war veterans, pregnant women, oncology patients and HIV patients are among the groups of people for whom prescription medicine are free of charge.

The representatives of the Ministry of Health in Grozny explained that as in any other country there is in Chechnya a black market where drug addicts buy their illegal drugs. It was added that after the wars black market drugs was a big problem, but the problem is now under control because the Chechen government has paid a lot of attention to the issue and established programs to assist drug addicts. Illegal drugs are not easy to come by today in Chechnya.

The representatives of the Ministry of Health in Grozny explained that first aid equipment, including bandages and syringes are available at private pharmacies with no restrictions on the quantities one can buy.

When asked if it would be possible for people to purchase large quantities of medicine to treat combat related injuries, such as for instance morphine or morphine based drugs, strong pain relieving medicine, antibiotics or penicillin. The representatives of the Ministry of Health in Grozny stated this would not be possible as that type of medicine is tightly regulated. It could have been easy to obtain that kind of drugs ten years ago but the representatives had not heard of a black market for these medicines in several years.

The representatives of the Ministry of National Policies, External Relations, kindly provided interpretation during the delegation's stop at one of the many private pharmacies in Grozny. The pharmacy stated that the strongest painkillers on sale without prescription are Solpadeine (active ingredients are Paracetamol and Codeine), Nurofen (active ingredients are Ibuprofen and Codeine) and Nalgesh (active ingredient is Naproxen). The strongest prescription painkiller on sale at the pharmacy was Pentalgin-N (active ingredients are Caffeine, Codeine, Metamizole Sodium, Naproxen, and Phenobarbital).

Ministry of Interior (MVD), in Grozny

The representatives of the Ministry of Interior in Grozny explained that until 2002/2003 cases of police ill-treatment and torture did exist in the Chechen Republic. However, after the hostilities ended and when the Chechen police took charge of providing law and order these cases stopped. The ministry did its best to control the situation after the war had ended. It was added that it is possible to file a complaint if a person feels that the police or other law enforcement agencies have abused their power. Such cases would be investigated. Furthermore, the head of the Chechen Republic, Ramzan Kadyrov, pays close attention to the human rights situation in the republic.

The representatives of the Ministry of Interior in Grozny stated that suspected members of the illegal armed groups are, of course searched, for by the police and other law enforcement agencies in Chechnya, but today there are hardly any active members of the illegal armed groups left in Chechnya. If they are caught by the Chechen authorities, they are of course investigated and prosecuted as are suspected supporters of the illegal armed groups.

The representatives of the Ministry of Interior in Grozny explained that not long ago it was discovered that some policemen sold genuine police orders to appear for questioning at the police station (повестка) to people who were planning to travel to Europe to apply for asylum and who wanted to support their asylum claim with some sort of documentation. The policemen involved were subsequently discharged from the police force. However, such search warrants could probably still be bought for money. Besides, they are easily falsified or copied.

The representatives of the Ministry of Interior in Grozny explained that the police do make use of orders to appear for questioning at the police station (повестка) when the police want to call in a witness to give evidence. However, it was emphasized that the police would not make use of orders to appear at the police station to call suspects to the police station. In such cases the police would put the suspect under surveillance and apprehend the person once enough evidence had been gathered. It was emphasized that orders to appear for questioning at the police station are not used in cases where a person is suspected of having contact with members of the illegal armed groups.

The representatives of the Ministry of Interior in Grozny explained that the police can detain a person for 48 hours. After 48 hours the police have to decide either to press charges or release the detainee. It was added that the police do not impose on persons who have been released from detention a duty to report regularly e.g. on a weekly or on a monthly basis. Duty to report is only used when a person has been released from prison because of good behavior before the full prison term has been served. It was added that if the police need to question a person after he or she has been released, the police would pick the person up at his or hers home. If the person refuses to talk, the police would hand over an order to appear at the police station and take the person to the police station for questioning. It was ruled out that orders to appear for questioning at the police stations would be sent by mail or delivered by others than the police to persons suspected of crimes involving § 208 (participating in or supporting illegal armed groups) or §209 (banditry).

According to the representatives of the Ministry of Interior in Grozny the number of criminal cases involving § 208 is decreasing. There are no longer any members of the illegal armed groups left in Chechnya besides from the ones that from time to time cross over the administrative borders from the neighboring republics. At least the security forces of the Ministry of Interior in Grozny cannot find any active members of the illegal armed groups and there are practically no more attacks taking place in Chechnya. The representatives found it close to impossible to imagine that members of the illegal armed groups that have crossed the border from Dagestan into Chechnya would dare to contact ordinary people who are not known to the members of the illegal armed groups and ask for food or other supplies. The risk of being detected by the Chechen security forces would be very high if they operated in that way. However, before 2005 there were many active members of the illegal armed groups in Chechnya, and they could intimidate people to give them supplies. Today there are police officers in every settlement in Chechnya, and active

members of the illegal armed groups would be quickly identified. Active members of the illegal armed groups could operate near Grozny three to five years ago, but that is no longer possible. Today nobody in or around Grozny would run the risk of being asked by active members of the illegal armed groups to provide food, medicine or other kinds of supplies.

The representatives of the Ministry of Interior in Grozny explained that the ordinary police mainly comprise Chechens (approximately 90%) and the remaining 10% would stem from other regions in the Russian Federation. The latter are found in the police units throughout the republic. The same situation applies to other departments of the Ministry of Interior.

The representatives of the Ministry of Interior in Grozny stated that special groups within the Ministry of Interior are responsible for arrests of people who are under suspicion of being affiliated with the illegal armed groups. Such arrests are not conducted by the ordinary police. It was added that Russians or non-Chechen officers do not conduct arrests on their own as they are always accompanied by Chechen officers.

The representatives of the Ministry of Interior in Grozny explained that Chechen language is normally used during questionings and interrogations, unless the apprehended person prefers to be questioned in Russian. From 2000 to 2003 it could have been the case that Russian was the only language used during questionings and interrogations, because the Chechen police was only in its coming.

The representatives of the Ministry of Interior in Grozny stated that it very rarely make use of federal searches. In order to initiate a federal search for a suspect a legal procedure has to be followed involving the approval by a judge who would have assessed the evidence in the case. It was estimated that in recent years no more than one or two persons have been added to the federal search list by the Chechen authorities. However, some persons have been returned as a consequence of having been searched for on a federal level. These persons include a few leaders of the illegal armed groups, terrorists, murderers and several persons who were wanted for embezzlement or money schemes.

Ministry of Labour, Grozny

The representatives of the Ministry of Labour in Grozny stated that unemployment in the Chechen Republic should be understood in light of the two wars in the republic since 1994. After the end of the second war in Chechnya the unemployment rate was relatively high. However, the head of the republic Ramzan Kadyrov has informed the Russian federal authorities that within five years there will be no unemployment at all in the Chechen Republic. It was emphasized that since 2013 unemployment has reduced significantly. By 1 January 2013 the official statistics showed that 166.000 people were unemployed. By 1 January 2014 this number was reduced to 128.000 people, and by 1 April 2014 117.000 people were officially unemployed in the Chechen Republic.

The representatives of the Ministry of Labour in Grozny stated that the government in the Chechen Republic is trying to attract investments to the republic and the government has been quite successful in doing so. It was added that 45 new investment projects are expected to eliminate the remaining unemployment. These investment projects are focusing on new food processing industries, tourism and the energy sector.

The representatives of the Ministry of Labour in Grozny stated that Chechens who travel to the European countries are not under pressure from the Chechen authorities to leave the republic. All people in the Chechen Republic can find jobs that correspond to their abilities and competences. Chechens who return to the republic would be provided with the same social benefits as other people in the republic. Returnees can apply for jobs at the job centres on equal terms with people who have stayed within the republic. It was added that job centres keep a bank of available jobs.

According to the representatives of the Ministry of Labour in Grozny unemployment in Chechnya does not force people to leave for Europe. The explanation should be found in the mentality of these people. They regard travelling to Europe more easy than staying at home, finding a job and contribute to the development of the republic's economy. They believe that the European countries would supply them with social benefits that exceed what they would be able to earn in Chechnya. It was added that the employment rate in the Chechen Republic today is at a level where any person who is able to work can sustain himself or herself.

The representatives of the Ministry of Labour in Grozny explained that the current figure of 117.000 unemployed is the sum gathered from the republic's 20 administrative units. Unemployed persons receive a cash unemployment benefit of 850 Rubles per month. After six months the cash benefit is stopped, but the person is then provided with a job. If he or she loses the job, the cash unemployment benefit is reactivated for another maximum of six months.

According to the representatives of the Ministry of Labour in Grozny the job bank has currently approximately 1.770 available jobs, e.g. in the health sector (medical doctors and nurses), in the education sector (teachers) and in the private sector in food production. Not all available jobs require special skills and not all are high paid jobs, but the salaries are sufficient to provide a decent livelihood. It was added that it is actually difficult to find qualified people to some jobs. For that reason special programs have been established to up-grade the qualifications and skills of the Chechen work force.

The representatives of the Ministry of Labour in Grozny stated that jobs are paid according to the individual's education level and skills. Many people do not understand that and some believe that they can find a better paid job in Europe. Not all who leave Chechnya for Europe do so because they face specific social problems, but they may be looking for a better life.

When asked how unemployed people manage to live of 850 rubles per month, the representatives of the Ministry of Labour in Grozny explained that an unemployed couple receive 2x 850 rubles per month. If they have children they

receive an additional monthly allowance per child. Furthermore, young people including young couples who have special needs are supplied with special assistance e.g. assistance to find and pay for housing.

The representatives of the Ministry of Labour in Grozny stated that the Chechen Republic receive some subsidies from the federal budget to reduce the unemployment in the republic. Special grants have been dedicated to develop the agricultural sector, and grants are provided to individuals who wish to establish themselves in that sector. In addition, the Chechen government provides support to young entrepreneurs who wish to set up some kind of business. So far 30.000 people have received such entrepreneur support of up to 58.000 rubles.

According to the representatives of the Ministry of Labour in Grozny certain vulnerable groups receive special social benefits at the co-called complex service centres. These groups include war veterans, disabled people and labour veterans. The special support offered to these groups includes free medical assistance, judicial help if needed as well as other benefits. At the complex service centres not well-of families with children can collect food and clothes and educational courses are offered. Families with many children also receive other types of social assistance depending on their needs. It was added that each year the Chechen government sends a large number of children to holiday resorts by the sea for free. In 2014 the government plans to send 27.000 children to a resort by the sea. Last year a large number of children went on holiday in Turkey.

Naumova Lidiya Fyodorovna, Memorial in Volgograd

Naumova Lidiya Fyodorovna, Memorial in Volgograd, explained that more than 20.000 Chechens live in Volgograd Region. Some have lived there for 30 years. Between 1994, when the military operations began in Chechnya, and 2003/2004 many Chechens displaced by the war arrived in the Volgograd Region. Now the number of Chechen arriving in the region has decreased but they are still coming. Today mostly people from Afghanistan, the South Caucasus (the largest group being people from Nagorno-Karabakh) and recently from Ukraine and Moldova seek assistance from Memorial in Volgograd. It was added that besides being a human rights organization, Memorial is a social organization providing social assistance to anyone who is in need of that assistance. In 2013 less than 500 Chechen contacted Memorial in Volgograd.

When asked to identify the kind of problems Chechens in the Volgograd Region would bring to Memorial Naumova Lidiya Fyodorovna, Memorial in Volgograd stated that it is primarily financial problems, difficulties in finding employment, finding housing and access health care which can be quite expensive. In 2000-2004 some displaced Chechens asked for help to be formally registered as displaced by the local government. They came to the Volgograd Region to find better living conditions and a place to live. It was added that Memorial in Volgograd does not receive complaints from Chechens concerning discrimination and racism.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, described how Memorial collects clothing and food from local residents including well-off people who make donations for charity, as well as from the local authorities. Memorial also cooperates with Caritas on specific items such as clothes in the right size. A teacher works together with the local Mosque and collects various items through that channel. It was added that unfortunately the “old” Chechen Diaspora in Volgograd that is engaged in commercial enterprises and business life is not ready to assist Chechens who arrive in Volgograd Region.

Registration of residence

Concerning Chechens’ access to register residence in the Volgograd Region Naumova Lidiya Fyodorovna, Memorial in Volgograd, explained that in 2000 the local authorities restricted residence registration for Chechens. However, the courts found that illegal and quickly put an end to the illegal practice. Since then residence registration for Chechens has been unproblematic. It was added that the old “propiska” system was abandoned several years ago. In 2004/2005 Memorial in Volgograd took some cases involving Chechens who had arrived in the Volgograd Region and who had experienced some problems with the local authorities to the courts. In all the cases the courts solved the issues according to the laws and regulations. It was added that Memorial in Volgograd would always assist anyone who has experienced some kind of problem with residence registration in the Volgograd Region. Memorial in Volgograd actually cooperate with the local FMS who are very well aware of the existence of Memorial.

According to Naumova Lidiya Fyodorovna, Memorial in Volgograd, the only challenge facing a Chechen newcomer to the Volgograd Region is to find a place to live. Once that has been done he or she can easily register residence with the FMS. It was added that any newcomer to the Volgograd Region would face the same challenges as a Chechen would face.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that discrimination in the housing market does exist. Advertising regarding apartments or rooms for rent oftentimes would state “only Russians” or “only Russian citizens”. However, it was emphasized that Chechens are Russian citizens, and they are not discriminated against as such. The discriminating statements are aimed at foreign citizens. It was added that Chechens are found in prominent official positions. There is a Chechen judge in the Volgograd Region and Chechens are employed as senior officials in the Prosecutor’s office and in the local ministries. Chechens in general cannot be said to constitute a

group that is discriminated against in the Volgograd Region, and Memorial in Volgograd would be the first to know if that was the case.

Health and education

Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that in general Chechens in Volgograd have the same access to health and education as any other Russian citizens in the Volgograd Region. Memorial in Volgograd was aware of the case of a Chechen family in Volgograd Region who had a disabled daughter. The daughter was operated ten times to improve her situation. The operations were paid by the State and today she is studying at the university for free.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that today Chechen primarily come to Volgograd to study. However, living conditions in Volgograd are actually not as good as the living conditions in Chechnya because of the federal subsidies to Chechnya. The population is decreasing in Volgograd, whereas it is rising in Chechnya.

Discrimination and racism

When asked if the recent terrorist attacks in Volgograd had led to some kind of reaction towards the Chechen community in the city Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that a Chechen man was arrested following the two bombings. He is held in normal pretrial detention and he has not been assaulted or mistreated in any way. He has been appointed good lawyers paid by the State and the case is pending in court. The bombings did not create any kind of anti-Chechen sentiment in the general population in Volgograd. It was added that there are neo-Nazi groups in the Volgograd Region who were responsible for attacks on citizens of Afghanistan in Volgograd. However, they did not target Chechens and there were no assaults on Chechens or any other people from the North Caucasus following the bombings.

When asked if Chechens in the Volgograd Region tend to be punished harsher than ethnic Russians charged with the same offence and that Chechens would as a rule receive the maximum punishment of the law instead of the minimum punishment as has been described by interlocutors in Moscow and St. Petersburg, Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that in the Volgograd Region there is no evidence to support the view that Chechen should suffer from that kind of legal discrimination. It may well be the case in Moscow and in St. Petersburg, but it is not the case in the Volgograd Region.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, explained that in Moscow and in St. Petersburg Chechens are in a very different and more difficult situation than in the Volgograd Region. In contrast to the Volgograd Region Russian citizens are discriminated against in Moscow and in St. Petersburg. The Volgograd Region is multiethnic and it is called "the centre of the South". It was added that ordinary Chechens support each other and in reality, as they can rely on that support, they find it less burdensome than other groups to pay the bribes that all residents in the region have to pay if they need some public services or in other way get into contact with the local authorities.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, emphasized that the situation of Chechens in Moscow and St. Petersburg does not present a complete picture of the situation of Chechens everywhere in the Russian Federation. Moscow and St. Petersburg are big cities. In those cities there will be discrimination against foreigners and even against people from other parts of Russia.

Naumova Lidiya Fyodorovna, Memorial in Volgograd, explained that many former soldiers who fought in Chechnya in the federal army live in the Volgograd Region. Until a few years ago many of these former soldiers would be very hostile towards Chechens and there were examples of aggressions towards members of the Chechen community. Furthermore, many former residents in Chechnya who are not Chechens had to leave the republic in the 1990'ies

Security and human rights in Chechnya

due to the wars. Many of these people live in the Volgograd Region today. However, the hostility and aggression has eased now and the relations between Chechens/North Caucasians and Russians have improved.

Judicial transfers

When asked if Memorial in Volgograd had information concerning cases of judicial transfers of suspected supporters of the Chechen insurgents from the Volgograd Region to Chechnya, Naumova Lidiya Fyodorovna, Memorial in Volgograd, stated that Memorial in Volgograd was not aware of such cases. However, five or six years ago in some small villages outside of the Volgograd Region a number of rapes took place. This led to a public demand that the alleged perpetrators, who were Chechens, should be send back to Chechnya. The families had to move to another district and the perpetrators were prosecuted and convicted by the local court. The Chechen men have probably been released by now and there is no information about where the men are today.

Public Prosecutor's Office, Grozny

A representative of the Public Prosecutor's Office in Grozny stated that in general Russian law requires solid evidence before someone is convicted for a crime. That includes persons who in Chechnya are suspected to have provided some kind of support, e.g. food, clothes, medicine or transportation to members of the illegal armed groups. It was added that the fight against terrorism includes both the fight against the terrorist themselves as well as prosecution of supporters. Without the supporters the terrorist would lose their basis for operation and they would soon be defeated.

A representative of the Public Prosecutor's Office in Grozny stated that the office receive quite a few cases involving supporters of the illegal armed groups. The police would provide information in the case to the Investigative Committee, who has authority to conduct further investigation or refuse prosecution of a person. It was added that prosecution would not take place in cases where the accused had been subjected to pressure to provide support to members of the illegal armed groups.

According to a representative of the Public Prosecutor's Office in Grozny § 208.2 stipulates up to five years in prison for support to the illegal armed groups. However, the court's precedence is to convict those found guilty to imprisonment for one and a half year to two years.

A representative of the Public Prosecutor's Office in Grozny provided some statistics on the number of court cases after § 208.2 in 2013. The courts in the Chechen Republic convicted 31 persons in 30 cases in 2013. The maximum sentence was approximately two years in prison, and the minimum sentence was seven to eight months in prison. All who were prosecuted in 2013 were found guilty by the courts. In some of the cases the court found that the prison sentence equaled the time spent in pretrial detention. It was added that most of the cases involved men, but some women were also prosecuted after § 208.8 during 2013. The figure of 30 cases involving 31 persons in 2013 constituted one-fifth of the number of similar cases in 2010. In general there has been a steady decrease in the number of cases involving § 208.2 in the past four-five years.

A representative of the Public Prosecutor's Office in Grozny stated that he had no knowledge of any cases of judicial transfers to the Chechen Republic from other regions of the Russian Federation of persons who are either suspected of being supporters of the illegal armed groups or persons who are accused of the same crime. However, there are examples of Chechens being transferred to the Chechnya on fraud charges and charges involving money schemes and tax evasion. It was added that according to Russian law prosecution must take place where the crime was committed.

A representative of the Public Prosecutor's Office in Grozny explained that the reason why neither suspected supporters of the illegal armed groups or persons who are accused of the same crime have been transferred to Chechnya from other regions in the Russian Federation is that it is easier to find such supporters inside Chechnya. Oftentimes new information about supporters is collected during the investigation of other cases. However, there are no examples of cases of suspected supporters of the illegal armed groups where the suspect could not be found inside Chechnya. It was added that special police groups in the Ministry of Interior are responsible for identifying and conducting investigations of suspected supporters of the illegal armed groups.

A representative of the Public Prosecutor's Office in Grozny stated that the office had no information about police abuse or ill-treatment of the 31 persons who in 2013 were charged and prosecuted with providing support to the illegal armed groups. Not all of the 31 persons were kept in pretrial detention. It was added that the educational

Security and human rights in Chechnya

level of the Chechen police has improved in recent years, and ill-treatment of people who are charged with providing support to the illegal armed groups does not take place.

Said-Magomed Samadievich Chapanov a lawyer in Grozny

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that he works with all kinds of criminal cases. He has previously worked at the Chechen Prosecutor's Office in Grozny, in the Chechen Investigative Committee. He is a former deputy to the Grozny City Council. Today he is a lawyer and he teaches law at the university in Grozny.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, has recently worked on murder cases and cases involving economic crimes such as embezzlement. Recently he has only seen very few cases related to terrorism and banditry. From 2000 to 2005 he saw quite terrorism related cases but now almost none. It was stated that thanks to the efforts of President Kadyrov on educating the Chechen youth there are hardly any cases related to terrorism today.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that Wahabism does not enjoy popular supports in Chechnya. The fight against religious extremism could sometimes include some level of human rights violations in order to protect the State. This applies to Chechnya as well as in other places. Unfortunately, sometimes some police officers violate the law although not necessary intentionally but more likely out of ignorance of the law.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that it happens that the Investigative Committee takes steps to open a case against police officers based not on evidence but on accusations alone. The police officers are then found not guilty of for instance improper detention or for not providing proper documentation in a criminal case. In such cases the person making the false accusation would be penalised. Reference was made to a specific case in which a taxi driver had filed a complaint against a police officers for violating the drivers' rights. The court found the police officers not to be guilty. Chapanov explained that the taxi driver only made the accusations to discredit the Chechen police so that he might avoid paying the fine for speeding. However, sometimes police officers do in fact violate the administrative laws.

When asked about the prevalence of severe beatings or even torture in police custody Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that this happened during the wars against the Russian forces. Several rulings from of the European Court of Human Rights have found that Russia was responsible for torture and ill-treatment during the two wars in Chechnya. Chapanov added that there are people who claim asylum abroad and falsely claim that they have been tortured in Chechnya. They even present false documents. The truth is that some of them have never even been to Chechnya.

When asked about whether Chechen police would beat up detainees in order to obtain a confession Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that there were such cases after the first war against Russia. However, there have been several amnesties later on where people received an amnesty if they could prove they had not taken parts in killings during the wars.

When asked about the conviction rate for helping illegal armed groups Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that there a only very few cases involving the illegal armed groups today.

When asked where Chechens serve prison sentence Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that in serious cases such as murder, attempted murder and drug trafficking the prison sentence would be served in prisons outside of Chechnya.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that persons convicted on charges of physical violence or beatings would serve the sentence in Chechnya.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that President Kadyrov wants to have all Chechens serving their prison sentence in Chechnya eliminating the risk that Chechen prisoner are subjected to racially

Security and human rights in Chechnya

motivated violence in the prisons elsewhere in the Russian Federation. The prison facilities are in place in Chechnya and it should be possible even though some reconstruction is needed.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, explained that a person convicted according to § 208 of the Russian Criminal Code for the first time would be sentenced to a maximum of two years in prison. There is a possibility that the sentence would be served outside of Chechnya. Article 208 is considered a medium serious offence and the penalty is up to five years imprisonment.

Said-Magomed Samadievich Chapanov, a lawyer in Grozny, stated that he had been involved in such a case in which the person found guilty was sent to Volgograd to serve his sentence. He was 60 years old. In the prison he was subjected to severe beatings by the prison guards. Chapanov wrote to the Ombudsman of the Chechen republic and the responsible prison guards were held accountable for their crimes.

Svetlana Gannushkina, Memorial/CAC

Svetlana Gannushkina, Memorial/CAC, explained that a lot of new buildings have been erected in Grozny and the city has undergone many changes since the destruction caused by the two wars. In Grozny visitors will see brand new cars, people dressed in nice clothes drinking coffee in cafes or eating in restaurants. Visitors who have been invited by the local authorities will hear that everything is fine in terms of the human rights situation and the security situation. In a way that picture is not completely wrong. The security situation has improved as there are few cases of attacks carried out by the insurgents who are few in numbers inside Chechnya. However, the fear amongst the general population has become so deep-rooted that it has become a part of peoples personality; they have come to the point where they “love the dragon”. Human rights violations in terms of illegal arrests and ill-treatment and torture of people held in incommunicado detention have worsened. It was added that there are still cases of disappearances, and these cases are not investigated by the local or federal authorities.

Svetlana Gannushkina, Memorial/CAC, stated that while the Chechen authorities some years ago tried to play along with human rights organizations that is no longer the case. It seems that Ramzan Kadyrov has been given free rein by President Putin, and seen in the light of the recent development in Ukraine and Crimea there are no reasons to believe that Kadyrov would be reprimanded by Putin. It was added that corruption is openly taking place and one is witness to a complete breakdown of law and order in the republic.

Svetlana Gannushkina, Memorial/CAC, explained that Ramzan Kadyrov had an older brother who was actually supposed to succeed their father and former president of the Chechen Republic, Ahmed Kadyrov. However, the older brother died as a result of a drug abuse, and Ramzan Kadyrov became the next in line to succeed Ahmed Kadyrov.

Svetlana Gannushkina stated that in Chechnya Memorial has offices in Gudermes and Grozny and a contact person in Urus Martan.

Insurgents

Svetlana Gannushkina, Memorial/CAC, confirmed that the number of insurgents inside Chechnya is very limited and it could be as few as a dozen or so, and they are only found in the areas bordering the Republic of Ingushetia and Dagestan and maybe some in the mountains to the south. The insurgents are moving in and out across the borders to the neighboring republics.

Svetlana Gannushkina, Memorial/CAC, stated that from time to time the authorities claim to have caught or killed some active members of the insurgency. In a few cases alleged active members of the insurgency have been prosecuted and have received long prison sentences.

Criminal cases

Svetlana Gannushkina, Memorial/CAC, explained that most criminal cases involving alleged supporters of the insurgents are fabricated by the Chechen authorities. For some reason the police often accuse people of providing “Snickers” chocolate bars to the insurgents. It was suggested that Chechen police are not very imaginative or original when they fabricate criminal cases against complete innocent people.

Svetlana Gannushkina, Memorial/CAC, stated that people who have fallen victims of a fabricated criminal case involving support to illegal armed groups would be detained illegally and kept in an unofficial detention facility. During that time the person would receive severe beatings and possible torture. One common type of torture involves a device that create a strong electric charge by the use of turning a handle. This is referred to as “calling Putin” because the device has some resemblance to an old telephone. The ill-treatment or torture would normally last as

Security and human rights in Chechnya

long as it takes to force the victim to sign a confession that he or she has provided support to the illegal armed groups. Once the written confession has been signed the case is ready to become official. However, the case would usually not become official until the marks from the beatings or torture has disappeared. It was added that the use of fabricated criminal cases and confessions obtained by the use of beating and torture is not a particular phenomenon for the Chechen Republic. It has been practiced throughout Russian even before the reign of Catharina the Great. In all of the cases where people have been charged with providing support to the illegal armed groups the courts have found the person guilty.

If there is absolutely no incriminating evidence in the case, usually the sentence is between one to two years in prison. The prison sentence would be much more severe if there was some evidence in the case. It was added that if a person has survived the brutal torture, the police would threaten to rape his mother, sister, daughter or another woman of his family. Then he signs everything they ordered him. The authorities can do the rape themselves or ask somebody else to do it.

When asked to explain how it is possible for the Chechen authorities to claim on the one hand that the insurgents have been defeated and driven out of the republic and on the other hand keep on fabricating criminal cases involving support to the insurgents, Svetlana Gannushkina, Memorial/CAC, stated that it is a paradox and there is no logic to it. However, it is important to understand that the Chechen authorities do not need any logic in their behavior. It was added that the bizarre logic could be explained by the saying that “to have anti-Semitism, we do not need Jews, we need anti-Semites”.

Svetlana Gannushkina, Memorial/CAC, explained that the Chechen authorities are free to do whatever they want to do. Reference was made to the case of Islam Umarpashaev who had been kept in safety in Nizhny Novgorod by the Committee Against Torture while his complaint of having been abducted from his home in Chechnya in December 2009 and held incommunicado for several months, and tortured by Kadyrov’s men, was investigated by the federal investigative authorities outside of Chechnya. Umarpashaev and his family of ten have now left Russia. Apparently, Umarpashaev had been told by someone that Igor Kalyapin and his team of lawyers in CAT deliberately prolonged his case and that Umarpashaev would benefit from withdrawing his complaint. It was suggested that maybe Umarpashaev had been paid to leave Russia thereby putting an end to an investigation that could ultimately involve Ramzan Kadyrov personally.

Svetlana Gannushkina, Memorial/CAC, explained that a few years ago you could find people who actually did provide support such as food, clothes and medicine to the insurgents. These people could account for some of the court cases involving providing support to the illegal armed groups and in that case one cannot describe the charges as fabricated. However, all of these genuine cases of support to the insurgents involve relatives to the insurgents who have provided the abovementioned support. According to Chechen tradition family members of active members of the insurgency cannot refuse to provide support. Chechen tradition stipulates that even an unknown guest who could be an insurgent should not be refused some food or other items. It was emphasized that Gannushkina had no information regarding recent examples of people who have provided support to active members of the insurgency.

According to Svetlana Gannushkina, Memorial/CAC, recently the vast majority of criminal cases involving support to the illegal armed groups would be fabricated cases. Only a few recent court cases would involve support provided several years ago.

Relatives of insurgents/suspected supporters of the insurgency

Svetlana Gannushkina, Memorial/CAC, explained that family members of people who either have provided support to the insurgents or who are facing a fabricated charge of providing that kind of support would be subjected to various types of pressure by the Chechen authorities ranging from losing their job to becoming the next victim of

fabricated criminal case. Reference was made to the case of a Chechen woman who was arrested in 2003 for no reason at all. She was severely beaten and kicked. She was released in 2008. After that she went to France where she wrote book that is critical of the Chechen government. While she was detained in 2003 her brother who worked in the Chechen police was fired. After she went to France, her mother received threats with the purpose of persuading her to return to Chechnya. When Memorial asked an official in Chechnya why that woman had been prosecuted and convicted, the answer was that the FSB knew that the charges were unfounded, but “we spend a lot of money and time on that case”.

Svetlana Gannushkina, Memorial/CAC, stated that relatives of suspected insurgents or alleged supporters of the insurgents would be at risk of losing their job, maybe become the next victim of a fabricated criminal case, they could receive threats of violence even involving their children, they could be shown photos or video clips of their children if these were sent to a village far away in an attempt to keep the children safe from reprisals from the Chechen authorities. Family members could be called in for questioning which could include everything from a slap in the face to severe beatings depending on the specific circumstances of the case and the individual police officers. It was added that female family members of suspected insurgents or alleged supporter could risk being raped. However, such cases are almost never reported as that would destroy the future of the victim of the rape.

When asked to explain the reason why the Chechen authorities would exert pressure on family members of people against whom a fabricated charge has been raised, Svetlana Gannushkina, Memorial/CAC, stated that the pressure applied on family members of suspected insurgents and alleged supporters of the insurgents serves several purposes. One reason is to instill fear in the population. Another reason for applying pressure on family members is to obtain new forced confessions that can be used in new fabricated criminal cases, and thirdly the pressure is used to make sure that no one withdraws the confession that has been obtained by force. Finally, people are deterred from filing complaints with the ECHR in Strasbourg. It was added that the Chechen authorities would normally subject the father to pressure, but other close, especially male, relatives could be targeted as well. Female relatives are only rarely beaten as this would be considered a violation of Chechen tradition, but it does take place.

Residence registration

When asked if she were aware of any new laws or regulations regarding residence registration since June 2012, Svetlana Gannushkina, Memorial/CAC stated that there are no new technical changes regarding registration of residence. However, it was added that due to a new requirement, a person must live exactly in the apartment, where he is registered. If the person lives in another place, the owner of the dwelling may be tried and even imprisoned. For this reason, Gannushkina stated that obtaining residence registration has become much more difficult.

UNHCR, Moscow

UNHCR in Moscow stated that its office in Vladikavkaz was closed in 2012. Since then UNHCR has no office or representation in North Caucasus. However, UNHCR in Moscow maintains contact with NGOs in the region and regularly hold meetings with NGOs and local authorities in the region. It is the information provided by these NGOs and local authorities that forms the basis of UNHCR in Moscow's information about the situation in North Caucasus.

UNHCR has not produced position papers, eligibility/policy guidelines or Country of Origin Information regarding the Russian Federation or North Caucasus in the past ten years. However, UNHCR supports the publication of asylum related information by Russian NGOs.

Situation in Chechnya

UNHCR in Moscow stated that although human rights violations might take place in Chechnya it is not on a scale that could explain the large outflow of Chechens asylum seekers to Europe like the sudden increase of Chechen asylum seekers in Germany in 2013. One would expect an increase of asylum seekers from Dagestan and Kabardino-Balkaria where the security situation is worse than in Chechnya, but that has not happened yet.

UNHCR in Moscow stated that as a consequence of a court ruling in Germany in 2013, the financial benefits for asylum seekers were almost doubled. This could be a part of the reason behind the large influx of Chechen asylum seekers in early 2013. Some would sell all their belongings to pay for the travel to Germany. In some cases entire villages were emptied of its inhabitants because they left for Germany.

Passports

UNHCR in Moscow stated that the issuance of external passports in Vladikavkaz and Grozny appear to be very easy and the procedure is quite fast even though bribery would most likely be involved. It was added that most of the Chechen asylum seekers in Germany are in possession of external passports issued in Vladikavkaz or Grozny.

UNHCR in Moscow stated that massive human rights violations such as those that took place in Chechnya in 1995-1997 no longer occur in Chechnya. There is in Chechnya no visible harassment by the Chechen police or by Russian soldiers, but it is difficult to assess what goes on underneath the surface. It is clear that everybody have to accept the unchallenged authority of the president.

UNHCR in Moscow expressed great confidence in the human rights related activities of Memorial/CAC. It was added that Memorial's assessment of the situation in Chechnya and the North Caucasus would be quite accurate.

Racism

UNHCR in Moscow stated that migrants from the Central Asian republics are the easiest prey for corrupt Russian police officers looking to extort money. They are not citizens of Russia, and it is therefore easy for officers to stop and check their documents on some pretext. Central Asians are also vulnerable because they have the lowest paid jobs, they do not form a cohesive group and often their physical appearance makes it easy for police officers to identify them as Central Asians. The truth is that Moscow cannot cope without the cheap labour force that the Central Asians offer and they often take the hard jobs that do not appeal to the Russians.

UNHCR in Moscow explained that contrary to the Central Asians Chechens form a cohesive group in Russian society and should be considered a rather powerful minority, particular in Moscow. Besides, they are citizens of the Russian Federation and most of them know that they enjoy the rights as citizens. This means that people from the North Caucasus are not the prime targets for corrupt Russian police officers looking to extort some money.

According to UNHCR in Moscow Chechen communities are found all over Russia, including in the southern regions. The largest Chechen communities live in Moscow, the Moscow Region and in St. Petersburg. They mainly work in construction or in the taxi business.

UNHCR in Moscow stated that in terms of racism and xenophobia Moscow is the worst city for any minority group, and the tolerance towards other ethnic groups might be greater in other cities in the Russian Federation, for example, St. Petersburg.

UNHCR in Moscow explained that Chechens are a strong minority group and they are capable of protecting themselves. By means of their strong networks, Chechens would always find a job and a place to stay, even in Moscow which is known to be the most difficult place in Russia to find an apartment or a room for rent.

Suspected insurgents

UNHCR in Moscow stated that relatives of suspected insurgents or relatives of alleged supporters of the insurgents would face a lot of pressure from the authorities. They could risk to lose their job, become the next victim of a fabricated criminal case, receive threats of violence even involving their children. Family members could be called in for questioning which could include everything from a slap in the face to severe beatings depending on the specific circumstances of the case and the individual police officers.

When asked if registration of residence is purely a notification of the authorities and that it does not pose any particular problem for Russian citizens regardless of their ethnic background, UNHCR in Moscow answered affirmatively.

Western Embassy, Moscow

A western Embassy explained that there is a climate of fear in Chechnya and it is very difficult to even talk about the insurgency.

Documents

A Western embassy did not have specific knowledge about the issuance of police orders to appear for questioning at the police station in relation with §208 (support to illegal armed groups).

According to Western embassy it is possible to buy any kind of documents in Russia. External passport are more difficult to buy, but it can be done. It was added that corruption has reached enormous proportions in Chechnya. It was emphasized that the documents obtained by bribery would be genuine documents showing the correct and genuine stamps and signatures, but the content or information in the documents could be false. This could be medical journals, driver's licences, birth certificates and identity documents. Likewise, it is possible to buy genuine documents with genuine content, but where the transaction itself is the illegal part. To many people it is easier, faster and more convenient to buy a document and thus avoiding time consuming contact with the Russian bureaucracy.

1 and 2 war in Chechnya

Commenting on the current situation for people who fought in the first and second war in Chechnya a western embassy stated that it is very difficult to identify with certainty groups at risk or groups of people who are not at risk. The regime in Chechnya is totalitarian and extremely oppressive, and if some suspicion has arisen anything from the past could be used against a person including some activities during the first or the second war in Chechnya. Kadyrov himself was active in the second war and it is plausible that he might have grievances today with persons who fought during the first or second war in Chechnya. It was added that everything in Chechnya seems very arbitrary.

Redress

A western Embassy stated that while the security situation in Chechnya has improved significantly the human rights situation in Chechnya has steadily deteriorated during the past many years and the fear among the general population has increased to an unprecedented level. A western embassy stated that the fear of getting in contact with the Chechen authorities is so great that even if a family member disappears the relatives would not dare to contact the authorities. Chechens do not contact the authorities if they can avoid it because they fear the authorities and because of the level of corruption. It was added that most of the members of Chechen police and security structures are former insurgents from the wars against the federal Russian forces in Chechnya and they do not behave as proper law enforcement officers are expected to do.

Rule of law

Beside pervasive corruption has reached enormous proportions in Chechnya, there is no rule of law in Chechnya according to a Western embassy. If someone is ill-treated by the authorities there is no place to complain and there are no real avenues to seek redress. The authorities can and do use any pretext if they want to arrest and convict someone for anything related to the insurgency. It is very difficult to see any pattern in terms of who is at risk of being suspected for any crimes in connection with the insurgency.

Insurgents

A western embassy stated that the number of active insurgents in Chechnya is considerable lower compared to the neighbouring republics. However, it is difficult to define an insurgent. There are the few rebels hiding in the forests. But there are also cases of explosions which imply that somebody else than the established rebel groups are active in

the cities in Chechnya. It was added that terror incidents and armed clashes occur more often in Dagestan than in Chechnya.

Freedom of movement

A Western embassy stated that there is complete freedom of movement between Chechnya and other parts of the Russian Federation.

A western embassy stated that it is difficult to assess the level of cooperation and exchange between the various federal and local authorities, in particular on issues that involve crosscutting contact between such authorities. If a person from for example Chechnya decide to move to for example Volgograd and register his or her new address with the FMS, information would be passed on to the FMS at the place of the original registration, i.e. Chechnya. However whether or not this information would actually be picked up and used actively by in this case the Chechen authorities is another matter. It would depend on how important the person was for the Chechen authorities. If the person was not important maybe nothing would happen.

A western embassy stated that in terms of autonomy Chechnya is a special case in the Russian Federation. The Chechen authorities may not use the official channels to search for people in other parts of Russia and eventually have them transferred back to Chechnya for a court process. Other republics or local authorities in other places in the Russian Federation would make use of the official channels if they are searching for a person who is suspected of a serious crime. However, the formal procedures for such transferrals are quite lengthy and the case would have to be substantiated by some evidence.

A western embassy explained that on all trains and for all classes of travel one must present the internal passport when buying the ticket. However, the quality of the exchange of information between authorities in Russia is poor and it may be that a person who is wanted or searched by some authorities can go unnoticed when purchasing train tickets despite the fact that their internal passport and name is registered.

A western embassy added that the whether or not the relevant authorities are notified and react to information received could be described as very "ad hoc" in Russia. It also depends on which authorities have initiated the search of an individual and whether or not it is a federal or a local search.

A Western embassy explained that if a person who is searched for on a federal level tries to leave Russia through an international airport, it is likely that FSB would receive that information and react on it. The border police are a department under FSB whereas the ordinary police are a department under the Ministry of Interior.

A western embassy stated that there is no border control between the Russian Federation and Belarus. People leaving Belarus to i.e. Poland are checked, but even persons who are searched for by Russian FSB could be able to exit Belarus without any problem.

A western embassy was not aware of any examples of official or unofficial transfers of Chechens from other parts of the Russian federation to Chechnya. It was added that to operate unofficially outside ones region, i.e. find, capture and bring back a suspect to Chechnya, is a sensitive matter in the Russian Federation as Russia is a centralized country.

A western embassy stated that it has happened that Chechens who have fallen out with Kadyrov have been killed outside of Chechnya. Reference was made to the cases in Vienna, Istanbul and Dubai.

Security and human rights in Chechnya

Diaspora

A western embassy explained that quite many Chechens are living in Moscow and there are Chechen communities all over Russia. However, Chechens are reluctant to relocate to other areas of the Russian federation due to a fear of being discriminated against. It was added that Chechens are very depended on their clan and it is not an easy decision to leave one's clan.

Jobs

A western embassy stated that the number of unemployed people in Chechnya is huge. A lot of federal money has been transferred to Chechnya but the money has created only a very limited number of jobs. It was added that the very large security apparatus in Chechnya is very costly and that the economy of the republic is currently not sustainable.

Registration

A western embassy was not aware of any new or forthcoming rules or regulations regarding residence registration.