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Chechens in the Russian Federation

Report from Danish Immigration Service's fact finding mission to Moscow and St. Petersburg, the Russian Federation

12 to 29 June 2011

Copenhagen, October 2011

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Overview of fact finding reports published in 2010 and 2011

Honour Crimes against Men in Kurdistan Region of **Iraq (KRI)** and the Availability of Protection, Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah and Dahuk, KRI, 6 to 20 January 2010

2010: 1

Entry Procedures and Residence in Kurdistan Region of **Iraq (KRI)** for Iraqi Nationals, Report from Danish Immigration Service's fact-finding mission to Erbil, Sulemaniyah, Dahuk, KRI and Amman, Jordan, 6 to 20 January and 25 February to 15 March 2010

2010: 2

Human rights issues concerning Kurds in **Syria**, Report of a joint fact finding mission by the Danish Immigration Service (DIS) and ACCORD/Austrian Red Cross to Damascus, Syria, Beirut, Lebanon, and Erbil and Dohuk, Kurdistan Region of Iraq (KRI), 21 January to 8 February 2010

2010: 3

Allegations against the National Agency for the Prohibition of Traffic in Persons (NAPTIP) and warnings against return to **Nigeria**, Report from Danish Immigration Service's fact-finding mission to Abuja, Nigeria, 9 to 17 June 2010

2010: 4

Security and Human Rights in **South/Central Iraq**, Report from Danish Immigration Service's fact-finding mission to Amman, Jordan and Baghdad, Iraq, 25 February to 9 March and 6 to 16 April 2010

2010: 5

Human Rights and Security Issues concerning Tamils in **Sri Lanka**, Report from Danish Immigration Service's fact-finding mission to Colombo, Sri Lanka, 19 June to 3 July 2010

2010: 6

Rohingya refugees in Bangladesh and Thailand, Fact finding mission to **Bangladesh and Thailand**, 4 to 17 February 2011

2011: 1

Update on Entry Procedures at Kurdistan Regional Government (KRG) Checkpoints and Residence in Kurdistan Region of **Iraq (KRI)**, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dohuk, KRI, 7 to 24 March 2011

2011: 2

Iranian Kurdish Refugees in the Kurdistan Region of **Iraq (KRI)**, Report from Danish Immigration Service's fact-finding mission to Erbil, Suleimaniyah and Dohuk, KRI, 7 to 24 March 2011

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Introduction and disclaimer

This fact finding report has been produced by the Documentation and Project Division, Danish Immigration Service (DIS) for use by officials involved in the asylum determination process. The information included in this report was gathered during a fact finding mission to Moscow and St. Petersburg, the Russian Federation between 12 June and 29 June 2011.

The DIS has for some time tried to obtain the necessary permission to travel to the Chechen Republic but with no success. As a consequence it was decided to consult well-informed and reliable sources in Moscow and St. Petersburg, where many Chechens have settled. The purpose of the mission was twofold. The DIS needed detailed and current information about the situation for Chechens living in the Russian Federation outside of Chechnya. In addition, the DIS needed updated information about the security and human rights situation in Chechnya.

Prior to its departure to Russia, the members of the delegation held a meeting with the Country of Origin Information Unit of the Polish Office for Foreigners, who assisted identifying reliable and well-informed sources. The Danish Embassy in Moscow also suggested the delegation to consult some sources and helped arrange a number of meetings.

The delegation consulted representatives of Non-Governmental Organisations (NGOs), a human rights lawyer, the information and analytic web source Caucasian Knot, the International Organization for Migration (IOM), Human Rights Watch, the Federal Migration Service (FMS), the Federal Ombudsman institution, two western diplomatic sources, a well-informed Chechen living in Moscow and a person of Chechen origin. A complete list of all interlocutors is included at the end of the report at hand.

All interlocutors consulted were informed that they would have their statements forwarded for comments, corrections and approval. All except a well-informed Chechen in Moscow agreed to receive their statements for comments, corrections and approval. 14 interlocutors approved their statements. The approved notes have been included in the report at hand. Three 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: A lawyer in the Memorial Migration & Rights Programme and Civic Assistance Committee (CAC) in St. Petersburg, an anonymous source with knowledge about Chechnya and Chechen Diaspora societies, a person of Chechen origin and Center for strategic studies and development of civil society in the North Caucasus (SK-Strategy). The statements of these interlocutors are included in the report at hand as they were sent to them.

In very few cases it was found necessary to adjust certain phrases in the approved notes 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 [...].

It should be noted that the sources use different terms to refer to members of the illegal armed groups in Chechnya and the North Caucasus, e.g. “insurgents”, “fighters”, “militants”, “rebels”, “members of underground terrorist groups”.

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

The delegation to Moscow and St. Petersburg comprised Andreas Rune Nielsen, Country Adviser, and Jan Olsen, Country Adviser, Documentation and Research Division, DIS.

Background

The Russian Federation covers a total area of 17,075,400 sq km, making it by far the largest country in the world. The total population at the census in 2002 was 145,166,731. There were more than 200 ethnic groups in total. Russians formed the largest ethnic group (79.8 % in 2002).¹

Russia is a federal state comprising 83 federal territories: 46 regions (oblasts), 21 republics, four autonomous districts (okrugs), nine provinces (krais), two federal cities (Moscow and St. Petersburg), and one autonomous oblast.²

The Federation as a whole is sovereign but its constituent units are not, though they still enjoy considerable autonomy. Article 71 of the Federation Constitution assigns to the federal government those powers that concern the country as a whole. Section 1 of Article 71 lists the branches of laws on which the federal government can legislate, including criminal, criminal procedure and criminal-executive legislation. Article 76 stipulates that federal laws shall have direct action in the whole territory of the Russian Federation, and that in matters within the joint jurisdiction of the Russian Federation, federal laws are supreme, and subjects of the Federation may adopt only laws and regulations that are consistent with federal law.³

Chechnya

The Chechen Republic is located on the northern slopes of the Caucasus. To the east, the Republic abuts into Dagestan. Stavropol Krai lies to the north-west and North Ossetia-Alaniya lies to the west. There is an international boundary to Georgia to the south-west.⁴ The area of Chechnya is 15,647 sq km. About half of the area of Chechnya is covered by plains in the north and in the centre, almost a third by hilly regions (300-1,200 m), 11 per cent by mountains of medium height (1,200-2,400 m) and 8 per cent by high mountains in the south.⁵ See **Annex 1** and **Annex 2** for maps of Southern Russian and Chechnya.

According to official statistics Chechnya had a population of 1,268,042 as of January 2009. Grozny had a population of 250,803 in January 2010 compared with 405,000 in 1989.⁶ However, it is difficult to estimate the total number of the Chechen population. Even though the republic has a high

¹ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), pp. 424

² *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), pp. 361-362, 368

³ Marat Salikov, *The Russian Federal System: Sub-National and Local Levels*, paper delivered at conference, *Subnational constitutions and federalism: design and reform*, 26. March 2004, pp. 3 and 7, <http://camlaw.rutgers.edu/statecon/subpapers/salikov.pdf>

⁴ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), pp. 424

⁵ Amjad Jaimoukha, *The Chechens: A handbook*, Caucasus World/Peoples of the Caucasus series, London and New York 2005 (RoutledgeCurzon) pp. 17-21

⁶ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), pp. 424

population growth, official Chechen statistics are likely to exaggerate the population in order to draw more funding from the Russian Federal government.⁷

In the 18th century the Russian, Ottoman and Persian Empires fought for control of the Caucasus region. The Chechens violently resisted the Russian forces until Chechnya was finally conquered by Russia in 1858. In 1865 many Chechens were exiled to the Ottoman Empire. Subsequently, ethnic Russians began to settle in the lowlands. The Chechno-Ingush Autonomous Soviet Socialist Republic was dissolved in 1944 and both Chechens and Ingush were deported en masse to Central Asia and Siberia. They were to remain there until 1957 when the Chechno-Ingush Autonomous Soviet Socialist Republic was reconstituted.⁸

During and after the breakup of the Soviet Union in 1991 the North Caucasus area of Russia experienced substantial disorder. Chechen separatism gained ground, contributing to the breakup of the then-Chechen-Ingush Republic along ethnic lines. Russia's President Boris Yeltsin implemented a federal system that permitted substantial regional autonomy over governance and taxes. While most North Caucasus republics agreed to remain as parts of Russia, Chechnya was at the forefront in demanding independence. In 1994-1996, Russia fought against Chechen separatists in a bloody campaign that led to thousands of Russian and Chechen casualties and hundreds of thousands of displaced persons, but ceasefire accords in 1996 resulted in de facto self-rule in Chechnya. Organised crime and Islamic extremism subsequently greatly increased in Chechnya and spilled out into bordering and other areas of Russia, including the alleged bombing of apartment buildings in Moscow and elsewhere in 1999 by Chechen terrorists.⁹

Supposedly in response to the rising cross-border violence, Russia's Premier Putin ordered military, police, and security forces to re-enter Chechnya in late 1999. By early 2000, these forces occupied most of the region, resulting again in large numbers of civilian casualties and displaced persons.¹⁰

Over the next few years, federal government security forces acted extremely aggressively to suppress the insurgency by aggressively carrying out over a thousand counterterrorism operations (termed "zachistki" or "cleaning-up" operations) in Chechnya and elsewhere in the North Caucasus. During these operations, security forces surround a village and search the homes of the residents, apparently to apprehend terrorists. Critics allege that such searches are illegal and that troops frequently engaged in pillaging and unnecessary violence and were responsible for kidnapping for ransom and "disappearances" of civilians. Through these sweeps, as well as through thousands of direct clashes,

⁷ According to embassy (A) consulted during the fact finding mission.

⁸ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), pp. 424

⁹ Jim Nichol, *Stability in Russia's Chechnya and Other Regions of the North Caucasus: Recent Developments*, Congressional Research Service, 13 December 2010, p. 1, <http://www.fas.org/sgp/crs/row/RL34613.pdf>

¹⁰ Ibid.

most of the masterminds of previous large-scale terrorist attacks were killed and such attacks became rarer, although they did not cease completely.¹¹

Although local Islamic extremist insurgents outside of Chechnya had cooperated to some degree with the Chechen insurgents for several years, in May 2005, then-Chechen rebel leader Abdul-Khalim Saydullayev decreed the formation of a Caucasus Front against Russia among Islamic believers in the North Caucasus. In October 2007, his successor, Doku Umarov, declared a Caucasus Emirate embracing the North Caucasus and other Muslim areas of Russia.¹²

The general situation in Chechnya differs sharply from the situation in other parts of the Federation on account of the policy of ‘Chechenisation’, the gradual transfer to the Chechen pro-Russian authorities of all administrative and law-enforcement powers, including the fight against terrorism. The gradual integration of the various different Chechen ‘pro-Russian’ militias into the ‘security services’ (i.e. into the ranks of the ‘Kadyrovtsy’) began in 2005. In April 2006 the Anti-Terrorist Centre, which had existed de facto for many years, was legalised and integrated into the federal National Anti-Terrorism Committee. Two battalions, ‘South’ and ‘North’, were attached not to the Federal Security Service (FSB) but to the Interior Ministry; they are directly controlled by President Kadyrov. The considerable freedom of action granted to Kadyrov at the regional level, and the power with which the Chechen President has been endowed, give the republic under his control a degree of autonomy that is not enjoyed by any other subject of the Federation. The trend towards the ‘Chechenisation’ of law-enforcement forces was confirmed in 2008, when a serious dispute arose between Kadyrov and the battalions of the Defence Ministry ‘East’ and ‘West’; Kadyrov demanded that they be disbanded, and that the commander of the ‘East’ battalion, Sulim Yamadayev, be arrested.¹³

In April 2009 the federal Russian Anti-terrorist Committee officially announced the cessation of counter terrorist operations in Chechnya although active fighting had long ceased by the time Moscow made the announcement.¹⁴ After a period of increased unrest, the Federal authorities subsequently announced that Kadyrov would assume sole responsibility for the joint security forces in the area.¹⁵ Many active rebel commanders within Chechnya have been captured or killed and while the remaining rebels retain the capability to conduct attacks both in Chechnya and the Russian

¹¹ Jim Nichol, *Stability in Russia's Chechnya and Other Regions of the North Caucasus: Recent Developments*, Congressional Research Service, 13 December 2010, p. 1, <http://www.fas.org/sgp/crs/row/RL34613.pdf>

¹² Ibid.

¹³ International Federation for Human Rights, *Russian Society under Control; Abuses in the fight against extremism and terrorism*, July 2009, p. 10, http://www.fidh.org/IMG/pdf/Russian_society_under_control.pdf (accessed 26 August 2011)

¹⁴ International Institute for Strategic Studies, *Armed Conflict Database, Russia (North Caucasus)* cited in: UK Border Agency (Home Office), *Country of Origin Information Report; Russia*, 11 November 2010. http://www.ecoi.net/file_upload/1226_1290075759_russia-111110.pdf (accessed 26 August 2011)

¹⁵ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 427

Federation in general, they are only a shadow of their former selves.¹⁶ However, continued instability has led to the re-introduction of local counter-terrorism regimes in some areas and small numbers of rebels continue to operate in the republic.¹⁷

Ramzan Kadyrov

Ramzan Kadyrov was born in a village in Chechnya 5 October 1979 and is the present head of the Chechen Republic. Kadyrov's climb to power began in 2000 when Russia's large-scale military operations to bring Chechnya back into Russian federal rule came to an end. The process of "Chechenisation", i.e. handing over responsibility for governing the republic and carrying out counterinsurgency operations to pro- Kremlin Chechen leaders, meant that the Kremlin was seeking a leader who would be able to gain the trust of influential groups within Chechen society. They chose Ramzan Kadyrov's father, Akhmad Kadyrov, whom President Putin had appointed head of the Republican Administration in Chechnya in June 2000. Akhmad Kadyrov was a former senior mufti but also a former ally of Aslan Maskhadov.¹⁸ Akhmad Kadyrov had supported independence in the first Chechen war, but switched sides to support Moscow early in the second war. He became President of Chechnya in the October 2003 elections organised by the Kremlin.¹⁹

A key factor in the process of "Chechenisation" was Akhmad Kadyrov's personal security service, known as the Presidential Security Service, headed by his son Ramzan Kadyrov. This security service became informally known as "Kadyrovtsy",²⁰ and was soon the most important Chechen controlled security force in Chechnya and reported to number some 3,000.²¹

Akhmad Kadyrov was killed in a bomb attack in May 2004, and Russian authorities organised a presidential election to replace him. Ramzan Kadyrov was then 27 and commander of the Kadyrovtsy but could not yet run for president as the Chechen Constitution establishes 30 as the minimum age for

¹⁶ Jane's Sentinel Security Assessment - Russia and the CIS: Armed forces, 24 August 2010. Cited in: UK Border Agency (Home Office): *Country of Origin Information Report; Russia*, 11 November 2010. http://www.ecoi.net/file_upload/1226_1290075759_russia-111110.pdf (accessed 26 August 2011)

¹⁷ UK Foreign Office. *Country Profile: Russia*. 12 October 2010. <http://www.fco.gov.uk/en/travel-and-living-abroad/travel-advice-by-country/country-profile/europe/russia/?profile=all> (accessed 26 August 2011)

¹⁸ Maskhadov was elected president of the self-proclaimed Chechen Republic of Ichkeria in 1997. He was killed in March 2005. Radio Free Europe/Radio Liberty, *Reports Say Chechen Leader Maskhadov Killed*, 8 March 2005, <http://www.rferl.org/content/article/1057870.html> (accessed 5 September 2011)

¹⁹ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 424 and HRW, "You Dress According to Their Rules", 10 March 2011, http://www.ecoi.net/file_upload/1788_1299843133_you-dress-according.pdf (accessed 5 September 2011)

²⁰ In the Human Rights Watch report "You Dress According to Their Rules" the term "Kadyrovtsy" is used to refer to forces believed to be effectively under the command of Ramzan Kadyrov.

²¹ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 424 and HRW, "You Dress According to Their Rules", 10 March 2011, http://www.ecoi.net/file_upload/1788_1299843133_you-dress-according.pdf (accessed 5 September 2011)

presidential candidates. Alu Alkhanov, chosen by the Kremlin, was elected president, and Ramzan Kadyrov was appointed deputy prime minister in charge of security.²²

During 2005, Kadyrov's allies occupied key positions in the Ministry of Internal Affairs for Chechnya, and thereby gained direct influence over the ministry. In spring 2006, he became Prime Minister of Chechnya. In February 2007 Alu Alkhanov resigned as president, thereby enabling Ramzan Kadyrov to assume the office of President of the Chechen Republic in April 2007, following his nomination to the post by President Putin.²³

Since the 2007 installation of Ramzan Kadyrov as President of Chechnya, Moscow's 'Chechenisation' strategy in the conflict seems to have worked, as relative stability has been achieved in the capital, Grozny and in much of the mountainous countryside. However, Kadyrov's rule is far from representative, and resentment towards federally-supported authority simmers, despite the immense destruction witnessed in the region during the height of the conflict.²⁴

In 2008, Kadyrov firmly established himself as the only real power figure in Chechnya. Since that time, there have been persistent, credible allegations that law enforcement and security agencies under Kadyrov's full control have been involved in abductions, enforced disappearances, acts of torture, extrajudicial executions, and collective punishment practices, mostly against alleged insurgents, their relatives, and suspected collaborators. Numerous experts on the North Caucasus, including those in international organisations, have described Kadyrov's rule over Chechnya as a "personality cult" regime and stressed that Kadyrov's orders have become, in essence, the only law in the republic. In 2010, Kadyrov's title was changed from "president" to "head" of the Chechen Republic but this change was only nominal and has had no impact on the scope of this authority.²⁵ Kadyrov is the local leader of the United Russia party, i.e. the governing party led by Prime Minister Putin.²⁶

Kadyrov denies accusations that the "Kadyrovtsy" is responsible for many killings, abductions and other serious crimes in Chechnya, although he has admitted that there are some "rogue elements"

²² Human Rights Watch, "You Dress According to Their Rules", 10 March 2011, pp. 7-9, http://www.ecoi.net/file_upload/1788_1299843133_you-dress-according.pdf (accessed 5 September 2011)

²³ Ibid.

²⁴ International Institute for Strategic Studies: Armed Conflict Database, Russia (North Caucasus) cited in: UK Border Agency (Home Office): *Country of Origin Information Report*; Russia, 11 November 2010. http://www.ecoi.net/file_upload/1226_1290075759_russia-111110.pdf (accessed 26 August 2011)

²⁵ Human Rights Watch, "You Dress According to Their Rules", 10 March 2011, http://www.ecoi.net/file_upload/1788_1299843133_you-dress-according.pdf (accessed 5 September 2011)

²⁶ BBC News, *Regions and territories: Chechnya*, last updated 23 August 2011, http://news.bbc.co.uk/2/hi/europe/country_profiles/2565049.stm (accessed 5 September 2011)

among them. Kadyrov defends himself against critics of his record on human rights, insisting that iron rule is required to bring stability.²⁷

²⁷ BBC News, *Regions and territories: Chechnya*, last updated 23 August 2011, http://news.bbc.co.uk/2/hi/europe/country_profiles/2565049.stm (accessed 5 September 2011)

1. Situation for Chechens in the Russian Federation outside of Chechnya

1.1 Chechen communities

SK-Strategy²⁸ stated that it is very common for Chechens to relocate to other parts of the Russian Federation and that the majority do so for economic reasons. Those who are well off would settle in Moscow and St. Petersburg, but the average Chechen would not be able to go there due the high cost of living. Most average Chechens would typically settle in cities with a smaller population than Moscow and St. Petersburg and would have preferences to port cities, such as Murmansk, Arkhangelsk and cities in the Leningrad Region. It was added that in cities with smaller populations there is less competition for the jobs and Chechen migrants would find it easier to find jobs and create a livelihood. At the same time port cities often have a more complex and diverse population i.e. an existing migrant community. Port cities offer a more cosmopolitan climate that Chechen migrants could benefit from.

A western embassy (B) stated that there is a large Chechen population in Moscow and St. Petersburg as well as in many other cities across the Russian Federation.

Khamzat Gerikhanov, Chechen Social and Cultural Association,²⁹ stated that the association has branches in approximately 60 regions in Russia, and each branch cover between 10,000 to 20,000 Chechens. The largest Chechen populations are found in the two largest cities in Russia, Moscow and St. Petersburg, and in many of the regions surrounding these cities. Significant Chechen communities is found in the cities and regions of the southern part of Russia, including Volgograd, Saratov, Samara and Astrakhan.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, stated that the two wars in Chechnya left many people without housing and in a very difficult situation. Especially after the beginning of the second war in Chechnya many Chechens migrated to European countries but also to the surrounding republics in the North Caucasus as well as to Moscow and the Moscow Region. It is estimated that approximately 100,000 Chechens migrated to the Moscow Region in 1996. They were primarily people of the intelligentsia who could afford to rent a house or an apartment and were able to find work or establish a business on their own. Today approximately

²⁸ SK-Strategy carry out independent analysis of both political and economic situation in North Caucasus for the Russian President Council, the European Commission, the Council of Europe and several other international bodies. The Center's main activity is helping to establish dialogue between Non-governmental organizations and the authorities. http://www.chechnyafree.ru/en/article.php?IBLOCK_ID=353&SECTION_ID=584&ELEMENT_ID=72168 (accessed 24 august 2011)

²⁹ 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

25,000 people from that wave of migrants are remaining in the Moscow Region. They all have permanent residence registration in the region. In addition, a large group of Chechens live in Moscow or Moscow region but are either not registered or have temporary residence registration. In fact a large proportion of the Chechen population outside of Chechnya has no residence registration where they live, and they work with small scale trade in markets and in cafés. It is very difficult to state the exact size of that group, but it is estimated to be around 5,000 people. Many Chechens travel back and forth between Chechnya and Moscow Region or other regions.

Elena Vilenskaya, House of Peace and Non-Violence,³⁰ stated that there are many migrants from other parts of the Russian Federation in St. Petersburg. The Chechen community in the wider St. Petersburg area is estimated to be somewhere around 20,000 – 30,000. Chechens arrive in St. Petersburg from Chechnya on a regular basis on visits or to attend schools or university. The main challenge for Chechens in St. Petersburg is to find a place to live and a job. Although racism towards Caucasians is present in St. Petersburg, it is “not unbearable”.

A person of Chechen origin estimated that during the Soviet period no more than 13,000 Chechens were living in St. Petersburg and today the numbers is roughly the same. Many of the Chechens who lived in St. Petersburg left Russia during the first and second war in Chechnya for Finland, Norway, France, Belgium and Germany.

A person of Chechen origin explained that Chechens are arriving in St. Petersburg today because they do not believe that things could change for the better in Chechnya. It was added that the situation in Chechnya is extremely difficult for persons who are not devoted to Kadyrov’s regime.

A person of Chechen origin stated that people who disagree with Kadyrov often do not have the means to travel to Western Europe or to migrate internally in the Russian Federation. It was estimated that half of the population in Chechnya would leave the republic if they had the opportunity. It was added that many Chechens would leave Russia for a future in Western Europe if they should get the chance. This also applies to many Russians.

A well informed Chechen living in Moscow stated that many Chechens have left Chechnya due to the very difficult economic situation and the high level of unemployment in the republic. Some have had the necessary resources to go to Europe while others have relocated within the Russian Federation, mainly to the major cities and industrial centres. Many Chechens come to Moscow hoping to find jobs and a brighter economic situation. However, even though the socio-economic situation for Chechens is better in Moscow than in Chechnya, it is still very difficult for Chechens to find jobs in Moscow.

A well informed Chechen living in Moscow stated that some of those who have left Chechnya have done so because they have encountered conflicts with the Chechen authorities and therefore feared

³⁰ Elena Vilenskaya is Chair of the board, House of Peace and Non-Violence. House of Peace and Non-Violence is a regional human rights social organisation, <http://www.peacehouse.ru/org-en.htm> (accessed 23 august 2011)

for their personal safety. However, it was added that many of them left for social and economic reasons as well.

SK-Strategy explained that the economic situation in Chechnya is very poor and one of the problems is due to the fact that there is almost no private sector and most of the jobs and the economic activity are within the public sector and the Chechen government. In addition many Chechens feel insecure and are frightened of what could happen to them and their relatives in terms of violence from the Chechen law enforcement agencies. These are the main reasons why many Chechens find life difficult in Chechnya and also the main push factors that could make Chechens consider to migrate out of the region. It was added that for the last three hundred years Chechens have migrated internally in Russia for various reasons, e.g. as work migrants, to perform military service or to study. Some, but not many, Chechens migrate internally in Russia for purely security or personal safety reasons. The majority of Chechens migrating internally in Russia are motivated by economic factors, while those who migrate externally are motivated by personal security reasons but of course at the same time facing a difficult economic situation in Chechnya like most other Chechens.

A representative of a NGO working on cases at the European Court of Human Rights stated that Chechens would be very vulnerable if they relocated to another area of the Russian Federation and had no family or relatives in the area. However, Chechen communities are present in almost all regions of the Russian Federation. The presence of a Chechen community in an area can act as support and protection for newcomers. On the other hand established Chechen communities could also present a problem for newcomers who have left Chechnya due to clan related conflicts. In that case, the presence of a Chechen community in the new location could be a potential risk that the clan conflict would follow the person to the new location.

Elena Vilenskaya, House of Peace and Non-Violence, stated that the Chechen society in St. Petersburg is divided. Chechens are formally organised in Diaspora organisation, but in fact they are not because of fear of being active and visible to the Chechen authorities. It was added that there is an official representative of the Chechen government in St. Petersburg.

Alexander Verkhovsky, Director of SOVA,³¹ stated that many people from Caucasus including some Chechens have moved to Stavropol Krai, and there are many Chechen students at the university in the city of Stavropol. It was added that this has created some tension especially in the southern part of the region. There is no active civil society in Stavropol Krai.

³¹ The SOVA Center for Information and Analysis is a Moscow-based Russian nonprofit organization that was founded in October 2002 by a group of people working for the Panorama Center for Information and Research and the Moscow Helsinki Group. The SOVA Center conducts informational and research work on such topics as nationalism and xenophobia, relations between the churches and the secular society, and political radicalism. SOVA is also interested in the problem of human rights in general and in safeguarding liberal democracy in the Russian Federation. <http://www.sova-center.ru/en/> (accessed 23 august 2011)

According to a person of Chechen origin there are no NGOs or Chechen associations that offer support to Chechens who are migrating from Chechnya to other locations in Russia. Attempts to organise this kind of support has failed because of financial shortcomings, and even though some Chechens are wealthy they have shown no interest in this kind of support. It was added that most NGOs in Russia would refrain from engaging in support to Chechens out of fear of being suspected of assisting terrorists.

The International Organization for Migration (IOM) in Russia explained that the border between Chechnya and Russia is completely open, since Chechnya is an integral part of the Russian Federation. There are occasional checks but no huge lines of cars or people waiting. Cars could be checked by the police officers at such occasional checks.

A person of Chechen origin stated that he occasionally travels to Chechnya to visit friends and family and does not experience any problems on those trips.

1.2 Registration of residence

A representative of Office of the Commissioner for Human Rights in the Russian Federation (the Federal Ombudsman) emphasised that freedom of movement is enshrined in the Constitution of the Russian Federation. Contrary to the situation during the period of the Soviet Union, today's registration of residence in the Russian Federation is based on notification of the relevant authority as is also the case in many Western European countries. The requirement to register either a temporary residence or a permanent residence is an address; there are no other requirements connected to registering residence such as employment or income.

The Federal Migration Service (FMS) stated that registration of permanent residence is stamped into the internal passport, whereas temporary registration is a loose leaflet.

FMS explained that if a Russian citizen takes up residence in an area or town in the Russian Federation other than where that person has permanent registration, he or she can stay for up to 90 days without registering his or her residence temporarily. Registration of residence can take place in the relevant FMS department within the municipal structure or at the local FMS office. There are approximately 5,000 FMS offices throughout the Russian Federation. Each region in Russian has a FMS Regional Department. FMS has a Department in Grozny.

FMS explained that the procedure concerning registration of residence is the same throughout the Russian Federation.

FMS stated that if a person is not in possession of any documents necessary to establish his or her identity, the authorities have a procedure to verify the identity. They will look up the person's name in databases; interview the person and his or her relatives in Russia and thereby establishing the person's identity. Once the person's identity has been established, the relevant documents can be issued.

IOM in Russia stated that the residence registration has become easier in recent years. However, in the minds of many Russians it is still something that is thought to be rather bureaucratic. In reality it is now a simple procedure of notification that can be done even through the Internet. This procedure is available for registered users of “gosuslugi” (state services) portal according to the Decree of the Government of Russia from 17 October 2009 года № 1555-p. It is therefore no longer necessary to visit a FMS office in order for someone to register his or her residence.³² There are two ways of registering: permanent and temporary. There is not any material difference related to human rights between the two according to federal law. If some regional administrations were to distinguish between the two in terms of rights to healthcare, education and access to other social rights it would be an illegal practice and the federal Prosecutor’s Office would bring the policy of the regional administration into line with the federal law.

IOM in Russia explained that it is both the owner of an apartment or house and the tenant that are to register the tenant’s residence with the FMS. The owner has the right to reject to register a person. Usually people will have permanent registration where they live and own a house or an apartment. Temporary registration is primarily used by students or temporary workers residing for a period of time in a place other than their permanent place of residence. Actually the same procedure applies to both permanent registration and temporary registration. Permanent registration has in principle a special requirement concerning the size of the housing, but this requirement is in reality insignificant.

IOM in Russia stated that registration of temporary residence is now a simple procedure for Russian citizens. A person who wants to temporarily register his residence should simply send a letter to the local FMS office stating the temporary address. It is no longer necessary to appear in person at the office of The Federal Migration Service. The FMS is doing a lot of work to simplify procedures. FMS has the understanding that migrants are necessary and valuable to the Russian economy. The FMS is therefore actively working to provide legislation that facilitates migration with the necessary control mechanisms. Some migration control mechanisms are needed for the Russian authorities to prevent crime, fraud and illegal migration. This is in particular due to the fact that Russia operates a visa free regime with many of the former soviet republics at its borders. The authorities actually benefit from making registration procedures simpler in the sense that it facilitates migration and because increased registration among migrants improve the control mechanisms. The FMS has shown willingness to work with the issues and rights of migrants. The IOM Moscow works in constant collaboration with the FMS on these issues.

According to Alexander Verkhovsky, SOVA, registration of temporary residence has followed a simple procedure for the past three years. A person who wants to temporarily register simply sends a letter to the local FMS office stating the temporary address. It is no longer necessary to appear in person at the office of The FMS. The owner of the apartment or house could be asked by the FMS to

³² The procedure is described at: <http://www.fms.gov.ru/documents/regrf/> (accessed 23 august 2011)

confirm that the person registering as a temporary resident is in fact known to the owner. In addition, previous demands concerning the size of the apartment or house is now of less importance.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, stated that the simplified procedure concerning registration of residence has made it unproblematic for Chechens to register wherever they want to. It is also possible to stay legally any place for 90 days without having to register. All that is needed is documentation, e.g. a bus or a train ticket that proves that the persons arrived within the last 90 days.

A representative of a NGO working on cases at the European Court of Human Rights stated that registration of residence has become much easier than previously. It is now a notification in writing to the FMS and not an application procedure.

A western embassy (B) stated that the procedure concerning residence registration in the Russian Federation was simplified in 2010 and it is now much easier for a person to register his or her residence.

FMS explained that complaints can be filed by any persons who believe to have encountered some kind of injustice in relation to registration of residence. Complaints can be filed with the FMS Divisional Department, and if the Divisional Department does not react the complaint could be taken to the federal FMS headquarters and subsequently to the courts. It was added that complaints usually end at the FMS federal headquarters.

The FMS emphasized that people from Chechnya face no restrictions what so ever regarding their freedom of movement. As all other Russian citizens Chechens can relocate and live where they want in the Russian Federation. Chechens face no restrictions concerning issuance of internal passports or other official documents.

Elena Vilenskaya, House of Peace and Non-Violence, had not heard of any Chechens experiencing problems with registration of residence in St. Petersburg for the past 2-3 years. However, sometimes local authorities register a person temporarily only for three months even though the law provides for temporary registration to be valid for up to one year. It was added that many Chechens in St. Petersburg have no temporary or permanent residence registration. Instead they choose to live unregistered for 90 days, which is possible according to the law, and renew their documentation for recent arrival by buying used train tickets or bus ticket at one of the arrival points in St. Petersburg.

A lawyer in the Memorial Migration & Rights Programme and Civic Assistance Committee (CAC) in St. Petersburg stated that Chechens who want to register their residence in St. Petersburg do not experience more problems than other Russian citizens. In the past Chechens in St. Petersburg would occasionally request legal assistance related to registration problems, but in the past 2-3 years no Chechens have requested any legal assistance from her organisation.

1.3 Issuance of internal passports

FMS informed that internal passports are issued to all citizens of the Russian Federation. An internal passport is issued to all citizens at the age of 14. The passport must be renewed and exchanged at the age of 20 and again at the age of 45. Issuance of internal passports could take up to 30 days, but in many cases the internal passport is issued in one day. In case the internal passport is lost, stolen or damaged it can be replaced at any FMS office.

FMS stated that the internal passport contains personal data of the holder including full name, date of birth, place of birth, information about marital status and children. The place of issuance and issuing authority is also stated. A six digit code in the passport, for instance 900-001 (FMS federal headquarters), contains information about in which region the passport has been issued and by which FMS office.

FMS stated that the ten digit passport number on each page of the passport does not contain any information about where the passport is issued or about the person. It is the number of the specific passport, a serial number, and is a security feature that is linked to a database in which it is possible for everyone to check the validity of the passport online, i.e. financial institutions. However, according to the law on protection of personal data, the FMS can only supply information about the validity of the passport and not any personal information. It was added that the database containing the serial number of each passport is linked to several other databases, e.g. the national health insurance system.

FMS stated that temporary internal passports are issued if the passport has been lost, stolen or damaged. A temporary internal passport (form N 2P) is issued by FMS officials when a person applies for a new internal passport. The temporary internal passport contains the person's full name, date and place of birth and address of residence. A photo is attached to the temporary internal passport. Temporary internal passports are valid for between one and three months. The reason for issuance of the temporary internal passport is stated in the document. The date of expiry and the name and signature of the issuing FMS officer is found at the bottom of the document. If needed the validity of temporary internal passport can be extended by the FMS office. However, usually the new internal passport will be issued well in advance of the expiry of the temporary internal passport. When the new internal passport is ready to be picked up, the temporary internal passport is returned to the FMS office.

FMS emphasized that internal passports can be issued at any FMS office regardless of where the passport applicant has permanent or temporary residence registration. If a person applies for an internal passport with FMS in a location where he or she is not registered, the procedure of issuing the internal passport could take more time than normal. The FMS office receiving the passport application would have to verify the identity of the applicant by contacting the FMS at the place of the persons' permanent registration.

FMS explained that the procedure concerning issuance of internal passports is the same throughout the Russian Federation.

IOM in Russia stated that if a person loses the internal passport containing the residence registration or if the internal passport is up for renewal (at the age of 20 years and 45 years) it is possible to be issued a new internal passport at the FMS office in the place of either permanent or temporary residence registration or at any other FMS office in the Russian Federation. If the person renews the passport where he or she has permanent registration it should take no more than 10 days. In order for local FMS to issue a new passport to a person who is not permanently registered there, the FMS in the place of permanent registration would have to be contacted in order to verify that person's permanent registration. This procedure should not take more than two months.

1.4 Housing

A person of Chechen origin stated that it is difficult for Chechens to rent an apartment in St. Petersburg. Many people's image of Chechens is shaped by the Russian propaganda in which Chechens are depicted as terrorists and bandits, and people are generally afraid of Chechens. About half of the Chechens who have lived in St. Petersburg for many years own their housing and the other half have managed to rent their housing. It was added that Chechen newcomers to St. Petersburg could make use of their personal networks when they look for a place to live, and sometimes the search for an apartment or room would be successful. There is amongst Chechens a tradition for helping a fellow Chechen, but even Chechens in St. Petersburg would fear that a newcomer from Chechen could in fact be a terrorist, and they would be reluctant to engage in any assistance to a person whom they do not know well.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, explained that Chechens who have decided to leave Chechnya and settle elsewhere in the Russian Federation would be helped by friends and relatives in the new locations. This help would include finding housing and some way of creating an income. It is quite difficult to imagine that a Chechen would migrate to a place where he or she does not know anybody, and even if that should happen such a person would easily be able to get in contact with others Chechens via mutual friends and the like. It is culturally unacceptable for a Chechen to refuse to help a fellow Chechen. Chechen populations outside of Chechnya have very close relations and they try to live close to each other. It was added that the association's branches have established schools where the Chechen language is taught and the branches organize cultural activities to keep Chechen traditions alive.

Svetlana Gannushkina, member of the Board of the Human Rights Center "Memorial" and head of the "Migration and Rights" Network, head of the Civic Assistance Committee (CAC), informed that residents of Chechnya and those who moved out of the republic do not have any financial opportunity to provide themselves with accommodation. Compensation for lost housing in the Chechen Republic constitutes 120 thousand rubles, which is about 4 thousand US Dollar. This money is not enough even to rent an apartment for the period of 3-6 months depending on the region, not to mention purchase of a house or an apartment. Moreover, for the last three years funds for paying

compensations practically have not been allocated from the budget at all. In 2009 only 87 families received compensation, payments for the next two years are planned at the same speed. Taking into account the fact that positive decisions are made only with regard to families who fled Chechnya during military actions recognized by the authorities, we can state that thousands of families are waiting for their compensations to be paid for at least 6 years.

1.5 Labour

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, emphasized that registration of residence is not a problem for Chechens. The main problem is that Chechens have difficulties finding jobs in the public sector. This means that many Chechens have turned to the private sector and many have successfully established various businesses. It was added that in the times of the Soviet Union many Chechens found short term employment in many places in the country and they often took the hardest and best paid work. Some of these migrant workers settled down where they found work and this is one of the reasons for the current presence of Chechens throughout the Russian Federation and in particular in the cities and regions surrounding Moscow, St. Petersburg and Volgograd.

IOM in Russia stated that in some regions Chechen migrants could be seen as an attractive work force. However, they could face discrimination regarding job opportunities in places where North Caucasians might be labelled in a negative way. It was added that the Russian population is declining and in some places, e.g. Yekaterinburg and in Tatarstan, there is a strong demand in emerging industries for labour including low skilled labourers. Many companies are looking to Tajikistan and other Central Asian states for labour due to the cheap labour force in these countries.

A representative of the Federal Ombudsman stated that many non-Russians are actually doing very well in the large cities in the Russian Federation. They are often very successful in business life, they are very entrepreneurial and some are quite well off. Although there is no statistics available to confirm this, it is the general impression that they are often better off financially than the average ethnic Russians living in the same areas.

A person of Chechen origin stated that some Chechens are quite successful in business but generally they are active in the unofficial sector. It is extremely difficult for Chechens to receive the official documents and permits required to establish a business in full accordance with various laws and regulations. It was added that securing those documents and permits would require large sums for bribes. Some of the Chechens who have lived in the large cities in Russia are well educated, e.g. professors, lawyers, doctors and artists while others work in construction, as mechanics or have small scale businesses. Some businesses are completely legal and others are illegal. In Russia today the lines between the two are often blurred.

A person of Chechen origin stated that it almost impossible for a Chechen to become employed in the public sector in St. Petersburg, apart from the most hard and dirty day labourer jobs. Most Chechens will therefore find a job in the private sector where many are employed in the construction business.

In some cases Chechens could claim to be Uzbeks or Tajiks in order to get a temporary income. It was added that a person's place of birth is stated in the internal passport even if the person has been living in St. Petersburg for maybe 30 or 40 years and is permanently registered there. This means that in the long run it would be difficult to hide one's origin for an employer.

A representative of the Federal Ombudsman suggested that most asylum applications from Russian citizens in Western European countries are lodged by people who for various reasons have lost their property, in for example Chechnya. They do not believe they can earn a living in other parts of the Russian Federation. Between 1992 and 2010 approximately 142,000 Chechens were registered as displaced, and almost 90 percent of those date back to the first Chechen war. Only about 10 percent have been registered as displaced after the second Chechen war. However, many other Chechens have lived in the Russian Federation outside of Chechnya and have been doing very well for many years. It was added that for historical and cultural reasons, Chechens in general are more competitive than most other groups. Chechens in general enjoy a reputation of being a good labour force and they are very active in legitimate business life in sectors such as construction and transport. It is therefore regrettable that some Chechens recently have been involved in paralegal or entirely illegal activities.

1.6 Access to public services

A representative of the Federal Ombudsman stated that in general Chechens enjoy the same rights as any other groups in the Russian Federation. This applies to access to employment, housing, health care, pension etc. However, it is correct that Chechens, as well as some other groups, sometimes are confronted with animosity from local communities outside the North Caucasus.

Khamzat Gerikhanov, Chechen Social and Cultural Association, stated that the association's lawyers offer legal assistance to Chechens who for some reason have encountered problems with local authorities outside of Chechnya. Especially after the first war in Chechnya, many ordinary Chechens were stopped on the streets by police officers who placed narcotics or weapons on them in order to extract money from them. At that time it was a common, but illegal, practice that Chechens had their fingerprints taken for no justifiable reason. Furthermore, it was difficult for Chechens to find employment and have their children enrolled in schools. Today, these problems have been solved except for the still high unemployment rate amongst Chechens who have migrated internally in the Russian Federation, and the federal unemployment support is only the equivalent of maximum 30 US Dollar per month.

1.6.1 Health

IOM in Russia stated that permanent or temporary registration is de-facto necessary in order for a person to legally reside in an area and access the legal labour market and healthcare system, though the Russian legislation clearly states that the right to labour of a Russian citizen could not be rejected due to the residence status. Russian citizens have equal rights to access medical help in any region of the country. If a person is not registered in a certain place he/she will receive emergency medical assistance, otherwise he/she would have to go to the place of registration for the normal medical assistance. The rule of the thumb is that a person gets free medical assistance where he/she is

registered. On the other hand, if the person can pay and cover the costs, he/she gets all the assistance needed whether he/she is registered or not. The same applies if a person is in need of urgent medical attention. Ethnicity does not play a role in terms of access to health care. Registration of residence is important in relation to access to health care due to financial reasons, because hospitals receive reimbursement for treatment of patients who are registered residents.

IOM in Russia explained that even a person who does not have residence registration is still entitled to public health insurance everywhere in the Russian Federation. There can be administrative difficulties if someone has to receive medical treatment in a city where he/she is not registered as resident. These difficulties do not have anything to do with ethnicity, but is a question of the economic situation and the resources of the treatment facility. The medical facilities have different quotas regarding certain treatments, e.g. heart surgery, organ transplants and other complex or expensive medical procedures, they can carry out on persons registered in other areas. However, it was emphasized that no person would be refused treatment if it is urgent and necessary. If a person experience problems in relation to access to healthcare based on the public health insurance, that person has avenues to seek redress and can file a complaint to the relevant state structures, i.e. health department, the Federal Prosecutor's Office, the Ombudsman, etc. It was added that it is possible to buy additional private health insurances or have access to this through a company health insurance scheme, but it is not necessary to receive adequate medical treatment. The source, a Russian citizen, personally did not have any such private health insurance to supplement his public health insurance.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, stated that all citizens of the Russian Federation are covered by the national medical health insurance. No hospital could deny treatment to anybody. It is not a requirement for medical treatment that a person is permanently or temporarily registered by the local authorities near a hospital. Medical treatment is free of charge for the patient including for unemployed people.

Elena Vilenskaya, House of Peace and Non-Violence, stated that the official representative of the Chechen government in St. Petersburg deals with cases where Chechens experience various problems, for instance in accessing health care. Medical insurance is obligatory and is provided to all citizens who have a job and pay tax. The insurance is also provided to children and retired persons. However, hospitals and clinics in Russia have certain quotas in terms of treatment available to citizens from other regions and republics in the Russian Federation. In order to receive treatment in a hospital or clinic outside of the region where the person is permanently registered, the person needs a guarantee from his or her region of permanent residence that the regional health authority will reimburse the expenses for the treatment. In Chechnya commonly it could be necessary to pay bribes in order to secure such a guarantee. It was added that very basic and emergency care will always be provided regardless of such a guarantee or insurance. In very rare cases some people manage to get this guarantee without paying bribes.

Alexander Verkhovsky, SOVA, explained that registration of residence is important in relation to access to health care. Hospitals receive reimbursement for the treatments of patients who are

registered residents. A person who has no residence registration and is in need of medical attention could therefore be met with reluctance from the hospital. However, a person in urgent need of medical care would not be denied necessary treatment. Access to private health care is a possibility for everybody but non-affordable to people with ordinary incomes.

1.6.2 Education

IOM in Russia stated that officially education is available to all children regardless of where they have temporary or permanent residence registration. However, some municipalities give special preference to those that are permanently registered in the municipality. This could become a subject for the prosecutor's office reaction or for the court case.

Alexander Verkhovsky, SOVA, informed that access to schools does not depend on whether or not a person has a temporary or permanent residence registration. No child would be denied access to attend a school.

1.7 Ethnic motivated harassment and attacks

Alexander Verkhovsky, SOVA, explained that SOVA has no specific data or statistics concerning the prevalence of hate crimes committed against Chechens. Chechens are included in the category encompassing all people from Caucasus. There is no evidence to suggest that Chechens as a group are more exposed to hate crimes by "hate groups" i.e. ultranationalist groups than other ethnic groups from Caucasus. According to statistics supplied by SOVA (see **Annex 3**) the total number of killings by hate groups has decreased every year since 2008 (from 116 reports in 2008 to 37 reports in 2010). Concerning the number of reported beatings or other violent attacks, statistics show a decrease since 2007 (from 623 reports in 2007 to 391 reports in 2010). However, preliminary reporting from 2011 suggest that the number of "beaten, wounded" could increase compared to the past three years. The number of reported beatings as of 16 June [2011] is 53, but additional reports of beatings could be expected due to delay in reporting. As of 16 June, 12 [2011] killings have been reported.

Alexander Verkhovsky, SOVA, emphasised that underreporting is a major issue and supposedly growing, especially concerning racially motivated violence. However, underreporting is less of an issue concerning the number of racially motivated killings.

Alexander Verkhovsky, SOVA, explained that SOVA's local correspondents in some regions of the Russian Federation, e.g. journalists, civil society activist, monitors national and local newspapers, neo-nazi blogs and other relevant media outlets. The incoming information is crosschecked by SOVA's Moscow office in order to establish if the reported incident is in fact a hate crime. SOVA has a very meticulous methodology and it was stated that SOVA would rather leave out a reported incident if there is any doubt whether or not the incident is racially motivated.

Alexander Verkhovsky, SOVA, explained that the reason for this generally positive trend is the increased focus of the authorities on cases of disturbing public order. This includes an increased focus on violence committed by hate groups and ultranationalist groups. In 2008 the federal government established a special police unit, the anti-extremism department in the Department of

Internal Affairs. This new special police unit has proved efficient in combating especially violent neo-nazi groups. Several really dangerous ultranationalist groups, mostly in Moscow, have been destroyed as a result of the work of this new police unit. Members of these gangs have either been convicted of numerous racial motivated murders or are awaiting trial. SOVA's statistics show that in 2004 nine convictions for violent crimes with a recognised hate motive were handed out by courts. The nine cases involved 26 offenders. In 2010 the courts convicted 320 persons in 92 cases.

Alexander Verkhovsky, SOVA, emphasised that the positive trend is a sign of real progress in the fight against racially motivated violence. Local departments of the special police unit have also been established in all regional administrative centres of the Russian Federation. Some of these local departments may focus their efforts on other extremist groups than neo-nazi or ultranationalists groups, for instance extreme left wing groups, while some other regional departments focus their efforts on completely non-extremist groups, like peaceful religious groups (Said Nursi followers, Jehovah's Witnesses and others), usually journalists and so on. As in the general public, a strong prejudice against people from the Caucasus can be found, also among individual police officers in the special police unit. However, the head of the anti-extremism department in the federal Department of Internal Affairs is from Karbadino-Balkaria in the Caucasus. It was added that even police officers who are prejudiced against Caucasians are first and foremost police officers and perform their duties.

IOM in Russia explained that there seems to be a genuine political will in Russia to fight hate crimes, discrimination and corruption. In general judicial improvements in terms of access to fair trial are taking place, and there is also a political will to fight corruption in the judicial system.

A Western embassy (A) stated that the criminal courts in the Russian Federation are increasingly observant of "hate crimes" and it is now much more common to see courts sentence persons guilty of "hate crimes" according to the anti-extremist laws and not for "hooliganism" as was the case some years ago.

Alexander Verkhovsky, SOVA, explained that in the years around 2000 a shift took place regarding the groups most exposed to racially motivated violence. Leading up to 2000, racially motivated violence typically targeted Caucasians at marketplaces. However, ultranationalist groups were met with increasing resistance from Caucasian groups. The Caucasians took advantage of their extensive networks to counter these attacks, as well as the widespread perception among skinhead and ultranationalist groups that all Caucasians are involved in organised crime and are aggressive by nature. As a consequence ultranationalist groups turned their attention towards Central Asians, being considered an easier target.

Alexander Verkhovsky, SOVA, explained that nowadays attacks against all groups of non Slavic appearance happen at random. There is no general pattern for these attacks.

IOM in Russia confirmed SOVA's information that there has been a decrease concerning the number of hate crimes or racially motivated attacks on North Caucasians in the Russian Federation outside of

North Caucasus, and suspected criminals responsible for such attacks are prosecuted for extremism and receive prison sentences when found guilty by the courts.

A person of Chechen origin explained that not long ago there was quite strong anti-Chechen propaganda in Russian media that effectively shaped many ordinary Russians' view on Chechens. However, today such propaganda or discrimination is not common in the Russian media. It was added that discrimination against Chechens could flare up if for instance Putin should make a negative statement against Chechens. Chechens are afraid that they will be held responsible if something should happen, e.g. a terrorist attack in St. Petersburg, Moscow or another place that would be blamed on Chechen terrorists. However, currently Chechens are not particularly targeted concerning police harassment and cases of violence from skinheads or hate groups are relatively few. It was added that extortion is often the main reason for police harassment of Chechens.

Alexander Verkhovsky, SOVA, explained that most racially motivated killings and attacks take place in the Moscow region followed by St. Petersburg, Yekatarinenburg and Nizhniy Novgorod, whereas the level of racially motivated violence is relatively low in the region of Tartarstan. When Chechens consider where to move or relocate the business and job opportunities and the presence of relatives are decisive factors. The level of hate crimes and the presence of nationalist groups are not decisive factors.

A representative of the Federal Ombudsman explained that in the republic of Karelia [north of St. Petersburg] some years ago relatives to Chechens, who had lived there for many years, came to settle down. A dispute arose with some Russian inhabitants and unfortunately this developed into full scale harassment against the "indigenous" Chechen population.

A lawyer in the Memorial Migration & Rights Programme and CAC in St. Petersburg stated that she had no statistics regarding racially motivated violence and killings in St. Petersburg. However, in general the level of racially motivated violence and killings has decreased. Based on her knowledge from the cases she had seen in court, violent racist groups in St. Petersburg do not target any specific ethnic group. However, people from Central Asia are considered to be more vulnerable and less able to receive protection from within their own ethnic community than people from Chechnya and the rest of the North Caucasus. There is a large community of Chechens and North Caucasians in St. Petersburg and many have lived there for a long time and they have the money and network to bribe the authorities if they are subjected to racially motivated harassment or extortion.

A lawyer in the Memorial Migration & Rights Programme and CAC in St. Petersburg explained in detail about a major court case in St. Petersburg involving several instances of racially motivated violence and murder. The case illustrates that racially motivated violence and attacks do not follow any particular ethnic pattern. The trial began in February 2009 against members of the so-called Borovikov gang, whose members were charged with seven racially motivated killings between 2003 and 2006. The case consisted of 13 episodes of various criminal activities carried out by the gang. Due to extensive delays in the investigation and trial, the government was forced to release several of the accused gang members and some of the charges were changed from killings to hooliganism. On

14 June 2011 the leader of the gang and another member were jailed for life. Ten other younger members were sentenced to between two and 18 years imprisonment. The armed gang began its attacks in 2003, with victims including a North Korean man, a Senegalese student and a Russian anti-fascist activist, Nikolai Girenko, who was believed to have become a target because he submitted expert reports to courts on extremist crimes.

A representative of a NGO working on cases at the European Court of Human Rights stated that ethnic motivated harassment and attacks are probably much less prevalent today than ten years ago. However, ethnic tension and hate crimes are still a reality in present day Russia. It was added that it is important to note that the authorities' approach in terms of investigating hate crimes and eventually prosecute perpetrators has changed and more and more perpetrators are convicted of racially motivated crimes and not "hooliganism" as was the case previously.

According to a representative of the Federal Ombudsman it is a fact that a large number of people move from one place in the Russian Federation to another. It can be observed that different groups, e.g. Azeri, Ingush and Chechens as well as people from Dagestan, tend to stick together in their new setting and consequently live in communities separated from Russian communities. Drawing a parallel to last century United States of America, such more or less isolated communities are susceptible to foster mafia style criminal activities. Unfortunately, there is a certain lack of communication between Russians and non-Russians as well as a lack of integration of non-Russians into Russian societies. In Moscow, for instance, local Muslim communities at one point began sacrifices of animals outside of mosques'. This was observed by local Russian Muscovites who felt disgusted and therefore complained to the city's authorities. The practice of animal sacrifices outside of Mosques was eventually forbidden, but a heated discussion followed.

1.7.1 Local authorities

A representative of the Federal Ombudsman stated that the Federal Ombudsman does not receive many petitions from Chechens residing in Chechnya. All petitioners regardless of ethnic origin are considered citizens of the Russian Federation, and the Federal Ombudsman does not differentiate according to ethnicity in its statistics. However, the Federal Ombudsman was aware of a number of petitions from citizens of the Russian Federation from the North Caucasus, especially from Ingushetia and Dagestan, but also from other non-Russian groups. The petitions received relates to alleged discrimination and harassment by local authorities based on ethnic animosity against the petitioners. However, the number of such petitions has dramatically declined during the last three to four years, though it was emphasised that the feeling of uneasiness amongst non-Russians has not disappeared for that reason.

A well informed Chechen living in Moscow stated that Chechens living in Moscow do face harassment by the police.

A western embassy (B) stated that there are numerous cases of policemen beating or harassing persons from the North Caucasus and other non-Russians in Russian cities. In general racism and

discrimination is as common in St. Petersburg as in other places in Russia. In provincial towns racism and discrimination is very common and the same is true for Moscow. However, the impression on the level of discrimination and racism depends a lot on the extent of media coverage. Recent cases show the judiciary is reacting more adequately to cases of racist murders.

Svetlana Gannushkina, Memorial and CAC, informed that permanent threat of detention refers both to Chechens in Chechnya and those permanently residing in other regions. Force structures officers plant drugs, guns and explosives on them and terrorist cases are fabricated against them. They cannot expect humane treatment and justice at courts either. Once in penitentiary facilities Chechens are subjected to humiliation, beatings and permanent risk to life.

A person of Chechen origin explained that during the first war in Chechnya many Chechens in St. Petersburg, who were residing there permanently and who were in some cases prominent persons or members of the intelligentsia, experienced pressure from FSB to leave the city. This pressure could take shape of house searches, detentions, beatings and psychological pressure. It was common practice that the police would try to place ammunition or drugs on Chechens who had their apartment searched or who were stopped on the street.

A lawyer in the Memorial Migration & Rights Programme and CAC in St. Petersburg stated that Chechens residing in St. Petersburg since the beginning of the first war in Chechnya in the nineties would occasionally ask for legal assistance. However in the past 2-3 years no Chechens have requested legal assistance at all.

1.8 Women in fear of honour related violence

Svetlana Gannushkina, Memorial and Civic Assistance Committee (CAC), was aware of cases when women left the Chechen Republic out of fear to be killed by their relatives for “inappropriate” behavior or just for an intention to marry a man of another ethnicity. Moscow (and even Poland) did not prove a safe place for them. Their relatives found them and tried to kill them. In some cases Memorial had to apply a lot of effort to help them obtain asylum in Europe or USA.

Elena Vilenskaya, House of Peace and Non-Violence, stated that she had heard of honour killings of women in Chechnya, but not outside of Chechnya. It was added that ordinary single Chechen women or widows usually have a large family and network in Chechnya, and should a woman wish to leave Chechnya she would need the permission from a male relative. A strong woman who is enlightened and maybe has an education could choose to leave Chechnya on her own without the permission from any male relatives, if there was an urgent need for her to leave.

Elena Vilenskaya, House of Peace and Non-Violence, stated that she did not know any examples of single Chechen women who have arrived in St. Petersburg fearing honour related violence in Chechnya. It was added that such women would not be assisted by local authorities in St. Petersburg. Even NGOs willing to assist such women would not be able to do so. Finally, it is extremely difficult to find accommodation and employment in St. Petersburg.

A western embassy (B) stated that it did not have specific information about the prevalence of honour killings in Chechnya. However, it was considered that a woman who feared falling victim to an honour killing would not be able to receive sufficient protection in Chechnya.

A Western embassy (A) stated that in reality very few Chechen women would, if they feel somehow threatened in Chechnya, consider relocating within the Russian Federation in order to feel safe. In practice, there would be only very few opportunities for single Chechen women in the Russian Federation to receive protection and assistance. Of course, NGO's would probably do their utmost to assist such women, but the government run crisis centres have limited capacity and are unable to provide efficient protection from e.g. honour related crimes and the like to Chechen women.

2. Transfers of Chechens to Chechnya from other federal entities

According to Article 32, Section 1, *Territorial Jurisdiction of a Criminal Case*, of the Criminal-Procedural Code of the Russian Federation “A criminal case shall be subject to consideration in the court at the place of the perpetration of the crime, with the exception of the cases stipulated in Article 35 of the present Code.”³³

A representative of the Federal Ombudsman stated that the Republic of Chechnya is an integral part of Russia, but has been allocated substantial autonomy as well as financial support by the federal authorities. However, Chechen authorities do not necessarily cooperate with the federal authorities. It is a predominant feature that the Chechen authorities prefer to solve their problems without the involvement of federal authorities. Legally speaking Chechen police is a part of the federal police structure. However, Chechen police first and foremost represent the head of the Chechen Republic, Kadyrov, and the Chechen Republic. Whereas the many special divisions of law enforcement agencies including the Chechens police are staffed by Chechens, the Prosecutor’s Office of the Chechen Republic and the Investigative Committee of the Chechen Republic are staffed mostly by the Russian officers assigned on a rotation basis from other provinces. The Chechen Prosecutor is appointed by and refers to the federal public prosecutor. The Chechen head of police under the Chechen Department of Internal Affairs is also appointed by the federal authorities, but the Chechen head of police in fact refers exclusively to Kadyrov. It was emphasised that the Republic of Chechnya enjoys the fullest possible autonomy in the Russian Federation.

IOM in Russia stated that Russia is a federal structure and if a suspected person is searched for by one administrative entity in the whole federation, that person could be searched for by authorities throughout the Russian Federation. However, whether or not a federal search will be initiated and

³³ *Criminal-Procedural Code of the Russian Federation*, No. 174-FZ of December 18, 2001, from Organization for Security and Co-operation in Europe (OSCS), Office for Democratic Institutions and Human Rights, <http://legislationline.org/download/action/download/id/1698/file/3a4a5e98a67c25d4fe5eb5170513.htm/preview> (accessed 23 august 2011). Article 35, *Changing the Territorial Jurisdiction of a Criminal Case*, states: “1. The territorial jurisdiction of a criminal case may be changed:

- 1) upon the party's petition - if the objection it has entered to the constitution of the corresponding court is satisfied in conformity with Article 65 of the present Code;
- 2) upon the party's petition or at the initiative of the chairman of the court, to which the criminal case has arrived - in the following cases:
 - a) if all the judges of the given court have earlier taken part in the proceedings on the criminal case under examination, which is a ground for their disqualification in conformity with Article 63 of the present Code;
 - b) if not all the participants in the criminal proceedings on the given criminal case reside on the territory, to which the jurisdiction of the given court is spread, and if all the accused consent to the change of the territorial jurisdiction of the given criminal case.
2. The change of the territorial jurisdiction of a criminal case shall be admissible only before the start of the legal action.
3. The question of changing the territorial jurisdiction of a criminal case on the grounds pointed out in the first part of this Article, shall be resolved by the chairman of a superior court or by his deputy in accordance with the procedure established by Parts Three, Four and Six of Article 125 of this Code.”

potentially followed by arrest and transferral of the suspect from one entity to another depends on what the person is suspected of having done. Regarding Chechens, it all depends on who the suspect has assisted. If the case is somehow linked to international terrorism, it is very likely that the Chechen authorities would initiate a federal search for the suspect.

A Western embassy (A) stated that the Republic of Chechnya is de jure a part of the Russian Federation. However, de-facto Chechnya is not an integral part of the Russian Federation. For example, Chechens are not drafted into the federal military even though this exemption has no legal basis in any federal law or regulation.

A representative of a NGO working on cases at the European Court of Human Rights stated that the organisation does not have first hand information about whether or not a person having supported illegal armed groups in Chechnya could leave Chechnya and live somewhere else in the Russian federation without risk of being searched by the Chechen authorities and subsequently arrested and transferred to Chechnya. In theory such a person could be searched throughout the Russian Federation. However, the source had not heard of such cases regarding Chechens living in Moscow. The source's organisation has never received any applications or complaints from Chechens who had fled to other parts of the Russian Federation. Two or three years ago, the source heard of official transferrals of Chechens from other republics in the North Caucasus region to Chechnya, i.e. from Kabardino-Balkaria, Ingushetia and Dagestan. Today, in republics like Ingushetia and Dagestan, the Chechen authorities would simply go and pick up whoever they want, without using the official channels.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, stated that it is common that Chechen rebels in neighbouring republics in the North Caucasus are sent back to face prosecution in Chechnya.

A representative of the Federal Ombudsman stated that he had no knowledge of cases where Russian authorities, upon request of the Chechen authorities, arrested and transferred a Chechen back to Chechnya for criminal prosecution. That is, that the Chechen authorities would use the Russian federal judicial system when searching for an individual suspected of supporting members of illegal armed groups. It was added that basically it would be quite natural that the Chechen authorities, being an integral part of the Russian federal authorities, use the federal laws and therefore the federal judicial system for whatever legitimate reasons they may have. It is up to the federal authorities to decide whether a request from the Chechen authorities is legitimate.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg,³⁴ stated that the Chechen authorities can and sometimes do use the official federal channels to search for a person in the entire Russian Federation.

³⁴ Ekaterina Sokiryanskaya worked for Memorial in Chechnya and Ingushetia in 2003-2008. She was head of Memorial's office in Grozny in 2007 and 2008. She is presently based in St. Petersburg, but undertakes regular travels to the North Caucasus.

They would be most inclined to do so if it is considered the most efficient way to apprehend a person whom Kadyrov want back in Chechnya. The republics surrounding Chechnya would be the ones most likely to respond timely and efficiently to an official search request from the Chechen authorities. In the neighbouring republics Kadyrov is viewed as having an especially close relationship with Prime Minister Putin and the leaderships of the neighbouring republics are reluctant to and fearful of being in conflict with him. In other areas of the Russian Federation the authorities may be more reluctant due to animosity between Russian police officials and officials from the Chechen authorities. However, it was added that this animosity would not play a significant role if the case involves a request to search for suspected terrorists or persons connected to suspected terrorists. In these cases all officials in the Russian federation would have to show results in terms of numbers of arrests and convictions.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, explained that in most cases the Chechen authorities would not use official federal channels to search for a person. Instead they prefer to use their own unofficial channels to search for such persons, and they have the capability to find and kill wanted persons all over the Russian Federation and in many European countries.

Gregory Shvedov, Editor-in-Chief, Caucasian Knot,³⁵ stated that if a person, who had somehow supported the militants, even on a small scale, e.g. by providing food, shelter or transport, was called by the police but fled Chechnya not responding to the call, such a person would be wanted by the federal security services in the Russian Federation and would not be safe anywhere in the Russian Federation. If such persons were apprehended or abducted by the federal security services they would be suspected of a crime related to the militants in Chechnya. It was added that Caucasian Knot has reported about such cases of Chechens being kidnapped or abducted outside of Chechnya in for instance St. Petersburg and Moscow and that respected human rights NGOs, as Memorial, confirmed these stories.

A lawyer in the Memorial Migration & Rights Programme and CAC in St. Petersburg stated that she had not heard of any cases where a person from Chechnya had been searched or arrested by the police in St. Petersburg and transferred back to Chechnya, because of suspected support to illegal armed groups.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, stated that it is possible that Chechen law enforcement agencies request that Russian authorities search and arrest a person outside of Chechnya and subsequently transfer that person back to Chechnya for prosecution. A federal search will only be initiated if there is an official case or investigation ongoing

³⁵ The internet medium Caucasian Knot was founded by the International Society "Memorial" in 2001. Since 2007, it is an independent electronic medium operating under the aegis of the Information Agency "MEMO.RU". [...] Since August 2003, the English-language version of the "CAUCASIAN KNOT" is in operation. The main partners of the "CAUCASIAN KNOT" are: the Institute of Human Rights, the "Panorama" Information and Research Centre, website bbcussian.com and Internet medium "Gazeta.Ru". The edition is funded from various charitable foundations. Further information on <http://www.eng.kavkaz-uzel.ru/articles/AboutCaucasianKnot> (accessed 24 August 2011)

in Chechnya. In most cases it is the Chechen FSB who is in charge of adding a person's name on the federal search list.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, explained that in cases of suspected supporters of rebels, the local Chechen police would first search the person on a republic level (in Chechnya). If they do not find the wanted person, and if the case is considered to be very serious, they could try to expand the search on the federal level. It was explained that it is not possible to describe in detail the exact level of support that is required before the Chechen authorities will open an official case and conduct an investigation.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, emphasized the need to look into the circumstances of each individual case when assessing the risk of being transferred by the local federal authorities in for example Moscow to prosecution in Chechnya. Direct support to the rebels in Chechnya would be considered a serious matter by most local authorities throughout Russia. However, limited support, e.g. providing food and shelter for the night to the rebels, would probably not be of any interest to local authorities outside of Chechnya, whereas more qualified support to the rebels for example delivering or holding weapons probably would provoke a reaction from local authorities if they become aware of this. In general Russian officials have a strong animosity against persons in Kadyrov's law enforcement agencies, but if a person is wanted on the federal level on request of the Chechen authorities, it could be difficult for Russian officials to ignore that or to obstruct the search for a specific person. On the other hand, the system of police cooperation between different regions and republics in the Russian Federation is very bureaucratic, and cases have sometimes been misplaced for years.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, stated that supporters or relatives to supporters of illegal armed groups who have relocated to another region in the Russian Federation would be found if they were officially searched on a federal level or if they had provided substantial financial support to the rebels. However, if someone had supported the illegal armed groups for the first time or many years ago with food, shelter or transportation and then relocated outside of Chechnya, the Chechen authorities would not open an official federal search or put much effort in getting such a person back.

A person of Chechen origin stated that in general the police in St. Petersburg and in Moscow have no interest in supporting the Chechen law enforcement authorities. Many Russian policemen were forced to work in Chechnya during the wars, and they have no reason to trust or assist the present authorities in Chechnya.

Alexander Verkhovsky, SOVA, stated that in general the personnel in the federal Russian police and army has a strong resentment against Kadyrov. If the Chechen authorities via official federal channels would search for and consequently request to have an individual transferred from a location outside of Chechnya, Russian law enforcement agencies would be reluctant to take action. Russian law enforcement agencies would request strong evidence from the Chechen police and maybe ask for

additional information in the case before even considering taking any action. Verkhovsky believed that most probably in some cases Russian law enforcement agencies would simply ignore requests from Chechen police.

Human Rights Watch (HRW) confirmed that there appears to be some animosity between Russian police and security forces and the Chechen authorities. HRW stated that if a person outside of Chechnya represents a threat to Kadyrov's political, security or financial interests and for that reason is wanted by the Chechen authorities, local law enforcement officials may find it possible to make use of their unofficial network of informants and find that individual and have him killed. Low profile persons, i.e. those suspected of occasionally providing support to members of illegal armed groups, are not likely to be treated in that manner. However, if an official investigation has been initiated with the intent to prosecute a low profile person, he will be first searched for on republic level and eventually the search may expand to federal level.

A person of Chechen origin did not know any examples of Chechens residing in the Russian Federation outside of Chechnya being transferred to Chechnya by Russian authorities upon request of the Chechen authorities.

Elena Vilenskaya, House of Peace and Non-Violence, stated that she had not heard of any cases where Chechens in St. Petersburg had been transferred back to Chechnya by federal authorities.

A Western embassy (A) doubted that the Chechen authorities would involve the Russian federal authorities in order to have a person transferred to Chechnya from, e.g. Moscow or another place in the Russian Federation, for criminal procedures in Chechnya. It was emphasized that the Russian authorities have absolutely no trust in the Chechen authorities. Most Russians consider Chechnya to be a nest for terrorists and home to a mafia style rule.

3. Abductions and extrajudicial killings by Chechen authorities outside of Chechnya

Svetlana Gannushkina, Memorial and CAC, and Oleg Orlov, Chairman of the Board of Human Rights Center Memorial and head of the “Hot Spots” program, Moscow, stated that Chechens can move to another region of the Russian Federation and some choose to do so. If a person is not outspoken and critical towards Kadyrov, it is possible to live elsewhere in the Russian Federation without fear of being killed or forced back to Chechnya. However, if a person is in fact wanted by Kadyrov he could reach that person anywhere in the world, e.g. in Copenhagen, Vienna, Dubai and in Moscow. It was added that any person who is considered a threat to Kadyrov would find it difficult to find safety in any country. However, Gannushkina, was convinced that residents of Chechnya have no alternative to living in Chechnya risking their lives. Russia is marked by growth of xenophobia. Chechens are being denied rent, registration, employment, which occurs in an insulting form, humiliating national and human dignity.

Svetlana Gannushkina, Memorial and CAC, and Oleg Orlov, Memorial, explained that Memorial and the CAC have combined their efforts in order to protect human rights of Russian citizens. It was added that “Migration Rights” Network has 50 consultation offices in Russia. Four of them are operating in Chechnya, two in Dagestan, one in Ingushetia, one in North Ossetia, two in Stavropol Territory and one in Kabardino-Balkaria.

Svetlana Gannushkina, Memorial and CAC, added: “It is noteworthy that to assess whether the prospect of alternative resettlement is real, authorities should provide protection de jure; the applicant should have an opportunity of a safe, dignified and legal access to the protection area within the country; there should be conditions for the satisfaction of the needs of vulnerable groups; conditions in this area should be such that the applicant won't be forced to go back to the area where there is a risk of serious harm on one of the Convention grounds; absence of risk of serious harm in a suggested area should be established objectively instead of subjective assessments that harm is unlikely. Alternative is rarely possible when it is the state who is the persecutor. (Reference was made to: «European Council on Refugees and Exiles’ recommendations on treating Chechen IDPs, asylum seekers and refugees in Europe»³⁶).

A representative of the Federal Ombudsman stated that as a result of the two wars in Chechnya a number of Chechens have found themselves deprived of their jobs and houses and this has led them to leave the Russian Federation. Many Chechens who have encountered problems with the present

³⁶ Report from European Council on Refugees and Exiles, *Guidelines on the treatment of Chechen internally displaced persons (IDPs), asylum seekers and refugees in Europe*, 8 March 2011. (Russian version): [http://www.unhcr.org.ua/img/uploads/docs/Guidelines%20on%20the%20treatment%20of%20Chechen%20internally%20displaced%20persons%20\(IDPs\),%20asylum%20seekers%20and%20refugees%20in%20Europe%20\(2011\)%20rus.pdf](http://www.unhcr.org.ua/img/uploads/docs/Guidelines%20on%20the%20treatment%20of%20Chechen%20internally%20displaced%20persons%20(IDPs),%20asylum%20seekers%20and%20refugees%20in%20Europe%20(2011)%20rus.pdf)
English version: <http://www.ecre.org/files/GuidelinesOntheTreatmentofChechenAsylumSeekersRefugeesIDPsinEurope2011.pdf> (accessed 18 August 2011)

local Chechen law enforcement agencies have left Chechnya and taken up residence in other parts of the Russian Federation. The Federal Ombudsman has not received any complaints or petitions from Chechens residing in the Russian federation outside of the North Caucasus concerning harassment by other Chechens. However, it is important in this respect to distinguish between high profile persons and low profile persons. Persons who are viewed by Kadyrov as outsiders or opponents to his government or as his clan's rivals could be exposed to harassment from other Chechens. A number of murders of high profile persons have been carried out in Moscow and even in Vienna. A high profile person could be at risk of reprisals from members of Kadyrov's secret services in the Russian Federation as well as abroad. Whereas low profiled persons who are not openly opposed to Kadyrov are normally left to their own devices. It was added that a chain of action could be identified: if even limited criticism of Kadyrov's government comes to the attention of the Chechen authorities, the critic would be reprimanded. This could lead to a growing feeling of antagonism with the critic against the Chechen government. If such antagonism is expressed again the severity of the reprimand would increase considerably as well.

A western embassy (B) stated that it had no knowledge of cases of reprisals by Chechen authorities against ordinary Chechens residing in the Russian Federation outside of Chechnya and the North Caucasus region. However, it is important to distinguish between high profile persons and low profile persons. There have been several cases of politically motivated killings of Chechens in Moscow and elsewhere who posed a challenge to Kadyrov's government or who were perceived by Kadyrov to pose a threat to him. However, the source had no knowledge of cases of low profile persons being subjected to attempts of murder or kidnapping by the Chechen authorities outside of the North Caucasus.

A number of cases of killings of Chechens residing in Moscow and abroad have been reported by various media in recent years (see **Annex 4** for an overview). It is widely believed that these killings have been a part of Kadyrov's effort to eliminate any opposition to his rule, though Kadyrov has denied any involvement in the killings. On 18 November 2006 Movladi Baisarov, a former ally of Kadyrov and a commander of a FSB special forces unit "Gorets" (Mountaineers), who had become one of Kadyrov's most outspoken opponents, was shot and killed in Moscow by Chechen security forces. In one of his last interviews Baisarov asserted that he was ready to answer all the questions of the Federal Office of Public Prosecutor in connection with Anna Politkovskaya's murder.³⁷ He considered that the election of Ramzan Kadyrov to the post of the president of the Republic would result in disintegration of Russia. It has been alleged that Baisarov was killed by the employees of the Chechen Department for Fighting Organized Crime ("UBOP").³⁸

³⁷ Anna Politkovskaya, a journalist of the "Novaya Gazeta", was killed in Moscow on 7 October 2006.

³⁸ Caucasian Knot, *Baisarov, ex-commander of "Gorets" squadron, killed in Moscow*, 20 November 2006, <http://www.eng.kavkaz-uzel.ru/articles/5052/> (accessed 29 August 2011) and *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 426.

In late September 2008 Ruslan Yamadayev, a former State Duma deputy and brother of Sulim Yamadayev who was a strong rival to Kadyrov, was shot ten times and killed in central Moscow. Both Yamadayev brothers fought against the Russian army during the first war in Chechnya but in 1999 they joined the Russian forces sent to restore Moscow's control over the republic. Ruslan Yamadayev occupied several major positions including that of military commandant of Chechnya.³⁹ In October 2010 a court in Moscow found three Chechens guilty of the murder of Ruslan Yamadayev.⁴⁰

On 13 January 2009 Umar Israilov, a former Chechen rebel, was shot and killed in Vienna. Israilov worked for a short time as Kadyrov's bodyguard but fled for Europe in 2006 where he filed a complaint with the European Court of Human Rights in which he accused Kadyrov personally and his security forces of systematic use of torture and abductions against suspected rebels and their families. A court in Austria has convicted three Chechens of complicity in the murder of a Chechen dissident in Vienna in 2009, while the person who is believed to have actually shot Israilov has so far not been apprehended. Kadyrov has strongly denied any involvement in the killing and attempts by investigators to question him has failed. Austrian prosecutors did not have sufficient evidence to charge Kadyrov, but claimed he had close ties to the defendants.⁴¹

A former deputy mayor of Grozny, Gilani Shepiyev, was shot three times and killed in Moscow on 5 February 2009. He fled Grozny in 2006 after he was shot and injured in an assassination attempt.⁴²

In late March 2009 Sulim Yamadayev was killed in Dubai, United Arab Emirates. Sulim Yamadayev was commander of the "Vostok" elite security force but was dismissed in 2008. Authorities in Dubai claimed that the investigation found that Adam Delimkhanov, a Chechen member of the State Duma, was the mastermind behind the assassination of Sulim Yamadayev. In May 2009 Delimkhanov and six other Russian citizens were placed on Interpol's wanted list in connection with the killing of Sulim Yamadayev.⁴³

³⁹ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 426 and Reuters, *Prominent Chechen gunned down in Moscow*, 24 September 2008, <http://www.reuters.com/article/2008/09/24/us-russia-chechnya-shooting-idUSTRE48N65A20080924> (accessed 29 August 2011)

⁴⁰ *Caucasian Knot*, *Moscow court acknowledged three natives of Chechnya guilty of the murder of Ruslan Yamadayev*, 18 October 2010, <http://www.eng.kavkaz-uzel.ru/articles/14858/> (accessed 29 August 2011)

⁴¹ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), pp. 426 and BBC, *Austrian court convicts Chechens over dissident's death*, 1 June 2011, <http://www.bbc.co.uk/news/world-europe-13621483> (accessed 29 August 2011)

⁴² BBC, *Former Chechen official shot dead*, 5 February 2009, <http://news.bbc.co.uk/2/hi/europe/7872286.stm> (accessed 29 August 2011)

⁴³ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 427 and BBC, *Top Chechen 'behind Gulf murder'*, 6 April, <http://news.bbc.co.uk/2/hi/europe/7984545.stm> (accessed 29 August 2011)

HRW stated that if a person outside of Chechnya represents a threat to Kadyrov's political, security or financial interests and for that reason is wanted by the Chechen authorities, local law enforcement officials may find it possible to make use of their unofficial network of informants and find that individual and have him killed. Low profile persons, i.e. those suspected of occasionally providing support to members of illegal armed groups, are not likely to be treated in that manner.

Alexander Verkhovsky, SOVA, stated that Chechen police could in some cases prefer not to use official channels if they are searching for individuals who have left Chechnya for other locations in the Russian Federation. The reason for this being that the Chechen police in such cases might not want to expose their real intentions in the specific case i.e. that the individual is wanted by the Chechen police and the reasons behind their interest in that person. The source believed that the case of the murder in Moscow of the critical journalist Politkovskaya was an example of how the Chechen authorities work separately from the official federal system.

A person of Chechen origin stated that if the Chechen authorities want to kill a person they would prefer to solve this on their own i.e. by sending somebody to assassinate the person in question. They would not involve any federal authority in that kind of work.

A person of Chechen origin stated that should Kadyrov wish to kill a person residing in the Russian Federation outside of Chechnya he would need the approval of Putin. The activities carried out by Chechen assassins in Dubai or Vienna must have received some kind of approval or tacit agreement with the highest circles in Kremlin.

SK-Strategy denied that Kadyrov would have to notify anybody in the Kremlin if he wants someone killed.

A person of Chechen origin stated that Kadyrov could reach any person, e.g. either a successful Chechen businessman for extortion purposes or an outspoken critic of Kadyrov, in the Russian Federation by sending an envoy. There is no doubt that Kadyrov's secret services could assassinate anybody they want, and even persons who are not very high profile critics of Kadyrov could be at risk if they are outspoken. However, nobody dare to talk about assassinations carried out by Kadyrov's men. It was emphasized that if an ordinary Chechen does not openly express criticism of Kadyrov, he or his secret services would not show any interest in that person. It was added that a relative of an outspoken critic or a relative of a wealthy Chechen businessman could be exposed to pressure in order to silence critics or extort money.

Elena Vilenskaya, House of Peace and Non-Violence, stated that she had not heard of any cases where Chechens in St. Petersburg had been killed, disappeared or transferred back to Chechnya by Chechen or federal authorities. However, examples from the past show that the Chechen authorities have the capability to kill Chechens anywhere in the world. Those at risk of being killed or taken back to Chechnya would be prominent Chechens or ordinary Chechens who have attracted the attention of high ranking officials because they have been active and outspoken against Kadyrov. It is very dangerous to publically oppose Kadyrov and it is equally dangerous not to glorify him in the

presence of other Chechens. Once a person is noticed by the Chechen authorities for such activities, he or she would face some sort of harassment and pressure from the Chechen authorities.

A well informed Chechen living in Moscow stated that if someone is outspoken and critical to Kadyrov this could also be noticed by envoys of Kadyrov in the Chechen communities outside of Chechnya. Such a person could risk being threatened, abducted and taken back to Chechnya and even killed.

A well informed Chechen living in Moscow stated that he had not heard of any examples of killings, physical abuse or abductions of Chechens who had left Chechnya fearing the Chechens authorities because they had provided low level support to the illegal armed groups, were suspected of providing such support or related to supporters of these groups.

Khamzat Gerikhanov, Chairman of the Board, Chechen Social and Cultural Association, considered that it would be impossible for the Chechen authorities to find a low profile supporter of the rebels if he or she has left Chechnya to live elsewhere in the Russian Federation. It was added that all Chechens in one way or the other have been in some kind of contact with the rebels.

A lawyer in the Memorial Migration & Rights Programme and CAC in St. Petersburg explained that if the Russian authorities suspect a person to be involved in or linked to terrorism, it is possible that such a person could disappear without an official investigation or court proceedings. The source had no knowledge of any cases where a Chechen had been abducted and brought back to Chechnya via unofficial channels by Chechen authorities because of suspected support to illegal armed groups in Chechnya. However, the source referred to the only case she had heard of that would be relevant in this context. It was a prominent case from December 2009 concerning the disappearance in St. Petersburg of four Ingush relatives of the widow of the former Ingush opposition leader and well known opposition figure, Maksharip Aushev, who was killed in October 2009 by unidentified assailants in the republic of Kabardino-Balkaria. The case was described in detail by the source that also referred to documents from the European Court of Human Rights.⁴⁴ The events of October to December 2009 and the disappearances of the four Ingush relatives have been widely reported in the Russian and international press and by human rights NGOs, including Memorial. It was stated that the same kind of disappearance could happen to Chechens with a profile similar to the four Ingush who disappeared. It was added that a person who have fled Chechnya to another place in the Russian Federation would be in risk of being abducted or killed by the Chechen authorities, provided that he or she is in some way associated with high profile Chechen opposition leaders, active members of illegal armed groups, known or suspected terrorists or other persons whom Kadyrov wants to return to Chechnya.

⁴⁴ ECHR, *Application no. 18407/10 by Tanzila Magometovna DOBRIYEVA and Others against Russia*, lodged on 5 April 2010:

<http://cmiskp.echr.coe.int/tkp197/view.asp?action=html&documentId=886644&portal=hbkm&source=externalbydocnum&table=F69A27FD8FB86142BF01C1166DEA398649> (Accessed 18 August 2011)

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, stated that recently a kind of spill over concerning the modus operandi in the North Caucasus can be seen in the rest of the Russian Federation. Since 2009 the number of arrests and abductions of north Caucasians has increased throughout Russia, and approximately 20% of all reported abductions now take place outside of the North Caucasus. It was added that the overwhelming majority of persons from the North Caucasus who were reported disappeared throughout the Russian Federation since 2009 had never been officially searched by the federal authorities. Those who disappeared or were abducted were typically relatives to suspected terrorists or combatants. Such persons could be at risk of being abducted and often killed by the Chechen authorities. However, Chechen authorities are primarily interested in apprehending leaders or members of the illegal armed groups and suspected terrorists in the local area.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, also referred to the case of kidnapping and disappearance of the four Ingush in St. Petersburg in December 2009 described by a lawyer in the Memorial Migration & Rights Programme and CAC in St. Petersburg.

A representative of a NGO working on cases at the European Court of Human Rights had heard of Chechens who have been abducted by Chechen authorities elsewhere in the Russian Federation and transferred back to Chechnya. This happened even as far afield as Kazakhstan, in relation to a witness/suspect in a murder case, who was taken back to Chechnya and tortured (this was about three years ago). The source had also heard of abductions occurring from Astrakhan, Stavropol, Rostov-na-Donu, Nalchik, Dagestan (especially Khasaviurt) and Ingushetia. It was added that such abductions happens most frequently in other parts of the North Caucasus, where the Chechen authorities have the easiest reach. When asked to elaborate further on examples of abductions of Chechens from Astrakhan, Rostov on Don or other locations outside of North Caucasus the representative explained that the main sources of information in this regard has been mainly from local independent lawyers working in the region, who have mentioned such examples specifically in relation to clients they are defending. The source imagined that such examples would have been reported to NGOs and specific reference was made to Svetlana Gannushkina of CAC or colleagues at Memorial.

SK-Strategy added that it would be very expensive and meaningless to spend resources in chasing low level persons outside of Chechnya, e.g. people who have supplied food, shelter or transportation to the illegal armed groups. Once they have left Chechnya such persons no longer present a threat to the system, and they are able to live outside of Chechnya in safety of reprisals from Chechen authorities. Only in certain cases, i.e. if a person was in possession of specific compromising information or a lot of money, would the Chechen authorities attempt to find that person and bring him back to Chechnya. However, the source had not heard of any such examples and it was added that people fitting this profile could be counted on the fingers of one hand.

SK-Strategy explained that high level persons who have left Chechnya are at risk everywhere, as examples of assassinations in Vienna, Moscow and Dubai has showed. However, such actions would exclusively involve persons who are extremely high profile actors in the conflict.

SK-Strategy explained that some murders of Chechens outside of Chechnya can have very simple reasons. In the past there had been examples where Chechens collecting money to support the fighters have kept that money for themselves. If this was discovered by the fighters, the money collector would risk being killed.⁴⁵

SK-Strategy stated that if the Chechen authorities want to bring someone back to Chechnya they could easily do so by applying pressure on the person or his or her relatives, e.g. remove relatives from their jobs or expel them from the university etc. However, an ordinary Chechen would only risk being brought back to Chechnya if he or she had a conflict with a very high level official, and in very few cases Chechen authorities would opt to use federal procedures to have a person transferred to Chechnya from Moscow, St. Petersburg or other places outside of Chechnya. If a person had been detained and interrogated by lower ranking Chechen police officials because of suspected low level support to the illegal armed groups, e.g. supplying food, shelter or transportation and finally had been released by the police, he or she would be able to leave Chechnya and live safely somewhere else in the Russian federation.

SK-Strategy had not heard of examples where such low profile persons had been killed or brought back by Chechen authorities from elsewhere in the Russian Federation or Europe.

3.1 Pressure on family members

A representative of a NGO working on cases at the European Court of Human Rights explained that Kadyrov's personal grudges can be the decisive factor in terms of who would risk being searched and/or picked up by the Chechen authorities. If the Chechen authorities cannot find the person they want, if for instance the person is not in Chechnya, they would try to apply pressure on family members in Chechnya. The Chechen authorities generally go for the easy targets and these are primarily people who are actually living inside Chechnya.

SK-Strategy stated that the Chechen authorities have informants among Chechen Diasporas in Europe and in the Russian federation. Chechens are afraid to express criticism of Kadyrov as it may have implications for their relatives in Chechnya. There were examples that people in Chechnya had lost their job because a relative outside of Chechnya openly expressed criticism of Kadyrov.

An anonymous source with knowledge about Chechnya and Chechen Diaspora societies stated that even more serious reprisals including killings could be applied by the Chechen authorities if relatives outside of Chechnya openly expressed criticism of Kadyrov.

A person of Chechen origin explained that Kadyrov has sent loyal persons to Western Europe in order to take control of the Chechen Diaspora there. This has created widespread mistrust amongst

⁴⁵ The killings in Istanbul of three former Chechen militants, Ali Osayev, Islam Janibekov and Gadji Edilsultanov has been linked to disputes over financial assistance to Chechen separatists. Ria Novosty, *Former Chechen militant gunned down in Istanbul*, 27 February 2009, <http://en.rian.ru/world/20090227/120333550.html> (accessed 29 August 2011)

Chechens living in Western Europe who are also afraid of expressing any criticism of Kadyrov as this could lead to reprisals against relatives living in Chechnya.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, referred to a case that was typical and similar to other testimonies collected by Memorial. The case concerned a former leader of a small illegal armed group in Chechnya. Fearing he might be killed by the Chechen authorities he had left Chechnya and the Russian Federation and fled to Europe. After leaving Russia, his father, stepmother and his wife's sister were arrested by the Chechen authorities and had all their personal identity documents confiscated. His father was subjected to severe beatings during his arrest. The former leader of a small illegal armed group in Chechnya received a phone call from Kadyrov who personally threatened him. It was added that the Chechen authorities did initiate a federal search of the former leader of a small illegal armed group in Chechnya via the official channels.

To illustrate the level of fear of reprisals against family members Elena Vilenskaya, House of Peace and Non-Violence, referred to some Chechens living abroad who had been "voluntary-forced" to return to Chechnya. Reference was also made to the case of Timur Aliev. Timur Aliev was formerly journalist and a relatively outspoken critic of Kadyrov's government. He is now an advisor to Kadyrov. When Vilenskaya asked Memorial activist Natalya Estemirova what had made Aliev change course, Estemirova laconically answered "she had a boy" meaning that Aliev's wife gave birth to a boy and the family would be at risk if Timur hadn't agreed to become an adviser.

Elena Vilenskaya, House of Peace and Non-Violence, finally referred to the case of one intellectual living outside Chechnya whose relatives in Chechnya received threats from the Chechen authorities because of his criticism of Kadyrov.

3.2 Illegal tax collection

Elena Vilenskaya, House of Peace and Non-Violence, explained that successful Chechen businessmen in the Russian Federation could risk being pressured into paying money to the Chechen authorities. The families in Chechnya of such persons would also receive threats and be in danger of being subjected to threats, interrogation, detention, beatings and could even be killed unless the illegal tax is paid to the so-called Kadyrov Foundation.

Svetlana Gannushkina, Memorial and CAC, and Oleg Orlov, Memorial, stated that successful Chechen businessmen living in the Russian Federation outside of Chechnya are expected to pay taxes to Kadyrov, and Kadyrov knows where to find them. However, a Chechen businessman with an average income could stay unnoticed in the Russian Federation outside of Chechnya, provided that he keeps a low profile.

SK-Strategy stated that Chechen authorities collect taxes from successful businessmen in Europe and the Russian federation outside of Chechnya. There is always a lot of talk among Chechens in a Diaspora and it would therefore be impossible to hide the fact that someone was earning a lot of money. The taxes could amount to more than 3,000 US Dollars per year.

A well informed Chechen living in Moscow confirmed that Chechens who have relocated from Chechnya to another part of the Russian Federation could be subjected to pressure by envoys of Kadyrov. This pressure could be in the shape of financial extortion if someone was noticed having success in business.

The Russian daily Kommersant reported in April 2009 that Movladi Atlangeriev, a well known Chechen business man allegedly linked to organised criminal networks, was abducted in Moscow on 31 January 2008. Atlangeriev played a crucial part in the federal seizure of Gudermes at the beginning of the second war in Chechnya, but he disagreed with the Chechen leadership and settled in Moscow. He was known to have been very vocal in his feelings about the current Chechen leadership and to have been warned about his incautious statements.⁴⁶ Atlangeriev was believed to be a friend of the Yamadaevs. A member of the Yamadaev clan has claimed that Atlangeriev was kidnapped in Moscow and was later seen in Chechnya with Ramzan Kadyrov. Atlangeriev had his business in Moscow; he owned several buildings in the central city, and Kadyrov wanted securing his grip on that business, same as he's already done it in Chechnya and with many Chechen businessmen in Russia. However, he failed to intimidate or persuade Movladi to hand over all that 'voluntarily', and then he was killed.⁴⁷

⁴⁶ Kommersant, *Chechen Crime Boss Has Disappeared*, 14 April 2008, http://www.kommersant.com/p882132/organized_crime/ (accessed 29 August 2011)

⁴⁷ Alexander Ivanov, *Caucasian Knot, Yamadaevs' relative: authorities of Chechnya are behind Atlangeriev's kidnapping*, 21 May 2009, <http://www.eng.kavkaz-uzel.ru/articles/10168/> (accessed 19 August 2011)

4. Update on the general security situation in Chechnya/North Caucasus

Svetlana Gannushkina, Memorial and CAC, and Orlov, Memorial, stated that the security situation in the North Caucasus is marked by the activities of underground terrorist groups. However, the governments of the republics in the North Caucasus are also agents of terror, and the population suffers from terror from both sides. In general, various police forces and highly placed bureaucrats are responsible for carrying out terror against the people living in the North Caucasus. The underground terrorist groups are responsible for bombings, and these bombings are not exclusively targeting public buildings such as police stations but also non-government building such as shops that sell alcohol. In Dagestan there have been several cases of bombings on beaches that have left many people injured.

In a May 2011 bulletin, Memorial presents generalised data based on public sources (reports from Russian news agencies, accumulated by the site “No to the War”) that show the number of killed and wounded law enforcement agents and army personnel in the North Caucasus in 2009 and 2010:⁴⁸

	2009		2010	
	Killed	Wounded	Killed	Wounded
Chechnya	93	192	55	137
Ingushetia	92	231	40	132
Dagestan	83	119	159	233
Karbadino-Balkaria	5	16	33	39

In August 2011 Jamestown Foundation referred to a July 22 2011 Memorial report [in Russian] in which Memorial stated that the casualty figures do not always translate into a correct assessment of the level of tension in a given region. For example, of the 44 servicemen killed in the North Caucasus in March-May 2011, 34 were killed in Dagestan and 6 in Ingushetia, while only two were killed in Kabardino-Balkaria and one in Chechnya. Focusing just on these numbers could be misleading. Kabardino-Balkaria is the only region where a counterterrorist operation has been in force from

⁴⁸ Memorial Human Rights Center: *Bulletin of Memorial Human Rights Center; The situation in the zone of conflict in the North Caucasus: evaluation by human rights activists; Winter 2010 – 2011*, 4 May 2011, <http://www2.memo.ru/uploads/files/559.pdf> (accessed 19 August 2011)

February 2011 to date. Chechnya appears to have been nearly the quietest territory in the North Caucasus.⁴⁹

A representative of a NGO working on cases at the European Court of Human Rights stated that the overall security situation in Chechnya has improved and there are fewer active members of illegal armed groups. Due to the 2014 winter Olympics in the region the Chechen authorities are eager to show results in terms of increased security.

Gregory Shvedov, chief editor of *Caucasian Knot*⁵⁰ stated that the number of reported militants' attacks in Chechnya in 2010 have decreased compared to 2009. Despite Kadyrov's firm control militants still have the capacity to carry out attacks inside Chechnya. In 2010 39 explosions have been reported in Chechnya.⁵¹ The still relatively large number of bombings and attacks mostly takes place in three cities in the central part of Chechnya. The decrease in attacks and incidents should be seen as the result of a strategy of increased repression of the Chechen population applied by the Chechen government. The decrease in actual bombings and attacks carried out by militants is a testimony of the level of suppression and a sign of a worsening of the overall human rights situation in the Chechnya. See **Annex 5** concerning the number of security incidents reported in Chechnya and the rest of North Caucasus in 2011 by *Caucasian Knot*.

Gregory Shvedov, *Caucasian Knot*, stated that *Caucasian Knot* has more than 50 journalists spread across the North and South Caucasus region and most major incidents taking place in the region would therefore be reported by them.

According to a western embassy (B) there have been no major attacks in Chechnya in recent time except for the attack on the Chechen parliament in October 2010.

Gregory Shvedov, *Caucasian Knot*, stated that the reduced number of bombings and attacks by militants in 2010 has convinced the Russian federal government that Kadyrov's strategy of fighting the militants has proven effective and has provided security in Chechnya. The Russian federal authorities therefore prefer to let the Chechen authorities handle cases concerning Chechens who are wanted by the Chechen authorities.

A Western embassy (A) stated that there is general consensus that the level of military activity and militants' bombings is more or less stable in Chechnya. In the western part of the North Caucasus and in Dagestan increasingly more and more incidents take place.

⁴⁹ Valery Dzutsev, *North Caucasus Analysis Volume: 12 Issue 16*, Jamestown Foundation, 3 August , 2011. http://www.jamestown.org/single/?no_cache=1&tx_ttnews%5Btt_news%5D=38274&tx_ttnews%5BbackPid%5D=514 (accessed 19 August 2011)

⁵⁰ 24-7 internet agency <http://www.kavkaz-uzel.ru/>, short English version on <http://www.caucasianknot.info>

⁵¹ Gregory Shvedov referred to the following article (in Russian): Война на Северном Кавказе смещается в Дагестан и КБР. 11 March 2011. <http://www.kavkaz-uzel.ru/articles/182170/>

Oleg Orlov, Memorial, stated that the security situation in Dagestan is very bad, and the level of violence from both the government and the militants is rising. However, there is room for dialogue between the parties, and there is hope that the situation could improve in the future. The security and human rights situation in Ingushetia has improved very much in the past years and is significantly better than in Dagestan and any other region in the North Caucasus. The underground terrorist groups are now almost completely destroyed. The Ingush president is actively involved in investigating cases of abductions and torture and he is closely cooperating with civil society groups. Furthermore, the Ingush president is focusing on a dialogue with the various Islamic communities in Ingushetia, including the Salafist community. However, as he has not been able to put an end to the use of torture in detention and because corruption is still rampant the population of Ingushetia is not content with the situation in the republic.

According to Svetlana Gannushkina, the Ingush president has instructed the Investigative Committee of the Prosecutors' Office to regularly report on human rights violations. It was added that fighting terror with terror is not specific to North Caucasus; it is the general behaviour of the authorities throughout the Russian Federation, which should be renounced.

Oleg Orlov, Memorial, explained that in Chechnya the situation is completely different than in the rest of North Caucasus and the Russian Federation. A totalitarian state has been built under the head of the Republic, Kadyrov, and the Chechen government controls all aspects of life including civil society organizations, all kinds of business life, media, the judicial system and all law enforcement agencies and even the private sphere. As an example of the latter, it was explained that Chechens have been forced to follow Kadyrov's personal interpretation of Islam, which means that Chechen residents, first of all women, are now forced to follow a strict Islamic dress code as has also been documented by HRW in a recent report.⁵²

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, explained that Kadyrov's security and law enforcement forces often consist of former members of the illegal armed groups who have been forced to switch sides in the conflict. The Chechen authorities can provide former members of the illegal armed groups with privileges if they join the security or law enforcement structures. By using former members of the illegal armed groups as law enforcement officers the Chechen authorities make use of the fact that these people have an extensive network and knowledge of the illegal armed groups, but also of people who have supported them. The former rebels, who are now law enforcement officers, are under pressure to show results in terms of arrests, interrogations and information gathering related to the illegal armed groups.

Gregory Shvedov, Caucasian Knot, explained that today the official power structures of Chechnya are made up of former Kadyrovtsy. However, the fact that they are now named according to official federal names is just a label. They continue to operate as they have done in the past.

⁵² Human Rights Watch, "*You Dress According to Their Rules*", 10 March 2011, <http://www.hrw.org/reports/2011/03/10/you-dress-according-their-rules> (accessed 19 August 2011)

Alexander Verkhovsky, SOVA, stated that the former Kadyrovtsy, who previously acted outside of the official power structures, are now fully integrated into the official Chechen law enforcement structures.

Svetlana Gannushkina, Memorial and CAC, and Orlov, Memorial, stated that in contrast to the rest of the Russian Federation all law enforcement agencies and armed forces in Chechnya, are under the complete control of Kadyrov. Chechen power structures are only formally identical to other subjects of the Russian Federation. Even the two army battalions of the Department of Internal Affairs “North” and “South” are controlled by Kadyrov.

HRW stated that all police and security units in Chechnya are under de facto control of Kadyrov and their subjugation to relevant federal authorities appears to be only nominal.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, stated that Kadyrov since the end of 2008 has been in control of the entire republic. Russian federal military and security forces and authorities have either left Chechnya or have been mostly confined to their bases, while Chechen security and police structures have replaced them in carrying out the so-called “anti-terrorist operations”. In 2007-2009 Kadyrov managed to build a totalitarian state, and there is absolutely no public opposition of any kind to Kadyrov left in Chechnya.

Gregory Shvedov, Caucasian Knot, stated that between 80,000 to 100,000 federal Russian military troops and policemen are currently deployed in Chechnya.

A representative of the Federal Ombudsman explained that the Russian federal army has kept some military units on station in Chechnya, but these units do not interfere with Chechen affairs, and Chechen authorities have made the point that the federal army should be withdrawn from Chechnya.

Concerning the structure and the history of Chechen security structures a western embassy (B) recommended an article published by Novaya Gazeta on 24 July 2011.⁵³ The article is based on data from public sources:

“The structure of Ramzan Kadyrov’s army in early 2011

Non-departmental security regiment under the Chechen Ministry of the Interior – “Oil” regiment – 2,400-3,000 soldiers.

Special Forces regiment under the Chechen Ministry of the Interior – 1,600-1,800 soldiers.

Battalions “North” and “South” of the 46th division of the interior troops under the Russian Ministry of the Interior - about 2,000 soldiers.

⁵³ Novaya Gazeta, *Страна-спецназ* [Country – “Spetsnaz”], 24 July 2011, <http://www.novayagazeta.ru/data/2011/080/23.html> (accessed 21 August 2011). The article has been translated into English by an interpreter.

Two separate patrol regiments – 1,200-1,500 soldiers in each.

Security companies for commandant's offices - approximately 500-1,000 soldiers.

Two special companies under the former 42nd motorized infantry division – up to 300-500 soldiers.

OMON-units under the Ministry of the Interior - 300 soldiers.

Personal security for Ramzan Kadyrov and the highest officials of the Chechen Republic - approximately 500 people.

The strength of these units loyal to Ramzan Kadyrov staffed in these minimum limits, ranges from 10,000 to 12,1 thousand people.

Chechnya - is the only region in Russia, where the Kremlin agreed to the establishment of local units under the de facto control of the head of a republic only. According to various sources, there are from 10 thousand to 30 thousand armed and efficient people at Ramzan Kadyrov's disposal. Some observers consider them the backbone of Vladimir Putin's regime.

General Kadyrov's army

The first major Chechen armed formations on the side of federal forces appeared during the second Chechen campaign after the Gudermas' fall in 2002. At that time Yamadayev clan's troops went over to the federals (this was the second battalion of the National Guard of Ichkeria under the command of Djibrail and Sulim Yamadayev) and the troops of the Chechen mufti, Akhmat Kadyrov.

Until that time, there existed so-called Chechen militia in the republic, composed of Kadyrov's and Yamadayevs' fighters. Then in March of 2002 they had established a special company attached to military commandant's office's of the Mountain group under the Ministry of Defence, and in the autumn of 2003 it had grown to special battalion "East" of the 42nd motorized infantry division of the Russian army, numbering up to 1500 people.

At the same time, Kadyrov's men with its basic compliment became members of the so-called security service of Chechen President Alu Alkhanov (sometimes called the Presidential Regiment, its strength was more than two thousand people). The third Chechen formation – special battalion "West" of the 42nd motorized infantry division was formed out of long-time opponents of the separatists (anti-Dudaev opposition) led by Said-Magomed Kakiev.

Kakiev fought with Dudaev in 1992 under the leadership of Umar Avtorkhanov, his soldiers captured the television centre in November 1994 in Grozny, they acquired a good reputation during the summer, shameful for the Russian army, assault on the Chechen capital, arranged by separatists in 1996. In addition, the militants of anti-Dudaev opposition groups managed to fight a successful guerrilla war in rear of the Chechen rebels. After 1999 many of them returned to Chechnya as members of a special company of the 42nd division, and in 2003 they formed

the backbone of the battalion “West”. Apart from them we can mention the pro-Russian groups of Beslan Gantamirov and group “Highlander” under GRU (central intelligence organisation) of the General Staff headed by Movladi Baisarov.

The new influx of Chechens to the Russian forces coincided with the establishment of the Chechen Ministry of the Interior in 2002: at that time Kadyrov-senior convinced the Kremlin that the militants hiding in the mountains and forests could be dragged on their side. As a result, the Chechen police and companies attached to the military commandant's offices were flooded with the repentant separatists. According to various sources, in 2002 - 2005 Kadyrov managed to lure out of forests from 7 thousand to 14 thousand militants. They became partly the members of the Security Service (SB) of Chechen president, as well as members of the separate patrol regiment of the Ministry of the Interior, which consisted of 10 companies.

Overall strength of this unit has not really been mentioned anywhere, the upper estimates were indicating about 4,000 men with small arms, grenade launchers and even armoured personnel carriers. In 2005 there was created an Anti-Terrorist Centre (ATC) in Chechnya, where the personnel from Chechen president's security service was merged. And in 2006 the ATC is abolished, and of these, and partly of policemen of the 46th division of the Russian interior troops stationed in Chechnya, is formed two special battalions – “South” and “North” - overall strength of 1,200 soldiers (the 248th and the 249th special separate battalions).

In 2005 the Kremlin finally decided to stake on Ramzan Kadyrov, who pulled completely to the role of the Chechen leader, as the ideologists from Moscow believed. In 2007 Vladimir Putin reduced the number of military groups in Chechnya from 50 thousand to 25 thousand people, and before that Kadyrov forced the operational-investigation bureau 2 (ORB-2) under his command and destroyed independent Movladi Baisarov. In addition, the chief also took control of all the republican Ministry of the Interior, under which the special forces regiment was created. Its function was to fight against terrorists outside of Chechnya.

During the several years the Chechen police force has tripled. If in 2003 the number of employees were about 5.5 thousand people, in subsequent years this number had grown up to 16 thousand people. A separate division of the republican Ministry of the Interior, controlled by Kadyrovs personally (Akhmat and Ramzan), was a non-departmental security regiment - or as it was known in the republic, the “oil regiment”. Formally, it was guarding pipelines and refineries in Chechnya. The number of its fighters, according to expert estimates, ranged from 1,500 to 4,500 men. The staff of this unit appeared to be involved in the shooting of Movladi Baisarov in November 2006 in Moscow.

The Chechen Special Purpose Police Unit (OMON) consisted of 300 soldiers is subordinate to Ramzan Kadyrov personally, who has influence of major general of the Ministry of the Interior (formally this unit, of course, is a part of the Russian Ministry of the Interior). In 2008 Ramzan Kadyrov settled also the issue of last armed battalions “East” and “West” of the 42nd

motorized infantry division. Battalions were disbanded to the level of separate companies attached to the 42nd division in the autumn of 2008.

Simultaneously, the Kremlin, within the framework of military reform, disbanded the only combat-ready Russian military unit in Chechnya - the 42nd division, which had up to 16,000 soldiers. In its place appeared three separate motorized brigades - the 18th separate motorized infantry brigade, the 17th separate motorized infantry brigade, the 8th separate motorized infantry (mountain) brigade. Their overall strength is kept secret, but apparently, it is lower than that of the 42nd division.

Thus, the army of Ramzan Kadyrov consists mainly of employees of the republican Ministry of the Interior, OMON, separate regiments (special, "oil", patrol), the Chechen Ministry of the Interior, two special battalions "North" and "South" of the 46th division of the interior troops stationed in Chechnya, two special companies, parts of the former the 42nd motorized infantry division, as well as several companies included in security service of commandant's offices and personal security.

The total number of Chechen forces is up to 18-20 thousand people (estimates reach 30-34 thousand people). Of course, not all of them are equally loyal to Kadyrov. However, salary of 25-27 thousand rubbles for the private police officers, which is preserved in Chechnya even after the abolition of the counterterrorist operation in 2009 – is a good incentive for the expression of visual devotion to the head of Chechnya.[...]"

A western embassy (B) stated that the number of active members of the illegal armed groups is quite small for the moment and they are scattered all over the republic. However, it could very well be the case that the number of potential fighters is much larger and that they could become activated if they consider the situation favourable for their objective.

Gregory Shvedov, Caucasian Knot, explained that the current militants in Chechnya and the North Caucasus are no longer united under Dokku Umarov's leadership. Both Mukhannad and Hussein Gakaev have made it clear that they support the national fight for independence in contradiction to the religious cause. Supporters of Umarov and his challengers within the militant ranks have been killed in 2011 in Ingushetia by the Russian intelligence service, and Mukhannad was killed in April 2011 in Chechnya. However, Chechen militants are still playing a key role of arranging the fight in the North Caucasus. It was added that Umarov continues to enjoy more support than his challengers as he symbolises the idea of a unified Emirate state based on Islam. There were also reports, saying that Umarov recently started to control the region better, because he reconciled within Chechnya with Gakaev.

Gregory Shvedov, Caucasian Knot, stated that the present day majority of militants are living a normal life in cities and towns, and they only move into the forests and up in the mountains to receive military training. When they receive military training in the forests and the mountains they come into contact with the local population in order to claim food, shelter and transportation.

5. Update on the human rights situation in Chechnya

5.1 Developments

Concerning the level of disappearances and abductions in Chechnya Svetlana Gannushkina, Memorial and CAC, and Oleg Orlov, Memorial, referred to publicized statistics on the web site of Memorial. It was added that in general the years 2006, 2007 and partly 2008 showed a decline in the number of disappearances. During Kadyrov's efforts to fight his opponents in the time following his ascension to power, Kadyrov ordered his forces to refrain from carrying out abductions and disappearances. However, Kadyrov's main opponent and leader of the battalion Vostok/East, Yamadaev continued to carry out such crimes. In 2008 Yamadaev was killed and the battalion Vostok/East was dissolved.

It was added that the year 2008 saw a return to the old methods of abductions and disappearances, and the number doubled during the year. In 2009 the number of abductions and disappearances further increased, and the number of punitive house burnings increased dramatically. In 2009 Kadyrov seemed to have decided to destroy Memorial's work in Chechnya and he succeeded in doing so. In July 2009 the well-known Memorial human rights activist Natalya Estemirova was abducted in Grozny and shortly afterwards shot and killed. Consequently, Memorial had to suspend the work of its local representatives and activists in Chechnya for approximately six months. Concerning 2010 and 2011 Memorial has no reliable statistics to show. Even though Memorial staff from other parts of the Russian Federation is allowed to travel to Chechnya, they are not allowed to move around within the republic. In addition it has become increasingly difficult for Memorial to access information in Chechnya as most people are too afraid to talk to Memorial representatives. When somebody actually approaches Memorial the person will only speak if promised complete anonymity.

According to a report from October 2010, Memorial has been conducting monthly monitoring of cases of abduction on the territory of the Chechen Republic since 2002. The numbers are presented in the table below. Only part of the Chechen Republic is covered with this monitoring activity (25-30 %). But even then the information obtained region-wise by the monitoring has not been exhaustive. According to Memorial, in order to get a real picture, the figures should be multiplied, according to various estimations, by two to four times.⁵⁴

⁵⁴ Memorial Human Rights Center: "The System of Impunity in the North Caucasus (2009-2010) - How Does it Function?" *Abductions and disappearances of people in the North Caucasus in 2009 Sabotage of investigation of criminal cases in 2009-2010*, 18 October 2010. <http://www2.memo.ru/uploads/files/381.pdf> (accessed 19 August 2011)

The number of abductions recorded in the course of the monitoring carried out by Memorial Human Rights Centre on the territory of Chechnya:

Year	Number of abducted people	Out of this number (people):			
		Released or ransomed	Found killed	Vanished	“Found out” in investigatory isolation wards
2002	544	91	81	372	-
2003	498	158	52	288	-
2004	450	213	26	203	8
2005	323	155	25	128	15
2006	187	94	11	63	19
2007	35	23	1	9	2
2008	42	21	4	12	5
2009	93	60	10	19	4
Total	2172	815	210	1096	53

A compilation of reported abductions, disappearances and killings by Memorial in 2011 is attached to the report at hand as **Annex 6**.

According to the website Caucasian Knot, at least four persons were kidnapped in January-March 2011. Two of those disappeared in Chechnya, and one person disappeared in Dagestan and Ingushetia each.⁵⁵ In August, Caucasian Knot reported that 18 cases of kidnapping, disappearance of people and illegal detentions were registered in the regions of Northern Caucasus during the period January to June 2011. 15 of those were registered in Dagestan, 10 in Chechnya and three in Ingushetia.⁵⁶

A representative of HRW stated that 2009 was a very dramatic year in Chechnya in terms of very high levels of abuse by local law enforcement and security agencies under de facto control of the republic’s leader Ramzan Kadyrov. Those abuses, mainly targeting relatives of alleged insurgents or those under suspicion of possible collaboration with insurgents, included unlawful detentions, enforced disappearances, punitive house burnings, etc. One case of a demonstrative public execution was also documented by HRW and Memorial that year. The victim was apparently reported to the authorities for having given a sheep to an illegal armed group. Local police brought the man, already

⁵⁵ Caucasian Knot, *First quarter of 2011: 211 persons lost in armed conflict in Northern Caucasus*, 15 April 2011. <http://www.eng.kavkaz-uzel.ru/articles/16760/> (accessed 19 August 2011)

⁵⁶ Caucasian Knot, *NCFD: from January to June, 2011, 43 persons lost, 93 – wounded in 93 explosions and terror acts*, 4 August 2011. <http://www.eng.kavkaz-uzel.ru/articles/17638/> (accessed 19 August 2011)

severely beaten, to his home village in the evening and shot him dead in order for the authorities to set an example and warn what might happen to those who support members of the illegal armed groups.

HRW stated that in 2010 and so far in 2011 they have in general documented fewer violations of human rights in Chechnya. There were fewer reports of house burnings in 2010 compared to 2009 and no examples of public executions. However, following the murder of Memorial human rights activists Natalya Estemirova on July 15, 2009 – incidentally, Estemirova had also reported on the public execution case described above – it has become increasingly difficult to report on human rights violations in Chechnya. Memorial and HRW suspended all their activities in Chechnya for approximately six months in the second half of 2009, following Estemirova's killing. Furthermore, many victims of beatings, threats and detention have since been increasingly afraid to report violations to human rights NGOs and official investigation authorities due to the risk of immediate repercussions.

HRW stated that they on a regular basis receive reports of disappearances, torture and extra-judicial executions. However, only in few cases are victims of ill-treatment and torture, or relatives to persons who have disappeared, willing to talk to HRW or other human rights organizations. In late 2009 HRW was actively engaged in documenting four cases of enforced disappearances and one case of an apparent extra-judicial execution. In 2010 HRW was actively involved in documenting one case of torture and two cases of disappearances. In 2011, HRW has been following three enforced disappearance cases. However, it was stressed that these numbers are absolutely inconclusive due to major underreporting. Despite the lack of reporting it was emphasized that disappearances continue to take place in Chechnya today but to a lesser extent than previously. It was estimated that the annual number of disappearances can no longer be counted by the dozens. However, there are numerous cases of abductions and subsequent beatings or torture in detention before the victims are released or prosecuted and imprisoned.

A western embassy (B) stated that in the entire North Caucasus region there could be reports of a couple of kidnappings per month on average. It is usually the case that the Chechen police step up their activities right after a bombing or attack by the illegal armed groups. However, there have been no major attacks in Chechnya in recent time except for the attack on the Chechen parliament in October 2010.

Gregory Shvedov, Caucasian Knot, stated that the Chechen authorities are under pressure from Kadyrov to show results in terms of reducing the number of attacks and violent incidents conducted by the militants. This pressure leads the Chechen authorities to commit human rights violations and killings. While it can be said that the number of kidnappings in Chechnya has decreased, the number of cases of violence and extrajudicial killings by the Chechen authorities has certainly not decreased.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, explained that Kadyrov's security and law enforcement forces often consist of former members of the illegal armed groups who have been

forced to switch sides in the conflict. The Chechen authorities can provide former members of the illegal armed groups with privileges if they join the security or law enforcement structures. By using former members of the illegal armed groups as law enforcement officers the Chechen authorities make use of the fact that these people have an extensive network and knowledge of the illegal armed groups, but also of people who have supported them. The former rebels who are now law enforcement officers are under pressure to show results in terms of arrests, interrogations and information gathering related to the illegal armed groups.

A representative of a NGO working on cases at the European Court of Human Rights stated that law enforcement and justice authorities in Chechnya and Ingushetia are arbitrary in terms of how they operate. Fabricated charges, extortion and violence against individuals and their family as well as simple abuse of power by Chechen authorities are common. The source does not know of any statistics regarding the scope of fabricated charges but according to news sources it does take place. The Chechen authorities are particularly active right after terrorist attacks. In some cases they manage to arrest the actual perpetrators of the attacks, but innocent people are also at risk of violent reprisals from Chechen law enforcement authorities.

Elena Vilenskaya, House of Peace and Non-Violence, compared the situation in present day Chechnya with the Soviet Union under Stalin concerning the level of repression and fear in the general population. The fear is now so strong that the Chechen authorities do not need a large police and security force, and the number of informants is huge. The widespread climate of fear makes it very difficult for NGOs to document with human rights and underreporting is therefore a major problem.

A Western embassy (A) stated that the overall level of oppression by the Chechen authorities has not changed to the better. At some times the level of one type of oppression is decreasing, but then another type of oppression is increasing. The level of fear amongst the population in Chechnya is still extremely high.

A representative of a NGO working on cases at the European Court of Human Rights stated that underreporting of human rights violations is a major problem in Chechnya. In the current climate people are afraid to report violations to human rights organisations and the source's organisation receives fewer cases it can take to the domestic courts and to the European Court of Human Rights.

A representative of the Federal Ombudsman explained that the institution does not have much first hand information about the situation in Chechnya, and its cooperation with the Chechen Ombudsman could improve. However, the Federal Ombudsman has a well functioning cooperation with NGO's who are well informed about developments in Chechnya, though these NGO's since the death of Memorial activist Natalya Estemirova have experienced difficulties in their activities in Chechnya.

5.2 Groups at risk

Svetlana Gannushkina, Memorial and CAC, and Oleg Orlov, Memorial, identified a number of groups of persons whom Memorial and CAC would consider in risk of being exposed to torture, disappearances, kidnappings and extrajudicial killings by Chechen security forces and other law enforcement agencies in Chechnya.

- Any member of the underground terrorist groups and persons who are suspected of supporting or sympathizing with these groups.
- Relatives and friends of supporters of or sympathizers with the underground terrorist groups.
- Returnees from abroad. There are reports that persons returning from abroad are stopped by law enforcement officials who request money from them, and there are reports of returnees being kidnapped for ransom. The level of corruption in Chechnya has reached unbelievable proportions. Furthermore, returnees risk being suspected of holding information about anti-Kadyrov elements of the Chechen Diaspora in Western European countries and many returnees are interrogated upon return to Chechnya. Any returnee would have to explicitly unite with the government and policies of Kadyrov. Explaining why some Chechens return voluntarily to Chechnya, it was stated that Kadyrov has sent loyal persons to western European countries to spread misinformation about the situation in Chechnya. In addition, relatives of potential returnees are afraid of reprisals from the Chechen authorities if they were to inform the returnee that the real situation in Chechnya is not in accordance with the official version. Finally, it was stated that there are examples of torture of returnees with a view to obtain information about those who stayed abroad. Chechens abroad informed about a few cases of killings of returnees
- Any person belonging to the young generation i.e. any person in the age between 15 years and 30 years old. Basically, such persons are left with two choices, either to unite with Kadyrov by openly express their support to him or join the underground terrorist groups. Orlov, Memorial added that any person, regardless of his or her age, who disagrees with Kadyrov would be at risk of being persecuted by the Chechen authorities. This applies to anybody who even in a small private gathering expresses some kind of disagreement with the policies or opinions of Kadyrov. It was mentioned that even criticism of the illegal taxes that the Chechen government collect from all salaries could lead to detention and interrogation.
- Young women. Influential and powerful men can take whomever they like as first, second or third wife and there are no means of redress for the family of the young woman. Gannushkina, Memorial and CAC, and Orlov, Memorial, were aware of many such forced marriages, even of girls under 14 years old. However, the exact magnitude of the problem is unknown because nobody wants to talk about it. It was added that forced marriage is not a Chechen tradition, and it should not be confused with the Chechen tradition of the so-called bride-stealing. Bride-stealing was abolished during the Soviet period and it was punishable

with up to ten years imprisonment. According to the old Chechen tradition bride-stealing involved the post-factum consent of the woman's family. The cases of forced marriages should be interpreted as the consequence of Kadyrov's complete hold on power in Chechnya and the complete impunity that he and his followers enjoy in the Russian Federation.

- People who complain to the Prosecutors' Office, to NGOs or to the European Court of Human Rights about abuses conducted by Chechen authorities.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, stated that the main groups at risk of being arrested, detained and interrogated by the Chechen authorities include, but is not limited to:

- Friends and family members of active members of an illegal armed group
- People living in the same village as an active member of an illegal armed group
- People who for some reason is suspected of having supported an active member of an illegal armed group
- People who are suspected of being in possession of relevant information about the illegal armed groups

According to a western embassy (B) young men i.e. aged 15 to 30 years are the main group at risk of being detained by Chechen police or security services. There are reports that in some cases young men are detained for a period of time allowing their beard to grow. After a time when the beard has grown out the young man is dressed in military outfit in order to resemble a member of the illegal armed groups, and the person is shot and killed. The reason for such cases of extrajudicial killings is that Chechen authorities wish to show their effectiveness in combating the illegal armed groups. Furthermore, the salary of the individual police officer depends on his results. Salaries are higher in times of a CTO (counter terrorist operation). However, it is not clear which salaries and to what extent a CTO is lucrative for the average police officer.

5.2.1 Supporters

HRW stated that persons who are suspected of any form of collaboration with the illegal armed groups or those who are related to alleged insurgents risk being subjected to unlawful detention, torture, enforced disappearance or extra-judicial killing by Chechen law enforcement and security agencies. In 2011, HRW also received reports of three punitive house-burnings.

Svetlana Gannushkina, Memorial and CAC, and Orlov, Memorial, stated that all potential supporters of the underground terrorist groups are affected by the Chechen authorities' terror or the terror from other authorities in the North Caucasus.

An anonymous source with knowledge about Chechnya and Chechen Diaspora societies stated that if a person even in a very remote way was connected with the fighters by the way of relatives, neighbours or if the person has supported the fighters with food, shelter or transportation, that person would risk being arrested and subjected to beatings and physical abuse by the Chechen authorities.

Svetlana Gannushkina, Memorial and CAC, confirmed that even the slightest support to members of illegal armed groups could lead to harassment, detention and torture. Moreover, you don't need to participate, a mere suspicion is enough. A bright example – persecution for the fact that a minor teenager fulfilled the demand of rebel fighters to buy them a “Snickers”, a rolled cake and something else for the sum of 300 rubles (\$10).

HRW explained that when the police receive information that someone has supported the illegal armed groups they will apprehend that person, most often at night but it could also happen during daytime. The person is likely to be brought to a law enforcement official or unofficial detention facility, where for the first several days he would be beaten and maybe tortured with electric shocks. The person will usually be held there for a period of time ranging from one night to several months, although the latter is not common.

Gregory Shvedov, Caucasian Knot, stated that there is no doubt that supporters of the present militant groups are at real risk of being subjected to torture and killing even though the support to the militants may have been very limited. It is a quite common feature that persons who have been detained have been forced into becoming informants for the Chechen law enforcement agencies even though it is dangerous and they risk retribution by the rebels. It was added that some act as informants because they actually support Kadyrov.

Gregory Shvedov, Caucasian Knot, stated that if a person suspected of supporting the rebels is called for questioning or picked up by the Chechen police, he would be forced to cooperate with the authorities and would have to sign a piece of paper showing this. The police coerce people to provide information about the militants if they have the slightest suspicion that people would have any knowledge about the militants.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, added that it is not possible to identify any sort of triviality limit of support to the illegal armed groups below which harassment and prosecution is not a risk. In some cases a person could become at risk of being arrested, detained and interrogated by the Chechen authorities solely for having his or her name and telephone number in the mobile phone contact list of an arrested or detained person. All the groups at risk could be subjected to arrests, interrogations, prosecution, kidnapping, torture and extra-judicial killings by the Chechen authorities. It was added that high level Chechen officials are sometimes personally involved in the interrogation of even persons suspected of low level of involvement in or connection to illegal armed groups. This could be extremely dangerous for such a person, since the high level official would not release the person and thereby exposing himself in relation to e.g. a case for the European Court of Human Rights, but also publicity. Alternatively, the high level official would ensure that the suspect would be convicted by a court in an insurgency related criminal offence.

A Western embassy (A) considered that it is not possible to identify a “trifle” or triviality limit of support to insurgents below which harassment and prosecution is not a serious risk. The Chechen authorities have the mind-set of a mafia boss and there is no room left for opposition to or criticism

of the leadership in the republic. It was added that the term “mafia” should be considered an objective description of the present government of the Chechen Republic.

HRW referred to a case where a taxi driver in Dagestan had been summoned for interrogation because members of illegal armed groups had been amongst his costumers. He was afraid of what might happen if he reported to the authorities and therefore never showed up. This consequently led the authorities to put out an official search for him. The taxi driver had lived on the run for months on end, when his relatives heard about a special official commission “on adaptation” set up to reintegrate insurgents back into society if they gave themselves up to the authorities. In the end the taxi driver turned himself in and is presently living a normal life. If not for the security guarantees provided by the commission though, he would have remained in hiding for fear of torture and fabricated criminal charges. In Chechnya, those knowingly or unknowingly providing even the lowest level of support to the illegal armed groups, such as food, transport, medical supplies and shelter for the night, could risk being the object of an official investigation and charged with insurgency related offences. Such people are also likely to be unlawfully detained and tortured with the aim of forcing information and confession.

A western embassy (B) stated that the majority of Chechens lead a normal life in Chechnya. The main worry for the majority of the population is the poor economic situation they are living in. The level of corruption is extreme and corruption is widespread. In order to receive a job in the Chechen Republic, one has to pay a certain substantial amount of money. Employment in the public sector is in demand in Chechnya because there are few other employment options and because of the possibility to supplement the salary with earnings from corruption.

5.2.2 Critics

A person of Chechen origin stated that any person who in public expresses any criticism of Kadyrov’s person or government would immediately feel the consequences in terms of detention and beatings by the Chechen police or other law enforcement agencies.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, stated that Chechens are afraid of criticising Kadyrov and this fear deter people from reporting human rights violation to the NGOs working in and with Chechnya. This fear is also prevalent in Chechen communities outside of Chechnya, in the Russian Federation and in European countries with a large Chechen Diaspora such as France, Austria, Poland and Belgium.

HRW referred to the case concerning a Chechen named Islam Umarpashayev. In the autumn of 2009 Islam Umarpashayev participated in internet chat rooms where he criticised the Chechen authorities and police officials. In December 2009 he was seized by local law enforcement officials for taking part in these chats, allegedly based on a tip from the local FSB. The arrest took place at his home and was made by Chechen police that subsequently took him to the base of the Chechen OMON security units in Grozny. There he was kept chained to a radiator until April, before being released. According to Umarpashaev, in early days of his confinement he was subjected to severe beatings and threats in

order to make him collaborate with the authorities. When he refused, the OMON unit decided to make him a “fake suicide bomber”. That is when law enforcement officials allegedly keep a person until he grows a beard and long hair to resemble the members of the illegal armed groups living in the forest and mountains. At some point the captive will be killed and left in the forests, only to be “discovered” by law enforcement officials claiming the body to be a dead rebel killed in a successful anti terrorism operation. However, Islam’s relatives filed a complaint concerning the kidnapping with relevant investigation authorities in Chechnya and immediately lodged an application with the European Court of Human Rights. The Court sent urgent questions regarding the case to the Russian Federal authorities. The query was then forwarded by the federal authorities to the investigation authorities in Chechnya. Islam Umarpashayev was released after four months in detention on the condition that he recalled all the complaints and testified that he had spent all this time not in the basement of the Chechen OMON but somewhere close to Moscow pursuing his own private agenda. Activists from the NGO Committee Against Torture,⁵⁷ however, suggested to Umarpashaev that in case he was ready to continue his quest for justice, they could evacuate him and his family to a safe place outside of Chechnya. The Committee Against Torture, Human Rights Watch, and Memorial filed several petitions with Russian officials demanding that the investigation be moved from Chechnya to federal level. In early 2011, it finally happened owing, in particular, to personal interference by the Human Rights Commissioner of the Council of Europe, Thomas Hammarberg.

HRW considered that since then the investigation has been acting in an effective and professional manner, but none of the involved OMON servicemen have given evidence despite official summons. The head of OMON in Chechnya has explicitly threatened the Russian federal investigator on his life should he come close to the OMON facility.⁵⁸

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, referred to a case where a woman who travelled for a conference outside Chechnya gave an interview to a journalist during which she expressed criticism of Kadyrov. The woman’s husband, who was living in Chechnya, was subsequently summoned by the Chechen authorities and warned that he would face the consequences if his wife continued to talk to journalists. It was added that persons who do not openly praise Kadyrov's leadership could risk attracting the attention of the Chechen authorities. They could be arrested and subjected to beatings and severe physical abuse. If such persons are residing outside of Chechnya, their family or relatives in Chechnya could risk being subjected to torture and they would definitely be put under pressure by the Chechen authorities.

⁵⁷ After the murder of Natalya Estemirova, 28 Russian human rights organisations signed a memorandum to set up a Joint Mobile Group (JMG) for Chechnya. The effort was spearheaded by a Russian group called “Committee Against Torture” with its head office in Nizhny Novgorod.

⁵⁸ According to an article in *Novaya Gazeta* the investigator and Islam Umarpashayev together with the head of the Committee Against Torture visited the OMON facility where they saw only the commander of the Chechen OMON. *Novaya Gazeta*, *Chechnya is worth defending*, 16 February 2011, <http://en.novayagazeta.ru/data/2011/016/02.html> (accessed 24 August 2011)

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, referred to two cases of reprisals, i.e. beatings, threats and harassment of family members of high profile and outspoken Chechens, who have criticised Kadyrov while living in Russia outside of Chechnya. To protect the two high profiled and outspoken Chechens and their relatives living in Chechnya from reprisals the sources requested that no details concerning the two persons should be included in the report at hand.

5.2.3 Family members

Oleg Orlov, Memorial, explained that following an attack on Kadyrov's home village, Tsentoroi, on 29 August 2010 by underground terrorists Kadyrov stated on the Chechen television channel Vainahk on 30 August 2010. Kadyrov said that anyone who supports terrorists, including relatives and friends of terrorists, will be held responsible for terrorist attacks. Apparently Kadyrov suspected that some of the inhabitants in his own village were supporting the terrorists who attacked the village.

According to Oleg Orlov and Svetlana Gannushkina, after such statements by Kadyrov the Chechen bureaucrats who search for members of the underground terrorist groups were given free hands to do whatever necessary to identify and punish suspected fighters, supporters of the fighters and even relatives of such supporters. The practice of open removal of rebel fighters' relatives from the houses, after which the houses are burnt down right before the eyes of the children and women, is widespread.

HRW stated that Chechen law enforcement authorities will apply severe beatings, physical abuse and torture to force family and relatives of members of illegal armed groups to supply information about the illegal armed groups and to persuade the militants to surrender. If no immediate relatives are to be found in Chechnya the authorities could apply the same measures to relatives as far as second cousins. It was added that Ramzan Kadyrov and his "right hand" Adam Delimkhanov have been stating publically on a regular basis that families should be considered responsible for the actions of their relatives who are fighting against the Kadyrov government. The family could either persuade the fighter to lay down his weapons or they would "pay the price." Even those neither Kadyrov nor Delimkhanov have been elaborating on the nature of that "price," human rights monitoring in the region shows that it is about being exposed to beatings, repeated house searches, continuous harassment, relentless pressure, possible house burnings, etc.

A representative of a NGO working on cases at the European Court of Human Rights stated that if the Chechen authorities are not able to find the individual they want, they will resort to commit violence against the closest family. They would usually target the immediate male family members. However, if no immediate family exist, the Chechen authorities might look further than aunts and uncles and even cousins.

Alexander Verkhovsky, SOVA, stated that in Chechnya most of those who claim to be persecuted by the Chechen authorities are relatives of active members of the rebel groups. Another group of Chechens who are at risk of attracting the attention of the Chechen authorities are those who have somehow supported active rebels in terms of providing shelter, food or medical assistance. However,

it is impossible to state if such support has been offered voluntarily or at “gun point” i.e. under pressure from rebels.

According to a western embassy (B) every family in Chechnya has a relative or member of the extended family who has been killed or tortured or mistreated by the Chechen authorities.

5.2.4 Former members of the illegal armed groups

A representative of a NGO working on cases at the European Court of Human Rights was aware of cases where individuals with a conflict in Chechnya that dates back as far as 2004 have again become the subject of interest by Chechen authorities. If someone in the present day authorities has information that a person supported the illegal armed groups in the past, the authorities would probably resort to extortion of that individual and recruit the person as informant.

A representative of a NGO working on cases at the European Court of Human Rights stated that it is common that individuals are detained by the Chechen authorities every two to three years for no particular reason, other than the fact that they are well known by the authorities.

A Western embassy (A) stated that active participants in the fighting against the Russian federal army in 1994-1996 who have not since been military active or in opposition to Kadyrov’s regime would not risk being persecuted by the present Chechen authorities.

Gregory Shvedov, Caucasian Knot, stated that former members of militant groups are a group at risk today even though their activities for the militants took place several years ago. In order for such persons not to be at risk, they would have to change sides completely and join the Chechen law enforcement agencies (the so-called Kadyrovtsy) and prove by their actions (mostly of criminal nature) that they actually are loyal to Kadyrov. Family members and even neighbours to supporters including former supporters of the militants could be at real risk of harassment, house burnings, torture or even killing by the Chechen authorities. There are many well-documented examples of this.

5.2.5 Returnees from abroad

IOM in Russia stated that billions of dollars of federal funds have gone into the development of Chechnya and the republic is now in a better situation than neighbouring Ingushetia in terms of economy, socio-economic conditions and security. Kadyrov has to show that the funds received from the federal authorities are well spent, and that terrorist attacks and incidents are reduced.

IOM in Russia stated that Chechens are returning to Chechnya in large numbers. So far IOM has assisted between 600 and 700 returnees to Chechnya in 2011. In 2010 IOM assisted approximately 2,000 returns to the North Caucasus; in 2010 the number was approximately 1,000 and in 2009 the number was approximately 500 people. IOM have assisted very few returns of Chechens to the Russian Federation outside of Chechnya, and mainly to other parts of North Caucasus. Some people who have received political asylum in Europe are considering returning to Chechnya, and some have returned.

IOM in Russia explained in detail about a voluntary return and economic assistance project for Chechens staying in Austria. In the first phase of the project from June 2009 to July 2010 twelve families comprising approximately 70 people returned to Chechnya from Austria and received support in setting up their own business. Phase two of the project involves the return of 70 families to Chechnya and runs from August 2010 to July 2011. IOM visits Chechnya on a regular basis and have had meetings with returnees there. However, it is difficult to assess the situation in Chechnya based on short visits. As of June 2011 no problems of any kind have been reported to IOM or their local Chechen NGO partner, VESTA by the families that have returned under the two phases and they have all been fully integrated in local societies. However, it was emphasized that the number of returnees in the IOM project may be too low to fully reflect the situation for returnees in general. It was added that IOM is very carefully informing the Chechen authorities about the return project to avoid any misunderstandings and eliminate suspicion against the returnees.

IOM in Russia explained that returnees could also apply for relocation elsewhere in the Russian Federation, e.g. Arkhangelsk, Tatarstan or Sverdlovsk region, where there is a demand for labour force through the Russian State Programme on Return of Compatriots.⁵⁹

IOM in Russia emphasized that all potential returnees under the project base their decision on the available information about the situation in Chechnya. The decision to return is voluntary and the returnees are adults who are capable of making an informed decision, and they are in continuous contact with relatives and friends in Chechnya. However, it was acknowledged that even the local Chechen NGO cannot have complete and absolute current knowledge on the situation in Chechnya and/or about each and every returnee's situation in Chechnya, especially who returned by himself, not within this or that programme.

5.3 Treatment in detention

A representative of a NGO working on cases at the European Court of Human Rights stated that the use of torture in Chechnya has increased in the last years. Usually the torture comprises severe beatings that in cases of lengthy detention are often substituted with electric shock so that the victim would have no obvious physical marks of beatings when released.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, stated that the majority of persons held in detention or interrogated by the Chechen authorities are routinely subjected to physical abuse such as severe beatings and electric shocks. Ekaterina Sokiryanskaya had only heard of a handful of cases where detained persons were released without having been subjected to torture and severe beatings. Besides electric shocks, torture includes beatings on the head with bottles filled with water, tearing out nails, cutting fingers, burnings with torches and weed burners.

⁵⁹ The programme is described at: <http://www.fms.gov.ru/programs/fmsuds/> (accessed 22 August 2011)

5.4 Avenues to seek redress

SK-strategy stated that people who are related or employed by Kadyrov enjoy total impunity and can practically do whatever they want in Chechnya. The traditional clan system including the power of clan elders is in the process of being dissolved by Kadyrov who is rather young, and the power of the gun is now prevailing in Chechnya.

According to a western embassy (B) the present situation in Chechnya is in every way extreme. Structures of the Chechen Ministry of Internal Affairs can best be described as semi-official as it seems to operate autonomously of the federal Russian police structures. They are indeed mostly not held accountable for their deeds by the federal structures they are supposed to adhere to. In general, thus, the Russian Federal constitution is not observed in Chechnya. The government of Chechnya has apparently carte blanche from the highest Russian federal level to carry out whatever actions that is deemed appropriate to stem the activities of the illegal armed groups. Even the Chechen military is de facto under the control of the Chechen government. It was added that since 2000 there has been no conscription of Chechens to the Russian Federal army.

On July 2011 the Russian daily Novaya Gazeta reported: “During the spring recruitment campaign [2011], which ended only recently, none of the 7.000 young Chechens, who had been registered at the recruiting offices and passed a medical examination, have been drafted into the Russian army. “We have not received the allocation list from the General Staff”, said the spokesman of the Ministry of Defence, Igor Konashenkov, citing a decision from “above”. Such a decision of the Russian authorities does not leave young Chechens a choice. They can only serve under General Kadyrov.”⁶⁰

Svetlana Gannushkina, Memorial and CAC, and Oleg Orlov, Memorial, stated that all Russian laws exist only on paper in Chechnya. Investigative Committees in Chechnya, which formally belong to the federal structure, would open an abduction case, but their investigations are ignored by the Chechen law enforcement authorities. If for instance the Investigative Committee requests to interrogate a police officer, the request is completely ignored even though the police officer according to the federal law is obliged to answer all questions from the Investigative Commission. The individual investigator could insist that the police officer should let himself be interrogated, but by doing so the investigator would be exposed to severe beatings.

Gregory Shvedov, Caucasian Knot, stated that the Chechen public prosecutor’s office is staffed with both Russians and Chechens. However, this does not mean that the prosecutor’s office operates independently of the Chechen authorities. Corruption is rampant in the Federal Chechen prosecutor’s office. The Russian, nominally federal, officers in the prosecutor’s office are frightened of reprisals if they were to perform their duties properly. In order to avoid any conflicts with the Chechen police and security service both low and high level officials in the prosecutor’s office tend to act very

⁶⁰ Novaya Gazeta, *Страна-спецназ*, [Country – Spetsnaz] 24 July 2011, <http://www.novayagazeta.ru/data/2011/080/23.html> (accessed 21 August 2011). The article has been translated into English by an interpreter.

Careful and without any authority. It should be added that in general there is no real will to intervene and get involved in what is considered internal Chechen affairs by the Russian federal authorities.

HRW stated that the investigators in Chechnya are afraid to interrogate Chechen police and law enforcement officers because they fear that they would be exposed to reprisals if they try to hold Chechen officials responsible for criminal activities and human rights violations. As a result, there is no effective investigation into abuses by law enforcement officials in the republic, especially abductions and enforced disappearances. In fact, in 2011, several official letters confirmed that relevant authorities were fully aware of this problem. Jointly with the Committee Against Torture, Memorial and Moscow Helsinki Group, HRW addressed an appeal to President Medvedev, so as to bring his attention to those documents – namely, a letter from the Investigative Directorate of the Investigative Committee (SU SK) under the Russian Federation Prosecutor's Office for the Chechen Republic and a letter from the Deputy Prosecutor General of the Chechen Republic – and call for his direct intervention.

The first letter, dated August 2010, was sent to R. Sh. Alkhanov, Minister of Internal Affairs for the Chechen Republic, by V.A. Ledenev, head of the SU SK under the Russian Federation Prosecutor's Office for the Chechen Republic. This document clearly states that the Investigative Committee is not able to fulfil its mandate to investigate crimes due to systematic sabotage of its efforts by Chechnya's law enforcement servicemen. Ledenev notes, "insufficient operational support was provided on criminal investigations (into the kidnappings of residents of the Chechen Republic in 2009-2010), and investigative missions and requests for information were delayed, incomplete, and did not provide answers to the questions asked." Ledenev points out many instances where Chechen law enforcement officials failed to act on legal demands by investigators to look into crimes. Ledenev notes that police officials "fail to carry out properly the operations relevant to the criminal cases [of abductions in Chechnya in 2009-2010]; instructions to implement operational and search measures, and requests from investigators of the investigative directorate are fulfilled incompletely and with no respect for the time-limits defined by the current legislation; and the responses [provided by them to the queries of investigators] mostly bear a purely formal character and do not contain the requested data. In his letter to Alkhanov, Ledenev also emphasizes the "poor organization" of police work and the "perfunctory approach" of police officials to their duties, which... "negatively affect the detection and investigation of criminal offences classified as serious and particularly serious."

The second letter, sent by N.A. Khabarov, Deputy Prosecutor of the Chechen Republic, to the head of the Committee Against Torture, a nongovernmental organization, I.A. Kalyapin, in March 2011 describes the impotence of the Prosecutor's Office and Investigative Committee when working on abduction cases in Chechnya:

"The investigative authorities fail to carry out urgent investigative actions and organize proper cooperation with the operational services in order to solve crimes. In fact, top-ranking officials of the

Investigative Committee have no departmental control over criminal investigations. No concrete steps are taken to eliminate the violations of law identified by the agencies of the prosecutor's office. The perpetrators are not held accountable. There have been cases where crimes linked to the abductions of people were actually concealed by investigators of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation. As a result of delayed initiation of criminal proceedings and inactive and passive nature of investigations, the perpetrators flee and the whereabouts of the affected [abducted] persons are not established."

The Committee Against Torture, Memorial and Moscow Helsinki Group, and HRW drew president Medvedev's attention to the fact that they have actively cooperated with the Prosecutor's Office and Investigative Committee in the hope of securing effective investigation into specific abduction cases in Chechnya, release of the victims, and accountability for the perpetrators. However, the documents quoted above demonstrate the systematic sabotage of investigation by Chechen law enforcement agencies and the inability of the Investigative Committee to fulfill its direct mandate to investigate crimes. The Committee Against Torture, Memorial and Moscow Helsinki Group, and HRW viewed this situation is completely unacceptable and stressed that as the highest-ranking official in the Russian Federation President Medvedev must take exhaustive measures to remedy the problem and uphold the law on the territory of the Russian Federation.

Copies of the letters quoted above were given by HRW to the visiting Danish migration officials. They are included as **Annex 7** to the report at hand. President Medvedev forwarded the joint NGO appeal to the head of Russia's Investigation Committee, Bastrykin, who has delivered no response to date. The situation on the ground remains unchanged.

Svetlana Gannushkina, Memorial and CAC, informed of a case concerning four young men accused of assisting illegal armed groups. All four young men were just common people from common Chechen families. When the jury considered the case at the end of May 2011 they were all acquitted. Two of the accused immediately left the Chechen Republic. In June 2011 Kadyrov gathered the judiciary establishment and rudely scolded the judges, demanded they would get those who left back. The same demand was extended to the jury, who were taken to the forest and ordered to look for the former accused. The jury members were fired from their jobs and were subjected to insults and threats of punishment. Two of the young men who were acquitted and the father of another of the acquitted young men, who left the country, were put into custody. Such an unprecedented interference of the executive power with the functions of the judicial power deprives the population of whatever hope that the law would be observed.

5.5 Summons

HRW explained that a person will usually be summoned by law enforcement authorities in Chechnya or broader in the North Caucasus by telephone or in person. Summons can also be carried out in writing if there is an official criminal case against someone.

A representative of a NGO working on cases at the European Court of Human Rights explained that a written request or order to report to the Chechen authorities could be indicating that the case might be serious. If a person does not respond to a written request or order to appear, Chechen police would come to the house to pick him up, and the subsequent treatment in detention would be even harsher than normally.

Gregory Shvedov, Caucasian Knot, explained that he could easily imagine that there are many false documents and papers in circulation in Chechnya today. It is also reasonable to believe that it is possible to buy a genuine document, with a genuine stamp but containing false information. False documents could include various types of summons or orders to report to a police station for questioning, requests for an individual to appear as a witness in a court case, and other written letters and documents in which an individual for various reasons is requested to report to different Chechen authorities. Such documents are in fact issued by various Chechen authorities, although they would in most cases not make use of summons or orders to report but show up in person at the person's place of residence or simply use the telephone. In serious cases it is unlikely that Chechen authorities would send summons or orders to report. In such cases they would show up in person. It was added that if a person does not respond to a summon or a call to report to the police for questioning the person could be exposed to serious beatings.

A Western embassy (A) confirmed that it is possible for any person to be issued various authentic documents containing false data by bribing officials. Corruption is widespread in Chechnya and elsewhere in the Russian Federation. Summons to appear at police stations are used by local authorities throughout Russia. However, it is very unlikely that the Chechen authorities would summon a person who is suspected of being involved in a serious crime. In such cases the police would show up at the person's residence or work without any notice.

5.6 Court cases

HRW stated that convictions for assisting illegal armed groups are common in Chechnya. HRW do not have any statistics on the number of cases but the typical sentence for insurgency related activities is several years imprisonment which is served somewhere in the Russian territory outside of Chechnya. In minor cases such as giving food or shelter on single occasions, there is a possibility of the sentence being suspended. However, the source had often heard the parents of young men in such cases express their wish for a prison sentence rather than a suspended sentence for their sons. The reason for this seemingly absurd wish is that a person who receives a suspended sentence and remains in Chechnya would be at risk of being detained repeatedly by local law enforcement and security agencies, tortured or even disappeared or killed. It was added that it is impossible to identify what kind of support to illegal armed groups that is likely to trigger kidnappings, disappearances or extra-judicial killings, or on the other hand what kind of support to illegal armed groups would trigger an official investigation and prosecution. However, it appears that people in the remote areas in the mountainous part of Chechnya are the most vulnerable to pressure from insurgents on the one hand and reprisal attacks and harassment by law enforcement officials, on the other hand.

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, stated that most of those prosecuted would serve time in prison. Conditional sentences are extremely rare in Chechnya. There are numerous reports of re-arrests of persons shortly after their release.

According to Gregory Shvedov, Caucasian Knot, it is essential for the Chechen police to show results in terms of killings of militants and also a decrease in terrorist actions and incidents. Though the police need to show some activity in relation to bringing cases of suspected members of illegal armed groups to the criminal courts, this is of less importance than killing militants. The source considered that the essential feature in the authorities' behaviour is a "brutal display of force".

6. Blood revenge in Chechnya

Ekaterina Sokiryanskaya, Memorial in St. Petersburg, stated that blood feuds and blood revenge routinely take place in Chechnya. Chechen police and security forces often tell the relatives that their sons were killed in blood revenge. Members of the Chechen security forces announced that they are brothers, and they are therefore abusing the logic behind blood revenge if a colleague is killed in action. This way they abuse their official credentials to perform personal feuds or kill relatives of combatants as revenge for their killed comrades. The family of the perpetrator will thus accordingly risk retaliation by Chechen security forces. Although there are strict rules as to in which instances and how blood revenge can take place, it is sometimes possible to negotiate a settlement through a strong local mediation procedure (*maslyat*) with that exact purpose. Practically all accidental deaths are settled via negotiations and mediation in this procedure. In cases of intentional murder the family of the perpetrator can ask the family of the dead for forgiveness, hide the perpetrator outside of Chechnya and initiate a negotiation with the family of the dead. However, in such cases mediation is more likely to fail and a blood feud could ensue. In many cases, however, the family of the murderer will not initiate a reconciliation procedure. It was added that if the father, brother or son (closest direct male relative) of the perpetrator are alive, they are the only legitimate targets and the family of the dead cannot, according to the tradition, try to kill other more remote male relatives of the perpetrator. Nonetheless, this sometimes happens.

Gregory Shvedov, Caucasian Knot, stated that blood revenge is a reality and it is widely spread in Chechnya. However, no data exists and the extent of this phenomenon is therefore speculative. However, a special reconciliation/mediation commission that deals with hundreds of cases related to blood revenge has been established in Chechnya.⁶¹ It was emphasised that stories on these issues are mostly based on official stories and many of them cannot be trusted, as well as the whole process is going under pressure. A person involved in a blood feud would have the option of either negotiating a settlement with the aggrieved party or leave Chechnya. It was emphasized that it would be meaningless to approach the authorities for physical protection in cases where mediation has failed.

Elena Vilenskaya, House of Peace and Non-Violence, stated that she had not heard of killings related to blood feuds in St. Petersburg or other places outside of Chechnya. However, blood feuds do take place in Chechnya.

A western embassy (B) considered that it would be difficult to obtain objective information about blood revenge in Chechen societies and it is mostly people from the North Caucasus who can inform in details about the subject as the tradition prevails in most republics on the North Caucasus. There is no doubt that blood revenge still takes place in Chechnya and the consequences of becoming entailed

⁶¹ Muslim Ibragimov, Caucasian Knot, *До конца Рамадана в Чечне будут примирены все кровники, заявляют в муфтияте*, 6 August 2011, <http://www.kavkaz-uzel.ru/articles/190377/> (accessed 22 August 2011) and Muslim Ibragimov, Caucasian Knot, *В Чечне примирились 376 кровников*, 25 July 2011, <http://www.kavkaz-uzel.ru/articles/189690/> (accessed 22 August 2011)

in blood revenge could be very serious. Tradition demands revenge in a blood feud and the consequences of avenging a relative (i.e. being murdered oneself) are clear to anyone. Traditions are still very strong in the North Caucasus republics. In some cases relatives would go a long way to revenge the killing of a person. It was mentioned that tradition states that there cannot be put a stone on a grave as long as the killing has not been avenged. It is correct that a council of reconciliation was established some years ago. The council has mediated in a number of cases, but the decisions are made in favour of Kadyrov's clan, clans close to his clan and by political or related adherence to Kadyrov.

A western embassy (B) explained that girls killed for virtue-related reasons, i.e. honour killings, are not avenged or are not reported to the police when the girl in question has indeed "proven" not to be virtuous or "proven" a disgrace. Girls who were raped (which happened a lot during the wars) mostly underwent the same treatment. The source did not know under which circumstances such murders are avenged. The source had heard anecdotal reports that for one killed ("virtuous") woman, two men of the counter party have to be murdered.

7. Salafis

Svetlana Gannushkina, Memorial and CAC, and Oleg Orlov, Memorial, explained that Salafi or Wahhabist Muslims can be found in settlements and small villages throughout the North Caucasus including Ingushetia, Chechnya, Dagestan and Karbadino-Balkaria. However, they would only constitute small dots in the big circle that would be the entire Islamic community in the North Caucasus. In general supporters and relatives of supporters of the Salafist or Wahhabists beliefs are considered potential terrorists and targeted as such by the authorities. It is occurring in various forms. In the Chechen Republic representatives of the authorities – Kadyrov and his environment – exert terror over the whole population. In Kabardino-Balkaria the authorities in search of terrorists crack down with repressions on Islamic community as a whole, which in its turn leads to animosity of Islamic groups towards the authorities. In Dagestan, interior bodies are busy with shooting off Salafis. Such a development has made the dialogue between Salafi and Wahhabi communities and authorities in the North Caucasus almost impossible. (Lately necessity of such a dialogue has been declared and some attempts are made to establish this dialogue.) Dagestan differs from other republics due to intraconfessional confrontation and a pronounced conflict between Salafis and representatives of official Islam.

Oleg Orlov, Memorial, stated that Salafi or Wahhabist Muslims are in risk of being killed if their religious orientation is discovered by the Chechen authorities. On 23 May 2009 at 20.00 on Grozny TV in the program Itogi Kadyrov gave an interview. He stated that all Salafi or Wahhabist Muslims would be “annihilated”. They would not be arrested and detained but killed immediately, and even those who “smell of” Salafism or Wahhabism would be killed as well.

Elena Vilenskaya, House of Peace and Non-Violence, stated that Salafi Muslims are present in Chechnya but that they live underground due to fear of the Chechens authorities because of their faith. Radical Islam has never been a part of Chechen culture. It was added that if a woman wore a head scarf a couple of years ago she would risk being considered a Salafi Muslim, but today it is provisional for women in Chechnya to wear head scarf in public buildings.

A western embassy (B) stated that it did not have specific information about unofficial Shari’a courts being established in Chechnya. However, there are indications that such unofficial courts have been set up in some areas. This information has not been verified by authoritative sources. It was added that there are large groups of Salafi Muslims in Chechnya. The source noted that “Salafi” is sometimes replaced with the term “Wahhabi” which often carries a more derogatory meaning and is more often related to Chechnya. The Wahhabi label is rejected by Salafists as it implies all kinds of accusations and heresies.

8. Ethnic minorities in Chechnya.

Gregory Shvedov, Caucasian Knot, stated that ethnic minorities do live in present-day Chechnya, but in small numbers. Groups of ethnic Russians, Kumik and Ingush live in Chechnya, but in smaller numbers than previously.

A western embassy (B) explained that a small Russian minority can still be found in Chechnya. They live isolated from the Chechen population and the two do not interact socially. In addition, there is a very small Ingush population in Chechnya.

A Western embassy (A) stated that almost all Russians have left Chechnya, even those who have lived there many years.

Source consulted

Alexander Verkhovsky, Director, SOVA, Moscow

An anonymous source with knowledge about Chechnya and Chechen Diaspora societies

Ekaterina Sokiryanskaya, board member of Memorial and researcher on the North Caucasus, St. Petersburg

Elena Vilenskaya, Chair of the Board, House of Peace and Non-Violence, St. Petersburg

Federal Migration Service, Russian Federation, Moscow

Gregory Shvedov, Editor-in-Chief, Caucasian Knot, Moscow

Human Rights Watch, Moscow

International Organization for Migration, Moscow

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

Lawyer in the Memorial Migration & Rights Programme and Civic Assistance Committee (CAC), St. Petersburg

Office of the Commissioner for Human Rights in the Russian Federation (Federal Russian Ombudsman), Moscow

Oleg Orlov, Chairman of the Board of Human Rights Center "Memorial", head of the "Hot spots" program, Moscow

Person of Chechen origin

Representative of a NGO working on cases at the European Court of Human Rights, Moscow

SK-Strategy, The Center for Strategic Studies and Development of Civil Society in the North Caucasus, Moscow

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

Well informed Chechen living in Moscow

Western embassy (A), Moscow

Western embassy (B), Moscow

Abbreviations

CAC	Civic Assistance Committee
FMS	Federal Migration Service
FSB	Federal Security Service
HRW	Human Rights Watch
IOM	International Organizational Migration
NGO	Non Governmental Organisation
OMON	Special Purpose Police Unit
SK-Strategy	Center for Strategic Studies and Civil Society Development in North Caucasus
SOVA	Center for Information and Analysis

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Annexes

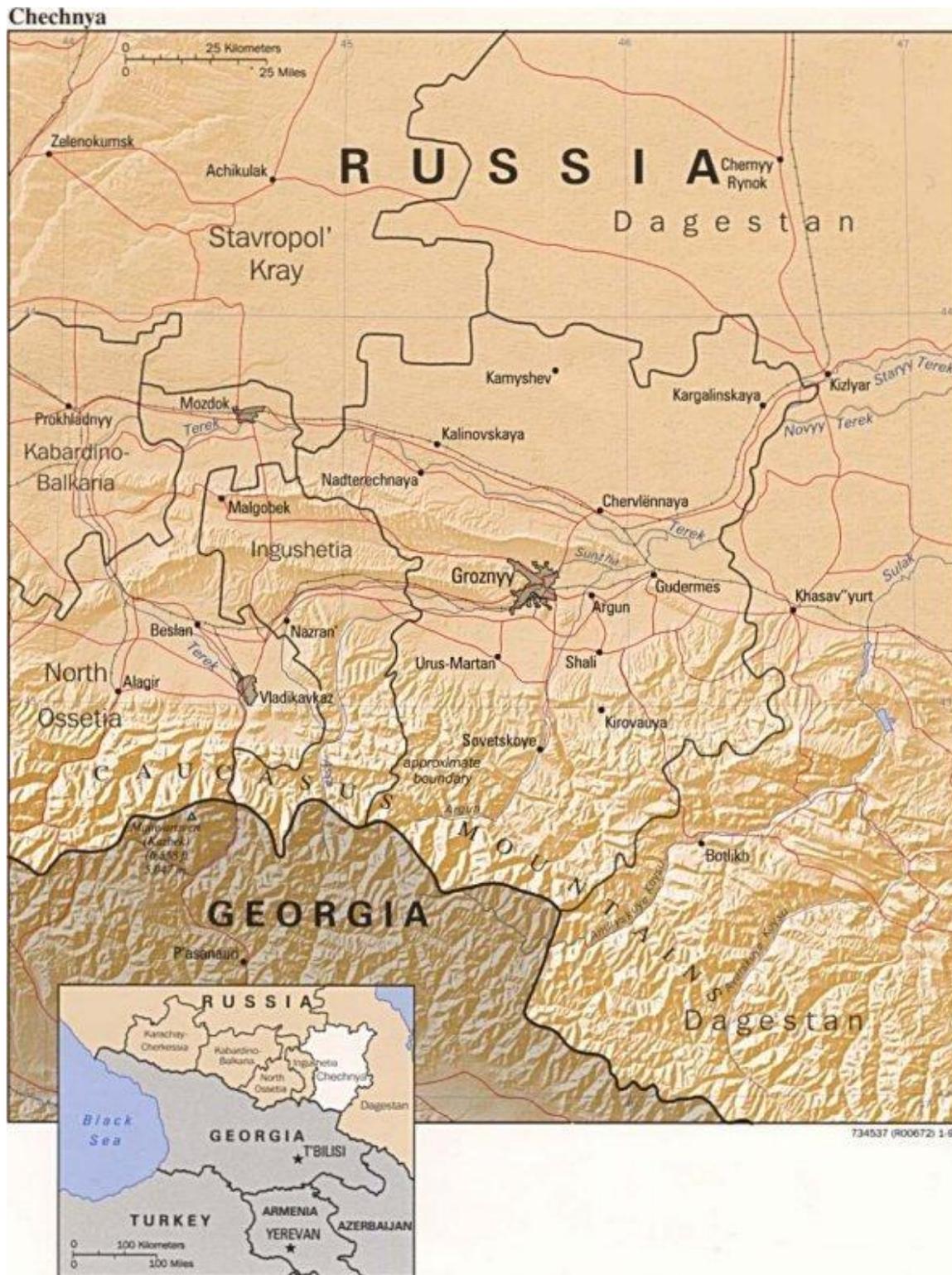
Annex 1 – Map of Southern Russia

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Annex 2 – Map of Chechnya

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Annex 3 – SOVA statistics on crime and punishments

SOVA. Spring 2011: Causes Célèbres and New Ultra-right Formations. 12 July 2011. Appendix: Crime and punishments statistics.

<http://www.sova-center.ru/files/xeno/tables-11-07-12-eng.doc>

Consolidates Statistics of Racist and Neo-Nazi Attacks in 2004 – 14.06.2011 (with categorization of victims)

Year	2004		2005		2006		2007		2008		2009		2010		2011	
	Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded	Killed	Beaten, wounded						
Total	50	219	49	419	66	522	93	623	116	499	84	434	38	377	9	21
Including																
Dark-skinned people	1	33	3	38	2	32	0	38	2	23	2	49	1	26	0	1
People from Central Asia	10	23	18	35	17	60	35	82	63	123	34	95	15	72	4	9
People from the Caucasus	15	38	12	52	15	72	27	64	27	76	12	58	5	41	4	0
People from the Middle East and North Africa	4	12	1	22	0	11	2	21	2	13	0	9	0	1	0	0
People from Asia-Pacific Region (China, Viet-Nam, Mongolia, etc.)	8	30	4	58	4	52	2	45	1	41	8	21	4	17	1	2
Other people of "non-Slav appearance"	2	22	3	72	4	69	20	90	11	56	14	53	5	97	0	2

Chechens in the Russian Federation

Members of youth subcultures and leftist youth	0	4	3	121	3	119	5	195	4	87	5	92	3	63	0	4
Others (including ethnic Russians), or not known	10	57	5	21	21	107	2	88	6	80	9	57	5	60	0	3

This table reflects not the “actual identity” of victims, but rather the identity given to them by the attackers. In other words, if a Slavic person was taken for a Caucasian, he would be registered in the category “people from the Caucasus”. We also know about attacks on homeless people committed, as police suspects, with ideological motivation. In 2004 we have reports about 13 murders of this kind, in 2005 – about 5 murders and 4 beatings, in 2006 – 7 murders and 4 beatings, in 2007 – 4 murders and not less than 2 beatings, in 2008 – 7 murders and 1 beating, in 2009 – 1 murder, in 2010 – 1 murder and 2 beating.

Since 2010 we have not included victims of death threats. In 2010 we have reports about 5 persons who received such threats and in 2011 – 2.

Annex 4 – Reports of killings of Kadyrov opponents outside of Chechnya

2006 **Movladi Baisarov** was shot and killed in Moscow allegedly by Chechen security forces. Baisarov was a former ally of Kadyrov but had become one of his most outspoken opponents. Former member of the President's security service and commander of a FSB special forces unit “Gorets” (Mountaineers).⁶²

2008 **Ruslan Yamadayev** was shot and killed in Moscow. Ruslan Yamadayev was a former State Duma deputy and brother of Sulim Yamadayev who was a strong rival to Kadyrov and commander of the “East” Battalion.⁶³

2009 **Umar Israilov** was shot and killed in Vienna in January. Israilov, a former Chechen rebel, worked as Kadyrov’s bodyguard but fled for Europe in 2006. Israilov filed a complaint with the European Court of Human Rights in which he accused Kadyrov personally and his security forces of systematic use of torture and abductions against suspected rebels and their families.⁶⁴

Gilani Shepiyev was shot and killed in Moscow in February. Gilani Shepiyev was former deputy mayor of Grozny. He fled Grozny in 2006 after an attempt to kill him.⁶⁵

Sulim Yamadayev was killed in Dubai, United Arab Emirates, in March. Sulim Yamadayev was commander of the “Vostok” elite security force but was dismissed in 2008. Authorities in Dubai claimed that that Adam Delimkhanov, a Chechen member of the State Duma and close ally of Kadyrov, was the mastermind behind the assassination of Sulim Yamadayev. Delimkhanov and six other Russian citizens were placed on Interpol’s wanted list in connection with the killing of Sulim Yamadayev.⁶⁶

⁶² Caucasian Knot, *Baisarov, ex-commander of "Gorets" squadron, killed in Moscow*, 20 November 2006, <http://www.eng.kavkaz-uzel.ru/articles/5052/> (accessed 29 August 2011); *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 426; and Sultan Abubakaro, *Caucasian Knot, Chechen president's security service: Ramzan Kadyrov 'is safe and sound'*, 27 April 2004, <http://www.eng.kavkaz-uzel.ru/articles/2864/> (accessed 29 August 2011)

⁶³ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 426 and Reuters, *Prominent Chechen gunned down in Moscow*, 24 September 2008, <http://www.reuters.com/article/2008/09/24/us-russia-chechnya-shooting-idUSTRE48N65A20080924> (accessed 29 August 2011)

⁶⁴ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), pp. 426 and BBC, *Austrian court convicts Chechens over dissident's death*, 1 June 2011, <http://www.bbc.co.uk/news/world-europe-13621483> (accessed 29 August 2011)

⁶⁵ BBC, *Former Chechen official shot dead*, 5 February 2009, <http://news.bbc.co.uk/2/hi/europe/7872286.stm> (accessed 29 August 2011)

⁶⁶ *Eastern Europe, Russia and Central Asia 2011*, ed. Dominic Heaney, London and New York 2011 (Routledge), p. 427 and BBC, *Top Chechen 'behind Gulf murder'*, 6 April, <http://news.bbc.co.uk/2/hi/europe/7984545.stm> (accessed 29 August 2011)

Annex 5 – Explosions and terror acts in the North-Caucasian Federal District reported by Caucasian Knot from January to August 2011

From reporting available in English.

First quarter of 2011: 211 persons lost in armed conflict in Northern Caucasus

Apr 15 2011, 22:00

During the first three months of this year, at least 468 persons suffered or became victims of the armed conflict in Northern Caucasus. Of them, 211 persons were killed and 257 injured. These are the results of calculations of the "Caucasian Knot", based on its own materials and information from other open sources.

The death list includes 103 persons, announced by the authorities as members of the armed underground, 65 civilians, 37 law enforcers and military servicemen and 6 state officials. The list of injured persons includes at least 94 power agents, 158 civilians, 3 militants and 2 deputies (parliamentarians) in Dagestan.

The first quarter of the year saw 53 terror acts and explosions, and at least 67 armed clashes. 13 terror acts were prevented by the police. For ten times the legal regime of the counterterrorist operation (CTO) was introduced in North-Caucasian republics.

In total, 30 terror acts and explosions were committed in January-March in Dagestan, 9 - in Kabardino-Balkaria, 5 - in Chechnya, 4 - in Ingushetia and the Moscow Region each, and 1 - in North Ossetia. In total, these terror acts and explosions killed 61 persons, namely: 52 civilians, 4 power agents, 4 militants and 1 state official. At least 186 persons were wounded: 149 civilians, 36 power agents and one militant.

The bloodiest terror act was committed by a suicide bomber in the Moscow Airport "Domodedovo", which claimed 37 lives and injured 125 persons. Also, two suicide bombers blew themselves up in the Dagestani village of Gubden killing 5 persons and injuring 26 more. A large public resonance was caused by the terror act in the Elbrus region, where three tourists from the Moscow Region were killed and two more were wounded.

28 armed clashes were recorded in the first quarter of 2011 in Dagestan, 20 - in Kabardino-Balkaria, 10 - in Chechnya, 8 - in Ingushetia, and 1 - on the border of the Stavropol Territory and Karachay-Cherkessia. 105 persons were lost in them: 78 suspected militants, 25 power agents and two civilians. The list of wounded persons in North-Caucasian armed clashes includes 60 persons: 55 law enforcers and soldiers, 3 civilians and two militants.

Besides, one policeman was mistakenly wounded by a soldier of the Russian Interior Troops in the counterterrorist operation aimed to search militants in the Dagestani village of Gubden.

Most of the casualties were registered in Dagestan - 83 persons. Ingushetia and Moscow Region lost 37 persons each; the Kabardino-Balkarian Republic (KBR) - 31, and Chechnya - 17. Six persons were killed in a battle on the border of the Stavropol Territory and Karachay-Cherkessia. 125 persons were wounded in the Moscow Region, 79 - in Dagestan, 22 - in Chechnya, 20 - in the KBR, 6 - in Ingushetia, and 4 - in the Stavropol Territory.

Seven attempts on lives of state officials were undertaken in January-March. Five terrorists' attempts were successful: in Ingushetia they killed the head of the Tsentralny District of Nazran; in Kabardino-Balkaria - the head of the Chegem District and the head of the village administration of Khasanya; and in Dagestan - assistant of the head of the local department of the Federal Tax Service and deputy head of the Department of Architecture of the Sovietskiy District of Makhachkala. In two cases, also in Dagestan, two local deputies were wounded.

At least eight assassination attempts on law enforcers and militaries were committed: five of them in Dagestan, one - in Ingushetia, Chechnya and North Ossetia each. As a result, five power agents were killed, one was seriously injured by explosion and one was stabbed.

Apart from described above, at least ten crimes in the first quarter of this year in Northern Caucasus had to do with armed attacks on peaceful residents and civilian objects. As a result, ten civilians were killed and six wounded; most of them - in Dagestan.

At least four persons were kidnapped in January-March; two of them disappeared in Chechnya, one - in Dagestan and Ingushetia each. In particular, they kidnapped Magomed Taisumov, a close relative of the Yamadaev family and former head of staff of the Russian GRU special-purpose battalion "Vostok" in Chechnya. He was later found murdered.

On suspicion of involvement in illegal armed formation (IAFs), helping militants and participation in the rally against kidnappings, in the period from January 1 to March 31, at least 264 persons were detained: 175 persons - in Dagestan, 52 - in Chechnya, 19 - in Ingushetia, 5 - in Kabardino-Balkaria and in Moscow each, 4 - in Bashkortostan, 2 - abroad, and 1 - in Volgograd and Krasnodar Territory each. In the Bashkir city of Oktiabrskiy, a group was detained, which, according to investigators, for two years operated under the name of "Oktiabrskiy Jama'at of Imarat Kavkaz".

See earlier reports: "In March, 68 persons were killed in armed conflict in Northern Caucasus," "38 persons killed within a week in armed conflict in Northern Caucasus," "Seven people killed in armed confrontations in Northern Caucasus during a week," "12 persons perished in armed conflict in Northern Caucasus within a week."

<http://www.eng.kavkaz-uzel.ru/articles/16760/>

NCFD: from January to June, 2011, 43 persons lost, 93 – wounded in 93 explosions and terror acts

Jul 04 2011, 21:00

Statistics on explosions and terror acts in the North-Caucasian Federal District (NCFD) of the Russian Federation for the first half of 2011 in comparison with that for the same period of 2010 gives grounds for cautious optimism: in general for the District, the number of explosions fell from 138 to 93, the number of perished in the result of these incidents decreased almost two times, from 81 to 43 persons, and the number of wounded decreased more than three times, from 297 to 93 persons.

In the NCFD, **from January till June of 2011**, 93 explosions and terror acts occurred, in total, 43 persons were killed, including 4 law enforcement agents, 12 members of the armed underground and 27 civilians. 93 persons got wounded, including 36 law enforcement agents, one suspect of membership in the armed underground and 56 civilians.

Among the explosions there were 7 cases of suicide bombing, in the result of which, in total, 14 persons were killed, including one law enforcement agent, 10 militants and three civilians. And 29 persons got wounded, including one law enforcement agent and 28 civilians. Four out of seven cases of suicide bombing occurred at detention.

From January till June of 2010 in the NCFD, 138 explosions and terror acts occurred, in total, 81 persons were killed, including 39 law enforcement agents, 11 members of the armed underground and 31 civilians. 297 persons got wounded, including 136 law enforcement agents, 2 militants and 159 civilians.

Among the explosions there were 7 suicide bombings, in the result of which, in total, 29 persons were killed, including 18 law enforcement agents, 7 militants and 4 civilians. And 68 persons got wounded, including 44 law enforcement agents and 24 civilians. One out of seven cases of suicide bombing occurred during the armed confrontation with law enforcement agents.

These are the results of calculations of the "Caucasian Knot", based on the own materials and official data from open sources. The "Caucasian Knot" on a weekly basis maintains statistics on incidents of armed confrontation in the NCFD and calculates the number of casualties of this confrontation. Afterwards, the "Caucasian Knot" compiles the data and writes the statistic reviews and reports for a month, quarter, six months and a year.

In summarizing the weekly statistics, the "Caucasian Knot" by means of its correspondent network examines and defines the official data. If the data examination shows a discrepancy with the official version and initially announced figures, the final reports take that into account and the data are supplemented or corrected.

The readers should realize that even adjusted and corrected data cannot cover 100 % of the NCFD territory and reflect with all accuracy the actual number of victims in each of the three categories of people (militants, law enforcement agents and civilians) distinguished in the reviews. Not all explosion incidents are mentioned in the news reports. The statements of the law enforcement authorities cannot be checked in all cases. There are difficulties in identifying the remains of corpses:

till now there is an acute problem of the lack of appropriate laboratories and this affects timing and quality of the expert examinations.

When publishing the official data on the participants and victims of confrontation, which are then used for statistical purposes, the "Caucasian Knot" emphasizes that in the case of data on the militants the suspect members of the armed underground are meant – the persons who are declared as such by the law enforcement authorities.

See earlier reports: "Twelve persons lost on June 13-19 in armed conflict in Northern Caucasus", "During the week of June 6-12, 20 persons lost in armed conflict in Northern Caucasus", "In May, 54 persons were lost in armed conflict in Northern Caucasus".

<http://www.eng.kavkaz-uzel.ru/articles/17638/>

In 2011, 30 militants liquidated in Chechnya, MIA reports

Jul 20 2011, 17:00

During the first six months of this year in Chechnya 30 members of the armed underground were killed, 79 militants and their accomplices were detained, the Ministry of Internal Affairs (MIA) reports.

In the period from January to July this year 30 militants were killed in special operations, conducted by the power agencies of Chechnya. Another 79 persons, suspected of involvement in the activities of the armed underground, were detained and 21 – induced to surrender. During the same time period power agents confiscated 158 small-arms units, approximately 108 kg of explosives, 26,000 units of ammunition and five explosive devices, the Chechen MIA's website reports.

In this April Chechen law enforcement agencies, summarizing their activities during the first three months of 2011, reported about 21 killed militants, 66 persons detained for involvement in the armed underground and ten former militants and their accomplices induced to surrender. At the same time the law enforcers reported that 84 small-arms units, 14,000 of ammunition, approximately six kg of explosives and three explosive devices were withdrawn from illegal circulation.

"If we compare these data, it turns out that during the last three months on the territory of our republic nine militants were killed and only 13 ex-militants were detained. And another 11 were induced to surrender. It looks quite strange when you consider the fact that almost every week our power agencies report about detention of at least two or three persons involved in the activities of the armed underground," a local observer, who preferred to remain anonymous, told the "Caucasian Knot" correspondent.

See earlier reports: "NCFD: from January to June, 2011, 43 persons lost, 93 – wounded in 93 explosions and terror acts", "In June 61 persons lost in armed conflict in Northern Caucasus".

<http://chechnya.eng.kavkaz-uzel.ru/articles/17822/>

Armed confrontation in Northern Caucasus: 656 victims for the period January to June, 2011

Aug 4 2011, 17:00

During the first six months of 2011 no less than 656 persons became victims of armed confrontation going on in Northern Caucasus. Among them there are 396 killed and 260 wounded. These are the totals of calculation by the “[Caucasian Knot](#)” based on its own materials and other open sources.

The top ranking among the regions of Northern Caucasus by the number of victims from January to June, 2011, belongs to Dagestan where the total number of victims came to 353, among them 204 killed and 149 wounded persons.

The second place is taken by Kabardino-Balkaria with 105 victims including 77 killed and 28 wounded, the third one by Chechnya numbering 100 victims of armed confrontation between members of power ministries and the underground, among them 43 killed and 57 wounded.

Further go in descending order: Ingushetia (55 victims including 40 killed and 15 wounded”, North Osetia (20 victims: 11 persons killed and 4 wounded), Stavropol region (five victims: two killed and three wounded).

Explosions and acts of terror

During the period from January to June, 2011, 93 explosions and acts of terror took place in North-Caucasian Federal Okrug in which 43 persons all in all, including four members of power ministries, 12 participants of armed underground and 27 peaceful residents were killed. 93 people were wounded, among them 36 members of power ministries, one supposed participant of armed underground and 56 peaceful residents.

Among the explosions there were seven cases of self-blasting as a result of which 14 people perished: one member of power ministries, 10 gunmen and three civilians. 29 persons got wounded, including one member of power ministries and 28 peaceful residents. Four of the seven cases of self-blasting took place during attempts of detention.

The losses of power ministries and the underground

The number of armed confrontations between power ministries and members of the underground in Northern Caucasus came to 110 during the first six months of 2011. 61 out of them took place in Dagestan, 10 in Ingushetia, 23 in Chechnya, 11 in Kabardino-Balkaria, two in Karachay-Cherkessia, two in North Osetia and one in Stavropol region.

Local regime of counterterrorist operation (CTO) was enacted 24 times within the framework of struggle against paramilitary groups (PMG), among them 18 times in Dagestan, three times in Kabardino-Balkaria, twice in Ingushetia and once in Chechnya.

According to law enforcement bodies, the losses of armed underground in Northern Caucasus in 2011 made 228 people who died as a result of self-blasting and actions of power ministries aimed at struggle against the underground. 96 cases out of these fall on Dagestan, 53 on Kabardino-Balkaria, 31 on Ingushetia, 15 on Chechnya, five on Karachay-Cherkessia and one on Stavropol region.

Besides, according to the power ministries, 214 persons accused of participation or assistance to PMG were detained or came as self-reported criminals, 93 out of them in Chechnya, 60 in Kabardino-Balkaria, 49 in Dagestan, eight in Ingushetia and four in Karachay-Cherkessia.

87 members of law enforcement bodies, among them 54 in Dagestan, 15 in Kabardino-Balkaria, seven in Chechnya, six in Ingushetia, four in Karachay-Cherkessia and one in North Osetia were killed in Northern Caucasus from January to June, 2011, as a result of firing, explosions and armed confrontations.

167 more members of power ministries were wounded, 74 of them in Dagestan, 23 in Kabardino-Balkaria, eight in Ingushetia, four in North Osetia, four in Karachay-Cherkessia and three in Stavropol region.

Victims among peaceful residents

Opposition of members of power ministries and armed underground directly affects peaceful citizens of the regions of Northern Caucasus and the statistics of victims among civilians testifies to that.

No less than 78 peaceful residents were killed as a result of terror, explosions and firing during the first six months of 2011 in Northern Caucasus, among them 54 in Dagestan, nine in Kabardino-Balkaria, nine in Chechnya, three in Ingushetia, three in Karachay-Cherkessia and one in Stavropol region.

No less than 89 civilians got wounded: 75 in Dagestan, six in Chechnya, five in Kabardino-Balkaria and three in Ingushetia.

New cases of kidnapping, disappearance of people and illegal detentions were registered in the regions of Northern Caucasus during the period January to June, 2011. All in all no less than 18 cases of this kind were registered, 15 of them in Dagestan, 10 in Chechnya and three in Ingushetia.

See earlier reports: "[Dagestan: at least 353 persons lost and injured during the first half of 2011](#)", "[In 2011, 30 militants liquidated in Chechnya, MIA reports](#)", "[In June 61 persons lost in armed conflict in Northern Caucasus](#)".

<http://chechnya.eng.kavkaz-uzel.ru/articles/17956/>

The number of victims of two explosions in Grozny has come to eight people

Aug 31 2011, 11:12

According to the latest data, eight people perished as a result of two explosions which happened on August, 30, in Grozny and no less that 16 persons got wounded.

“Eight people perished and 16 were wounded. There is one officer of the Ministry of Emergency Situations and seven policemen among those lost”, “Interfax” quotes a source in law enforcement bodies.

According to another data, 18 people got wounded during blasting of a suicide bomber and the second explosion in Grozny which followed, RIA “Novosti” reports referring to a source in the republican law enforcement bodies.

There are civilians among those wounded and their number is currently being clarified. An investigator of local Investigation department of Committee of Inquiry in Grozny was wounded, too, a source in law enforcement bodies reports.

See earlier reports: "Four persons killed by suicide bomber in Grozny", "Three children-victims of explosion are still in Makhachkala hospital", "Armed confrontation in Northern Caucasus: 656 victims for the period January to June, 2011".

<http://www.eng.kavkaz-uzel.ru/articles/18220/>

[End]

Annex 6 – Abductions and other human rights violations in Chechnya reported by Memorial from January to 14. September 2011

Chechnya: Gudermes District Resident Abducted

September 8, 2011 a resident of *Darbakhi village, Gudermes district of the Republic of Chechnya* Bulat Magomedovich Abdurakhmanov addressed HRC "Memorial". He reported *September 2, 2011*, in the city of *Grozny, Pervomayskaya str.* his brother Ruslan Magomedovich Abdurakhmanov (born 1983) was abducted. When Ruslan with his friend were standing near building # 63, a silver-coloured car "Lada-Priora" without number plates approached them. Four armed men in masks and civilian clothes ran out of it; without explaining anything they took Ruslan, put him into the car and drove away in unknown direction. They took friend's mobile phone but threw it away soon.

Bulat told that in *2010* Ruslan had been charged with Art. 208 (organization of illegal armed formation and participation in it) of the Criminal Code of Russia and sentenced for 1,5 years of imprisonment by Staropromyslovsky district court of the city of Grozny. Before this sentence he was CEO of LLC "Agora", which was in charge of construction of famous shopping center "Grozny City". In *April 2011* he was early released on parole. The relatives are at a loss what is the reason for Ruslan's abduction.

The brother of the abductee writes in his statement: *"The fact that armed people in masks, without number plates easily abducted my brother in the city center and drew freely away, gives me the idea that the abductors were the representatives of law-enforcement agency"*.

Bulat asks for assistance in finding Ruslan and for protection of his rights.

HRC "Memorial" sent a written request to the Investigative department of the Investigative Committee in the Russian Federation in Chechnya to initiate a criminal case on Abdurakhmanov's abduction.

As for *September 14, 2011* the whereabouts of Ruslan are unknown.

September 14, 2011

<http://www.memo.ru/eng/news/2011/09/14/1409112.html>

Chechnya: A Citizen of Gudermes District Abducted and Murdered

On *September, 4, 2011*, at 3 a.m., Ayub Dovletukaev (born 1978), the resident of the *Dzhalka village of Gudermes district of the Chechen Republic*, was abducted from his home on *1, Tsentralnaya St.* In the morning of the same day, his body was found on a roadside next to the village Berkat-Yurt of Grosnensky district of Chechnya.

Human Rights Centre "Memorial" does not possess any details of the abduction and murder of Dovletukaev, but it is evident, that the kidnappers could not have remained unnoticed in the village. The house of Dovletukaev's family is not far from the houses of the Chairman of the Parliament of Chechnya Dukuvakhi Abdurakhmanov and the deputy of the Parliament of Chechnya Adam Delimkhanov, while both houses are under protection of a strong security system.

In 2001, Ayub was arrested under allegation of participation in the military clash on the side of the *boeviks*, which took place on the territory of the hospital in Gudermes. He was convicted and served his sentence in a psychiatric hospital. According to his fellow-villagers, the treatment did not give any positive results and he was still unwell after his return from the hospital.

On *January, 31, 2005*, Ayub's brother, Rustam Dovletukaev was abducted by unknown armed men. In the same day, his body with traces of torture was found on the territory of the hospital in Gudermes.

See also (In Russian): <http://www.memo.ru/hr/hotpoints/caucas1/msg/2005/01/m32186.htm>.

September 7, 2011

<http://www.memo.ru/eng/news/2011/09/12/1209111.html>

Chechnya: Abducted Teacher and his Students are Freed

Human Rights Center reported about abduction on *August 11, 2011* in the town of *Gudermes of the Republic of Chechnya* of the madrasah teacher Roman Magomadov and his students Rustam Seliev, Viskhan Geliskhanov and Ruslan Sakkazov

(<http://www.memo.ru/eng/news/2011/08/18/1808113.html>).

On *August 29*, they were freed. One other Gudermes resident was also released but his identity was not determined. HRC "Memorial" doesn't know the details of the release because the men and their relatives don't want to announce the details of the incident.

September 7, 2011

<http://www.memo.ru/eng/news/2011/09/07/0709111.html>

Chechnya: the Lost were Killed During a Special Operation

The Human Rights Centre "Memorial" previously reported on the disappearance on *July 9, 2011* of the resident of the village *Elistanzhi, Vedensky district of the Republic of Chechnya* Albert Osupov, born in 1988, residents of the village *Shali Zaurbek Aysumov* and *Ruzumbek Shakhmurzaev* and a resident of *Achkhoi-Martan, district of Chechnya* Hassan Arsakhanov, born 1988

(<http://www.memo.ru/eng/news/2011/08/23/2308112e.html>,

<http://www.memo.ru/hr/hotpoints/caucas1/msg/2011/08/m259332.htm>). Hassan Arsahanov was arrested later on the outskirts of the village *Avtury Shalinsky district of Chechnya*.

August, 18 it became known from the reports of the Chechen Ministry of Internal Affairs that the day before during the special operation on the street *Kosior in Grozny* which was led by the head of the republic, Ramzan Kadyrov, four members of illegal armed groups had been killed. Three of them were identified - Albert Osupov, Zaurbek Aysumov, Razambek Shamayev (<http://www.mvdchr.ru/rus/news/4014.html>).

The HRC "Memorial" is also aware that the killed were in a flat of Khadish Ibayeva together with Bulat Viskhanov who rented a house for his family (<http://www.memo.ru/eng/news/2011/08/25/2508113e.html>).

Viskhanov's family moved into the flat three or four days before the special operation. Bulat was convicted in *July 2009* for a year and a half in a penal colony under Art. 222 Part 1 of the Criminal Code (illegal purchase, transfer, sale, storage, transportation or carrying of weapons, its main parts, ammunition, explosives and explosive devices). In the colony he met with the killed Zaurbek Aysumov, Albert Osupov and the arrested Hassan Arsakanov and the missing Ruzumbek Shakhmurzaev.

According to the information of the HRC "Memorial" Arsahanov currently gives confessions and participates in investigation procedures. So, law enforcement officers arrived in the *village Duba-Yurt, village Avtury, town Shali* and other towns of Chechnya together with the detainees. The bodies of the killed during the special operation were not handed on to the relatives.

See also: www.memo.ru/hr/hotpoints/caucas1/msg/2008/07/m143680.htm.

August 29, 2011

<http://www.memo.ru/eng/news/2011/08/29/2908113e.html>

Chechnya: Siloviks Continue to Apply the Principle of Collective Responsibility to Boeviks' Relatives

Spouses Abdulaziz and Zargan Osupovs, residents of village *Elistanzhi, Vedenskiy region of the Chechen Republic* contacted the office of the Human Rights Centre "Memorial" in *Grozny, the Chechen Republic*. They reported that August 9, 2011 their son Albert Osupov, born 1985, went to the mosque for a dinner prayer. According to them when their son came out of the house gates there was a white car VAZ-2106 in front of him (Registration No. 436, 26th district – Stavropolsky Kray). Albert got into it and went away. Relatives saw that there were two men in civilian clothes in the car. In the evening Albert did not return home and his parents began to call to all his friends. Albert himself did not have a phone. His friend Zaurbek, resident of *Shali town*, said that they had met with Albert at noon. Osupov invited him to go to *village Naurskaya* to another friend. Zaurbek refused

because he did not have time. Having discussed it the young people went to their places. Later the parents found out that Albert had not appeared in the village Naurskaya.

Zargan Osupova sent her daughter to the house of Zaurbek who lives in Shali to find out the details of his meeting with Albert. Zaurbek was not at home: according to his parents he went to the mosque for a night prayer. The next morning Zaurbek's father came to the Osupovs and told them that his son and nephew Ruzumbek had not returned home after a night of prayer and that they had been looked for too.

Osupov's parents sent a written request to the district police department, prosecutor, Federal Security Service; reported the number plate and brand of car in which Albert had left. Employees of the district police department carried out an examination of all rooms in Osupovs' house and listing of their property. They stated that if Albert had gone to the "woods" they did not guarantee the safety of the property and house to his family. In addition, the siloviks added that the homes of relatives of militants should be burned. A representative of the district police department accused Albert's the parents of having sent their son to the "woods". He said that if it was confirmed the father would be in prison along with his son.

Albert was formerly a boevik. With great difficulty his relatives tracked him down from the "woods" and made him come to the district police department. Albert was convicted of participation in illegal armed formations for a year and a half of imprisonment in a penal colony in the city of *Kirov*, where he met Zaurbek.

His parents are afraid that siloviks execute their threats and their house will be burned.

Human rights defenders knew about two cases of burning the houses of boeviks' relatives in late June of this year.

June 24 at 3 am in village *Geldagan*, *Kurchaloevsky district* of Chechnya armed men in masks and camouflage uniforms broke into the house of Khozha Reshedov and into the house of his nephew Khavazha Reshedov. All householders were forced into the street and the houses burned. The houses of Khozha and Khavazha were near, under a detached roof. Both houses were burnt completely; arsonists stood and waited until the houses were burnt, some recorded the fire.

It's not a secret that the cause for this arson was leaving of KHozha's son to the "woods", to the boeviks. Khavazha's house was burned down just because it was near. Families with small children found themselves homeless.

A day later, on June 25, in the same village siloviks burned the house of Sherpudin Demelkhanov. July 12, 2008 siloviks have already burned down his house. Then the reason for it was the arrest on July 2 in *Urus-Martan district* of Chechnya Sherpudin's son Ali who was later convicted of participation in illegal armed formations. Having served his sentence, June 17, 2011, he joined the boeviks again.

The methods of burning boeviks' relatives houses in the Chechen Republic have become habitual in 2008-2009. Obviously this illegal practice is sanctioned by the leadership of Chechnya and consequently the performers are not being punished. Burning of houses in Chechnya is a punitive measure carried out in order to exert pressure on the relatives of suspected boeviks and on members of the underground themselves. The principle of collective punishment is being supported by the authorities in Chechnya for years. Apparently according to the plan of the leadership of the Republic burning of property of family members will warn other young people from leaving into the "woods." In addition, at the present time many relatives of boeviks have been deprived of allowances and pensions unlawfully.

Human Rights Centre "Memorial" has written about the burning of homes of relatives of boeviks in Chechnya in 2009: <http://memo.ru/hr/hotpoints/caucas1/msg/2009/03/m162902.htm>, <http://www.memo.ru/eng/news/2009/06/26/2606091e.html>.

In the same year the organization «Human Rights Watch» prepared a report "What Your Children Do Will Touch Upon You", dedicated to the same problem: <http://www.hrw.org/reports/2009/07/02/what-your-children-do-will-touch-upon-you-0>.

The Commissioner for Human Rights of the European Council Thomas Hammarberg has many times spoken on the inadmissibility of illegal actions against relatives of people who joined the armed underground: <http://www.inosmi.ru/russia/20090911/252492.html>.

August 23, 2011

<http://www.memo.ru/eng/news/2011/08/23/2308112e.html>

Chechnya: Teacher and His Students Abducted

August 11, 2011 at 4am in the house of Magomadov, located on the street Griboyedov in Gudermes three silver-coloured cars "Lada Priora" with armed men (in masks and camouflage) came. They broke into the yard, took a 30-year Roman Magomadov out of his house threatening with arms to the rest of his family members and took him in unknown direction. Relatives of the abducted appealed to the head of district administration, but he said that he could do nothing.

Roman was teaching in male madrasah in Gudermes. Two years ago he made a pilgrimage to Mecca.

Similarly, on the same day his students were abducted from their homes: Rustam Akhmedovich Seliev, born 1986 (lives in Novogroznenskaya str, 73) Viskhan Ruslanovich Geliskhanov, born 1987 (lives in Kirova str, 249), Ruslan Magomedovich Sakkazov. It is known that the kidnappers came by car "Lada Priora" without plates, were dressed in camouflage and masks, some wore black berets.

As of August, 16 the location of the abducted has not been established.

August 16, 2011

<http://www.memo.ru/eng/news/2011/08/18/1808113.html>

Chechnya: Two Residents of Ordzhonikidzevskaya Village Killed

On July 27, 2011 at night, in the region of the village of Bamut, Achkhoy-Martan district of the Republic of Chechnya, two people were killed in the course of a special operation carried out by local law enforcement officers. According to official information, they offered armed resistance on arrest and were therefore killed. None of the siloviks was injured in the shooting.

The victims were identified. They were residents of the village of Ordzhonikidzevskaya (Sleptsovskaya,) Akhmed Beslanovich Ozdoyev, born 1986, and his relative Adam Ozdoyev, also born 1986. They disappeared on May 31, 2011. Akhmed's relatives appealed to law enforcement agencies in Ingushetia. According to them, on the morning of May 31, Akhmed left home for work, at a private construction site, in the Malgobeksky district. According to the testimony of Akhmed's coworkers, he was at work all day. At 7:57 pm he spoke with his parents on the phone, telling them that he was heading home. After that call, connections with him were lost and his whereabouts were unknown.

See also: <http://www.kavkaz-uzel.ru/articles/189775/>;
<http://ingushetia.kavkaz-uzel.ru/articles/189853/>;
<http://www.magas.ru/content/pismo-v-redaktsiyuot-ozdoyevoi-fony-salmanovny>.

August 1, 2011

<http://www.memo.ru/eng/news/2011/08/01/0108114.html>

Chechnya: Details of the Abduction of Three Young Men in Gudermes

Human Rights Center "Memorial" previously reported the abduction June 24, 2011 in Gudermes, Republic of Chechnya (<http://www.memo.ru/eng/news/2011/07/11/1107113.html>). New circumstances of their abduction became known on July 20.

On June 24, 2011 three young men - Ali Adamovich Aidamirov (born 1988, lives at the address: Grozny, Zhigulevskaya Street, 7, Apt. 24), Khalid Hamzatovich Dushaev (born 1988, lives at the address: Grozny, Chernorechye village, Ashkhabadskaya Street, 27, Apt. 29) and Israil Adizov (born 1987, lives at the address: Gudermes, Titova Street, 98) spent the day at a water park in Gudermes. According to relatives of Israil, after 10:00 pm they were in the city center in a small park, opposite the «Leader» petrol station. Ali and Khalid wanted to go home, but did not have enough money for a taxi. Israil called an acquaintance and asked him to take friends to the «Minutka» district of Grozny, after which they planned to take public transport. The acquaintance agreed. While friends were waiting for the car, armed men from an unknown law enforcement structure approached them and

demanded to see their passports. At this point Gudermes police department officers, patrolling the city, also arrived. Only Israil had documents, the two others had left their passports at home. This is confirmed by their relatives. The siloviks demanded that the young men come with them. A Gudermes police officer, whose family members prefer that he not be identified, said the unidentified security officials that he knew Israil, and lived with him in the same neighborhood. He also asked them to give Israil to them, promising to interrogate and investigate him in the police department. At Israil's request, this same policeman asked to hand over the other two guys. The unidentified siloviks refused and took Ali and Khalid in an unknown direction. Israil was led to the police station, where he later phoned his brother, who took him home.

The next day, June 25, Israil telephoned relatives of Ali and Khalid and reported the incident.

On June 26 between midnight and one o'clock in the morning, Israil and his cousin Dzhambulat Izrailov took Dzhambulat's "Gazelle" and went to Israil's brother, Ruslan, who worked all day at the site on the northern outskirts of Gudermes. When the three of them were coming back, their car was overtaken by a silver "Lada Priora" that blocked the road. A second «Lada Priora» pulled up behind them. In them were armed men in camouflage uniforms, two of them masked, forced Dzhambulat and Ruslan to lie on the ground. Then they put Israil in his car and drove off in an unknown direction.

Only one of the cars had license plate, the brothers remembered it.

The next day Israil's brother appealed to the district police department with a statement about the kidnapping, reported the abductors' plate numbers.

Israil's relatives have tried several times to meet with the district police department officers who helped the young man on June 24, but he, for various reasons, refuses to meet them.

In connection with the abduction of Ali and Khalid, their relatives filed a statement to the district police department and the Gudermes Region Investigation Committee. Information about a criminal case is not available to the relatives.

In September 2008, Israil Adizov was arrested for aiding and abetting illegal armed groups. Then he was sentenced to 1 year and 6 months imprisonment. He returned home in March 2010. Ali and Khalid also served time there.

As of July 22, the location of the three abductees is unknown.

July 26, 2011

<http://www.memo.ru/eng/news/2011/07/26/2607116.html>

Chechnya: Two Grozny Residents Disappear in Gudermes

On July 8, 2011, Luisa Shakhiyaevna Aidamirova, a resident of Grozny in the Republic of Chechnya living in the Staropromyslovsky Region of the city at the address: Zhigulyovskaya Street, 7, apt. 24, sent a written statement to the Human Rights Center “Memorial.”

She reported that on June 24, after 9:00 pm, in the city of Gudermes in the Republic of Chechnya at the “Kavkaz” federal highway near the “Leader” fuel station, unknown people abducted her son Ali Adamovich Aidamirov, born in 1988, and his friend Khalid Dyushev.

On that day, Ali and Khalid left for Gudermes to visit their acquaintance, Israil, to relax at a local water park. Around 5:00 pm Ali informed his mother by telephone that they were already leaving the water park in order to head home. A few hours after that Luisa called Ali, as she had become worried about her long-absent son. He said that he was with friends on the highway, trying to catch a lift. At the same time she heard male voices, but did not pay attention to this, thinking that it was passers-by. After that, communication was interrupted. 15 minutes later, when she called her son again, he did not answer his phone. Ali did not return home. The next day, on the morning of June 25, Israil called the wife of Khalid Dyushev and said that Khalid and Ali were taken by security forces as the youths did not have IDs. According to Israil, the police officers didn't name themselves and were in a dark-colored car.

Relatives of Ali Aidamirov and Khalid Dyushev appealed for help to the nearest station of the Department of Interior Affairs (ROVD) in the Gudermessky Region. However, their statement about the detention of Ali and Khalid by unknown police officers was taken at the ROVD only on July 5.

As of July 8, relatives of the disappeared young people do not have information on their whereabouts, and also do not know what steps law enforcement authorities took to search for the missing persons.

July 11, 2011

<http://www.memo.ru/eng/news/2011/07/11/1107113.html>

On Threats against Members of the Committee Against Torture

A statement of the International “Memorial” Society

In the last few days members of the Interregional Committee Against Torture – one of the most famous human rights organizations in Russia – were put under severe pressure.

In Grozny the police thwarted a picket, coordinated with authorities, on the International Day of Support for Torture Victims. Then the leaders of the Committee office in Chechnya were summoned to the police, where they were openly threatened by police, who demanded they stop criticizing security forces.

This could be considered another manifestation of Chechen authorities' intolerance to criticism, if not for the events in Nizhny Novgorod, where the main office of the Committee is located.

There, close to home of the Deputy Head of the Committee, inscriptions threatening her in connection to her human rights work appeared.

What does this mean?

Have the powers that be of one of the subjects of the Russian Federation extended their displeasure to the whole country?

Or, is it the painful reaction of central authorities to the recent presentation of the PACE “Human Rights” Award to the Committee on Torture? This kind of reaction is natural for losers who've earned another “unsatisfactory,” mark but not for the administration of a civilized government.

The prestigious international prize awarded to the Committee Against Torture was more than deserved.

The Committee works in different regions of Russia, including possibly the most problematic – Chechnya, there trying to fight the pervasive evil of torture.

Words on the recognition of European values and on the desire for integration with Europe poorly agree with the persecution of winners of European awards.

The intimidation of human rights activists is a bad way to build a legal state.

We are seriously concerned about the threats to our colleagues. We hope that the government of Russia will take necessary measures in order for human rights activists to continue their work in Chechnya.

July 5, 2011

<http://www.memo.ru/eng/news/2011/07/14/1407111.html>

Chechnya: Abducted, Beaten, Released

On *June 10, 2011*, around 10:00 pm on the road between the villages of *Tsotsin-Yurt* and *Geldagana* in the *Kurchaloevsky* region of the *Chechen Republic*, the drivers and passengers of passing cars became witnesses of an abduction.

A car VAZ-2112 was driving to the village of Geldagena from Tsotsin-Yurt. Not arriving at the village, the car caught up with an automobile, in which three armed men sat. One of these men pointed his weapon at the driver of VAZ-2112 and demanded that he pull over. Both cars stopped, the armed men beat the driver of VAZ-2112 and shoved him into the trunk of their car. The abducted man's car was towed to the side of the village of Geldagena.

As it turned out, the abducted man was 30-year-old resident of the village of Kurchaloy, Aslambek Shataev, who lives in an apartment building on *A. Sheripova street*.

Relatives found him on *June 11* in the police station of the village of *Yaplhoi-Mokhk* in the Kurchaloevsky region, that day he was released. It is known that Shataev was severely beaten, that he received a concussion and severe bruising. His relatives declined to discuss his injuries.

According to other villagers, Shataev doesn't drink, smoke, and has no criminal connections. They cannot fathom for what reason he was kidnapped and beaten. It is possible that such cases of abductions are not rare in this area, but the majority are not reported because of relatives' fears. The case of the abduction of Shataev became public thanks to the fact that many witnessed it.

June 16, 2011

<http://www.memo.ru/eng/news/2011/06/16/1606112.html>

Chechnya: Grozny Resident Abducted

On *May 16, 2011* a resident of *Grozny* Doka Said-Akhmadovich Suleymanov addressed to the office of HRC Memorial. He said that on *May 9* his son Tamerlan Suleymanov, born 1982, residing at *Kosiora str, 28-95*, was abducted from his work by representatives of an unknown law-enforcement agency.

That day he went to his work at service center "Mustang" at *Kirova str., Oktyabrskiy district of Grozny*. At 11:30 am persons in black camouflage came there and asked for Tamerlan. When he came, they hit him into the face, he went out. His colleagues who tried to protect him were also beaten. Suleymanov unconscious was put into the car and taken in unknown direction. According to witnesses there were eight abductors. They came by two "Lada-Priora" cars – with numbers 991AA, 5th region and E423EE, 95th region, silver-coloured.

Tamerlan worked at service center for six years. As relatives say nobody asked for him during that time, only on *May 7, 2011* he was allegedly taken by Staropromislovsky police department officers. They tortured him and tried to make him confess that he had planned a terrorist act during the open ceremony of Akhmad-Khadzhi Kadyrov sports complex on *May 11, 2011*. Then he was released.

Before 2005 Tamerlan was repeatedly taken by different law-enforcement agencies, was tortured. They wanted him confess in different illegal actions. "But he was never blackened. Sometimes he was abducted, we were searching for him everywhere and couldn't find. In several days he was thrown out not far from his house with traces of torture. He didn't know where he had been kept", - relatives tell.

It is also known that in the beginning of May (presumably on *May 5*) a young person Islam was arrested. He lived in neighbouring house before his departure abroad. Islam and Tamerlan were

acquainted, studied in one school. Not long ago he came back to Grozny. Relatives suppose that it could be a cause for Tamerlan's detention. There is information that Islam is kept in Staropromislovsky police department.

May 17, 2011

<http://www.memo.ru/eng/news/2011/05/17/1705113.html>

Chechnya: Abduction of University Student

On March 2, 2011 Said Beslanovich Sigauri, born in 1988 and living at: *33 Kirova Str., in the Sleptsovskaya (Ordzhonikidzevskaya) village, Sunzhenskiy district, Republic of Ingushetia*, left his aunt's house to go to university and never came back. Said is a fourth year student of the history faculty in the State University of Grozny. On weekdays he stayed at his aunt's in *Grozny*, as everyday commuting from Ingushetia to Chechnya for his studies is extremely inconvenient.

At dusk Said called his relatives and told them he was in the OVD of Sunzhenskiy district of Chechnya. He asked them to "do something to take him out of there". On that very day and the next one, his relatives contacted the department mentioned by Said, but they were answered that Said was not there.

In the meantime Said's elder brother Arbi Beslanovich Sigauri, born in 1986, was assassinated on *March 2, 2011* in the *Leninskiy district of Grozny* during a special operation supposedly lead by the head of the Republic R. Kadyrov.

According to the relatives, Arbi had poor eyesight. In *February 2010* with the support of the Chechen Republic Health Ministry he was sent to the *city of Ufa, Republic of Bachkortostan* to have an eye surgery. After the convalescence in Ufa, he was sent to *Moscow* for another operation. *In summer 2010*, he got back home in Sleptsovskaya. From then on, law enforcement officials regularly visited the Sigauris. They wanted to know where Arbi had been during his absence. His parents showed documents proving he had undergone an operation. However, the visits of officials did not stop and they required Arbi to be handed to them. Arbi, scared for his security, did not sleep at home. His relatives convinced him to leave the Republic but he replied that he "had done nothing and had no reason to flee".

Two days before the special operation of March, 2 he went to his relatives in Shavkhalova str. in Leninskiy district, Grozny and informed them that he planned to flee to Moscow.

On March 2, siloviki suddenly surrounded the house. According to Ardi's relatives, only children were in that house, and they were allowed to get out during the special operation. Meanwhile, the adults were at work. The owner of the house (someone called her to her workplace) called the

brothers Sigauri's aunt, who lived with Said. When Arbi's aunt hurried to the place of the incident, he was killed. There were no other victims in the special operation.

Said's relatives only remembered about him later on, but they could not reach him by phone.

According to Sigauri's relatives, they were delivered for questioning to the police department №1 of Leninskiy raion. Moreover, the Sigauri brothers went to the Leninskiy ROVD in order to learn about Said's fate. However, they were told that Said had been brought for questioning but that he was after taken by "officials form another agency", without receiving any other answer to the questions about the place and the agency where Said had been taken. As of *March 9, 2011* no further information is available concerning Said Sigauri's fate.

March 10, 2011

<http://www.memo.ru/eng/news/2011/03/10/1003111.html>

Chechnya: Traces of Torture Found on The Killed Body

On January 24, 2011 the local citizen Magomed Sulimanovitch Edilov, DOB 1959, residing 146 street Saltykova-Shedrina, Grozny, Chechen Republic, addressed to the office of the HRC « Memorial » in Grozny. He complained about the harassment from FSB employees.

The problems started after his acquaintance Nikita Genadjevitch Blashkov, DOB 1985, native of Ramenskoye of Moscow region was killed in Chechnya in unexplained circumstances. Yet, according to the official information, Nikita Blachkov was killed on October 25, 2010 when he refused to comply with orders from law enforcement officers. Supposedly, he had an assault rifle, four cartridges and two cell phones (one with Moscow phone number) on him.

According to Edilov, on October 21st, Blashkov was on a train from Moscow to Grozny to visit him, he told about this by phone. Magomed was supposed to pick him up on October 23rd at 6:40 a.m. at the train station Chervlyonaia of Shelkovskoy district of Chechen Republic.

On the same day at 6:20 a.m. Edilov phoned Blashkov on his cell, but it was out of order. At the station Chervlyonaia Blashkov did not get off the train. Edilov then drove to the train station in Grozny in the hope of meeting him there, supposing that Blashkov missed the train station by mistake or fell asleep. But he was still not in the train. After asking the conductors, Magomed found out that two fellows in one of the train car, speaking Russian, decided to go from Grozny to the station Chervlyonaia by taxi.

Edilov returned to Chervlyonaia , asked the security guard of the station, but he still couldn't find Blashkov. Edilov left his number to the security guard in case his friend showed up at the station. He returned then back to the station in Grozny and continued to ask employees of the station. Around 5:00 p.m. he addressed to the subdivision of transport police established for rail in Grozny train

station to write a statement about the disappearance of Blashkov, but policemen refused to receive the statement, explaining that he had to address the statement at the place of residence of the missing person. Edilov was not even allowed inside, the policemen talked to him through a door intercom device.

In the evening, Edilov brought the news about Blashkovs' missing to his relatives. They communicated him the number of the train and number of Nikita's seat. The following day, Edilov returned to the police office at the station and cleared out that Nikita Blashkov was taken off the train in the city of Mozdok in the Republic of North Ossetia-Alania. After this, the deputy chief of the police office called one of the two policemen, accompanying the train, who are supposed to record passengers who are taken off the train, but they knew nothing about this case. Policemen justified it by the fact that the conductor did not inform them. The conductor confirmed that Blashkov has been taken off the train. But she was not aware about the fact that she has to give notice about passengers being taken off the train to policemen and draft a statement.

Later, Edilov found out that in the middle of the night four men visited the conductor's train compartment (two in militia uniform, two in civil dress) and told they were looking for Nikita Blashkov "to have a small talk". They walked together in the street, then came back to take personal belongings and Blashkovs ticket. From the conversations between deputy chief of the police office having with other employees, Edilov understood that people who took Nikita had introduced themselves as FSB officers.

On October 24, at 7:53 p.m. Edilov received an SMS : «Mahomed, my brother, I am with the brothers, when I have the possibility, I'll contact you».

The next day, Edilov called to subdivision of transport militia established for rail. Employees of the division asked him to come urgently to see them with the phone, and so he did. At the same time, at the subdivision, militiamen who were accompanying the train were interrogated. During the interrogation there was a man in military uniform, wearing colonel shoulder boards, who, as was told to Edilov, arrived from Rostov region. The colonel received the information about the SMS and ordered to check the number from where it was send.

Approximately at the end of October, Edilov received a call from Blashkov's mother who asked him to go to the Prosecutor office at the Achkhoy-Martanovsky District of Chechen Republic, where she received a call from. Edilov asked his niece who lives in Achkhoy-Martan to go there. At the Prosecutor office, they said that Nikita Blashakov was killed during an operation by the special forces in the Urus-Martanovsky District.

At the beginning of November, the investigator of the interdistrict prosecutor's office from Achkhoy-Martanovsky District summoned Edilov to testify. He announced that Blashkov was killed on October 25, 2010 when he refused to comply with law enforcement authorities' orders. According to the investigator, they found assault rifle, four cartridges and two cell phones (one with Moscow number and another with the number he send the SMS with) on Blashkov. Edilov had doubts about

the fact that the phone belonged to Blashkov, and decided to request a listing of calls in order to find out who really was using the phone. The investigator replied that there were too many calls to be listed.

On request of his mother on November 11, Magomed took Nikita's body and buried him.

During the conversation with «Memorial» HRC employees, Edilov related that «Nikita's body showed several traces of violence that caused death, the tips of his fingers turned to black». He took some pictures of the body (see «Memorial» HRC's website :

<http://www.memo.ru/2011/02/10/1002111.html>) and send them to Nikita's mother.

On numerous occasions he had to go to testify with the law enforcement officers about the death of Nikita.

On January 19, 2011 three armed man arrived at Edilov's house, who introduced themselves as FSB employees, but presented no documents. They took Mogamed to the Operational investigation structure of the Ministry of Interior Affairs of Chechen Republic for interview. Edilov answered all their questions about circumstances of Blashkov's kidnapping. One of the siloviks, named Nikolay, threatened Magomed, and at the end of the discussion, he asked him several times: “So, what are we supposed to do?”. Edilov did not understand the question. Then, the officer clarified that he “had to work for them”. If not, they can “accuse him of all they want, what will put him in a serious situation”.

February 11, 2011

<http://www.memo.ru/eng/news/2011/02/11/1102111.html>

[End]

Annex 7 – Letter from the Investigative Directorate of the Investigative Committee under the Russian Federation Prosecutor's Office for the Chechen Republic and letter from the Deputy Prosecutor General of the Chechen Republic



Investigative Committee
under the Prosecutor's Office
of the Russian Federation

Investigative Directorate
for the Chechen Republic

Altayskaya St., 3
Grozny, Russia, 364000
fax 8 (8712) 22-49-64

17/08/2010 No. 396/201/2-191-10
Re: No. _____ dated _____

To: R.Sh. Alkhanov,
Lieutenant General of Police,
Minister of Internal Affairs
for the Chechen Republic

Dear Ruslan Shakhayevich,

In department 2 of the investigative directorate of the Investigative Committee for the Chechen Republic submitted to the Prosecutor's Office of the Russian Federation, the department's objective being to investigate especially important cases, criminal cases are investigated which were initiated in connection with abductions of people residing in the Chechen Republic and which entailed applications lodged with and presently considered by the European Court of Human Rights.

In order to identify persons who have committed the respective criminal offences and establish the abducted persons' whereabouts, during investigations into cases that refer to the said category and were initiated in 2009 – 2010, investigators of our directorate repeatedly sent instructions to various territorial bodies of the Ministry of Internal Affairs of the Russian Federation requesting to implement operational and search measures, along with requests, in accordance with the procedure contemplated by Art. 21, § 4 of the Russian Criminal Code, to provide information on officers from the institutions of internal affairs in relation to whom investigative actions were necessary as they had taken part in special operations or had been important witnesses.

However, the officers of the Ministry of Internal Affairs of the Russian Federation for the Chechen Republic fail to carry out properly any relevant operational activities; instructions to implement operational and search measures, as well as requests from investigators of the investigative directorate are fulfilled incompletely and with no respect for the time-limits defined by the current legislation; and the given replies mostly bear a purely formal character and do not contain the requested data.

Thus, an investigator working in our directorate, in department 2 for the investigation of especially important cases, is investigating criminal case No. 66094, which was initiated on 16/11/2009 in connection with elements of the crime contemplated by Art. 126, § 2 (a) of the Russian Criminal Code following Mrs. Z.I. Gaysanova's having been abducted from her household in Grozny on 31/10/2009, while the security agencies of the Chechen Republic carried out a special operation in her household on the same date.

On 16/11/2009, in order to investigate the said crime and ascertain the whereabouts of Mrs. Z.I. Gaysanova, the abducted person, the acting head of the Leninsky Inter-District Investigation Department of the Investigative Committee for Grozny held an operational conference together with the head of the Department of Internal Affairs for the Leninsky District of Grozny, the head of the criminal police, the deputy head of the criminal police, the head of the public security police, the head of the criminal investigation department, a detective from the

criminal investigation department, and a local police officer; as a result of the conference, a number of joint actions were planned.

As those actions were not taken for a long time leading to increased duration of the criminal investigation, the investigator, in order to establish the factual circumstances of the crime, identify witnesses, eye-witnesses, and those involved in Z.I. Gaysanova's abduction, repeatedly sent requests and instructions to the highest officials of the Leninsky Department of Internal Affairs and other top-ranking officials of the Department of Internal Affairs of the Ministry of Internal Affairs for the Chechen Republic, for operational and search measures to be taken, as well as letters of reminders with the view to the fulfilment of those requests and instructions.

On 09/12/2009, 23/12/2009, and 27/01/2010, the highest officials of our Directorate sent you written applications requesting to provide information on persons who had taken part in the special operation of 31/10/2009 and to order internal checks in connection with violations of the requirements of Art. 21, § 4 of the Russian Criminal Code by officers subordinated to you.

On 18/05/2010, a similar request was sent to you by the investigator who was in charge of the criminal case in question. The aforementioned applications remained with no appropriate response.

During the investigation, a reply was received from the head of the Department of Internal Affairs for the Leninsky District of Grozny, where it was ascertained which officers had taken part in the special operation carried out in Z.I. Gaysanova's place of residence; among those officers there were: officers of the Argun Town Department of Internal Affairs; company 8 of the Special-Purpose Police Regiment named after A. Kadyrov; and officers of the security service of the head of the Argun Town Administration.

As for the repeated requests addressed to the commander of company 8 of the Special-Purpose Police Regiment named after A. Kadyrov instructing him to provide information on the regiment's officers who had taken part in the special operation of 31/10/2009, no reply followed.

Until now, the crime in question has not been investigated, the whereabouts of the abducted person has not been established, not all of the officers of the institutions of internal affairs who were involved in the special operation have been identified and questioned, and documents that were necessary for the investigation have not been submitted.

In case No. 66102, which was initiated on 28/12/2009 in connection with elements of the crime contemplated by Art. 105, § 1 of the Criminal Code of the Russian Federation following the disappearance of Mr. S.-S.A. Ibragimov after his visit to the building of the Directorate of Extra-Departmental Security Service under the Ministry of Internal Affairs for the Chechen Republic, there appeared a necessity to have the officers of the said institution interrogated as witnesses.

On 08/02/2010, 12/03/2010, 14/05/2010, 21/06/2010, letters and instructions were sent to the highest officials of the Department of Internal Affairs for the Leninsky District of Grozny and to the highest officials of the Ministry of Internal Affairs for the Chechen Republic requesting to ensure that Mr. Sh.S. Delimkhanov, commander of the regiment; Mr. V. Abdureshidov, commander of company 6 of the regiment; Mr. R.V. Jamalkhanov, head of the Department of Internal Affairs for the Urus-Martan District; Mr. S.-Kh.T. Jamalkhanov, officer of the latter Department appear for interrogation as witnesses.

The foregoing officers evaded appearance before the investigator; no reply to the mentioned letters and instructions has ever been received.

On 12/07/2010, a letter was sent to you in order to ensure their appearance for taking investigative actions. There followed no appropriate response.

The investigator interrogated Mr. Sh.S. Delimkhanov and Mr. V.A. Abdureshidov on 23 July 2010, when he visited them in their working places; further investigative actions are planned in relation to those officers which imply their arrival to the investigative directorate.

Furthermore, in criminal case No. 72028, which was initiated on 19/08/2009 in connection with elements of the crime contemplated by Art. 126, § 2 (a) of the Criminal Code of the Russian Federation following the abduction of Mr. A.D. Askhabov in Grozny on 19/08/2009, there

appeared a necessity to identify officers of the Special-Purpose Police Regiment named after A.A. Kadyrov who were aged from 35 to 45.

On 09/03/2010 and 05/05/2010, an investigator of the investigative directorate sent requests to the commander of the Special-Purpose Police Regiment in order for him to provide photographs of the Regiment's officers, but no reply has ever been received.

On 11/05/2010, the acting head of the investigative directorate sent you a letter on the violations of the requirements of Art. 21, § 4 of the Russian Code of Criminal Procedure committed by the officials of the said Regiment, but there followed no response whatsoever on the part of the top-ranking officials of the Ministry of Internal Affairs for the Chechen Republic.

An investigator of department 2 for the investigation of especially important cases of the investigative directorate is investigating criminal case No. 68042, which was initiated on 28/10/2009 in connection with elements of the crime contemplated by Art. 126, § 2 (a), (c), and (d) of the Criminal Code of the Russian Federation following the abduction of Mr. I.I. Umarpashayev in Grozny on 28/12/2009.

On 02/02/2010, Mr. I.I. Umarpashayev, the victim, was set free by unidentified persons. It follows from his statement that he was detained in the territory of the base of the Special-Purpose Police Unit (OMON) of the Ministry of Internal Affairs for the Chechen Republic for about 4 months, due to which there appeared a necessity to verify this information and identify officers of the OMON and of the Department of Internal Affairs for the Oktiabrsky District of Grozny who might have been involved in the abduction of Mr. I.I. Umarpashayev.

On 30/03/2010, the investigator of the investigative directorate sent an instruction to the head of the Department of Internal Affairs for the Oktiabrsky District of Grozny requesting to verify the information regarding the abducted person's detention in the territory of the OMON base and to identify witnesses and list their names. On 19/05/2010, an official reply signed by Mr. U.A. Rashidov, Deputy Head of the Department, was received, where it was stated that measures aimed at the identification of the OMON officers in question were still underway.

On 27/05/2010, the investigator of the investigative directorate sent an instruction to the head of Police Department No. 2 of the Department of Internal Affairs of Grozny requesting to identify persons who Mr. I.I. Umarpashayev had come in contact with during his alleged detention in the OMON, i.e. the man who had introduced himself to Mr. I.I. Umarpashayev as Chief of Staff of the OMON, the man named Aslan, and the man nicknamed Shved (the Swede).

On 03/06/2010, an official reply signed by Mr. Z.S. Bibulatov, Deputy Head of aforementioned Police Department No. 2, was received, where it was stated that it had been impossible to identify the persons in question.

The police officers who had accomplished the respective instructions failed to provide any other information that could confirm or refute the information received from Mr. I.I. Umarpashayev, the victim of the crime, during the investigation.

On 04/06/2010 and 24/06/2010, the investigator of the investigative directorate sent a request to the head of the personnel department of the Ministry of Internal Affairs for the Chechen Republic in order to for him to provide personal data and photographs of the OMON staff.

On 27/07/2010, a reply signed by V.E. Petrov, Deputy Minister of Internal Affairs for the Chechen Republic, and dated 07/07/2010 was received, where it was stated that the internal security department should be contacted in connection therewith.

There were similar situations during the investigations of a number of other criminal cases.

The foregoing facts highlight that work of the officers of the Ministry of Internal Affairs for the Chechen Republic is poorly organised and that they stick to a purely formal approach when fulfilling instructions by the investigators of the Investigative Committee under the Prosecutor's Office of the Russian Federation for the Chechen Republic regarding the implementation of operational and search measures, which negatively affects the detection and investigation of criminal offences classified as serious and particularly serious.

Crimes of the said category are viewed as high-profile in the Chechen Republic. Following the abductions, applications have been lodged with the European Court of Human Rights; the

victims in such cases receive qualified legal assistance from the members of various human rights organisations. In accordance with the requirement contained in the European Convention for the Protection of Human Rights and Fundamental Freedoms, with a view to effective investigation of the criminal cases which became subject for consideration by the European Court of Human Rights, the criminal cases mentioned above are subjected to special control by the First Deputy of the Prosecutor General of the Russian Federation, who is also the Chairman of the Investigative Committee under the Prosecutor's Office of the Russian Federation.

In view of the foregoing, I request to direct your personnel at close cooperation with the investigators of the investigative directorate of the Investigative Committee under the Prosecutor's Office of the Russian Federation for the Chechen Republic and to take comprehensive steps to ensure that the officers subordinated to you fulfil the instructions received in the framework of criminal cases in a thorough manner and within the time-limits defined by law.

V.A. Ledenev
Head of Investigative Directorate,
State Counsellor in Justice, 3d class

[Signature]



**The Prosecutor's Office
of the Russian Federation**

**The Prosecutor's Office
of the Chechen Republic**

42, Idrisov St.
Grozny, the Chechen Republic, 364000

March 11, 2011 No. 15-169-2011

Re: No. 44 dated February 4, 2011

File No. 234 dated March 31, 2011

To: I.A. Kalyapin
Committee against Torture
Inter-Regional Public Organization,
Chairman

7 B, Gruzinskaya St.
Nizhny Novgorod, 603000

The prosecutor's office of the Chechen Republic has considered your application concerning the lack of outcomes in the investigation of criminal cases related to the abductions of citizens in the territory of the Chechen Republic, along with the similar application forwarded to us from the General Prosecutor's Office of the Russian Federation, which is a duplicate of the former application.

Notwithstanding the measures taken by the republican law-enforcement agencies including those carried out by the institutions of the prosecutor's office, there still exists a problem of abductions of people and of the lack of proper and effective investigation by the investigative authorities into criminal cases referring to this category.

The republican prosecutor's office pays particular attention to the issues of the organisation of interaction between the investigators and the subjects of operational and search activities, to raising the quality and productivity of the work aimed at the prevention and preclusion of crimes linked to abductions and disappearances of citizens, and to practical assistance in the investigation of crimes falling within the said category.

Pursuant to order No. 73/15 of the republican prosecutor "On the Organisation of Interdepartmental Interaction in the Investigation of Particularly Serious Crimes against Individuals" dated 05/08/2010, interdepartmental conferences are regularly held in the institutions of the republican prosecutor's office and in those of the prosecutor's offices at the district level, where criminal cases are heard which were initiated following the facts of abductions of citizens.

In 2010, in the prosecutor's offices of the district level, interdepartmental conferences were held, where criminal cases that belong to the category in question were heard, and the participants included prosecutors from the department for supervision over investigation in the institutions of the prosecutor's office, desk officers from the procedural control department of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation, and officers of the Ministry of Internal Affairs for the Chechen Republic.

In addition, a check has been held in order to verify the lawfulness of procedural decisions made by investigators of the inter-district departments on the basis of materials contained in criminal cases that refer to the category in question.

Following the outcomes of the said check, prosecutor's response measures have been taken in conformity with Art. 37, § 2 (3) of the Russian Code of Criminal Procedure.

All the requests submitted in the framework of prosecutor's response have been considered and granted.

AA No. 019981 ❁

In order for the institutions of the prosecutor's office to increase the effectiveness of supervision activities, both in the republican prosecutor's office and in the prosecutor's offices at the district level, accountability is implemented in relation to reports concerning abductions of citizens and procedural decisions made in connection therewith, and monitoring is effected in order to manage reports about crimes and criminal cases that fall within the category in question.

As a result of steps taken by the law-enforcement agencies including prosecutor's response acts, 8 criminal cases that refer to this category were entirely investigated in 2010.

However, it should be noted that the investigators show a lack of integrity and persistence when investigating crimes of this category and fail to carry out the investigations in an effective manner.

Meanwhile, in order to intensify the search for the abducted persons, perform unbiased investigations and rectify the undue practices presently employed in the framework of investigations into criminal cases of the said category, the institutions of the prosecutor's office take all the prosecutor's response measures contemplated by law.

In particular, in criminal case No. 66094 initiated following the abduction of Z.I. Gaysanova, requests to rectify violations of the law of criminal procedure and the Federal Law "On Operational and Search Activities" were submitted to the Minister of Internal Affairs of the Chechen Republic on 08/04/2010 and 12/10/2010 in connection with failures to fulfill the investigators' instructions given to the institutions of the republican Ministry of Internal Affairs and with a lack of proper and effective operational investigation into the criminal case in question.

Furthermore, in order to intensify investigative, operational and search activities, on 24/12/2009 an interdepartmental operational conference was held, the participants of which included representatives of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation, the Ministry of Internal Affairs for the Chechen Republic, and Operational and Search Bureau No. 2 of the General Directorate of the Russian Ministry of Internal Affairs. At the conference, the outcomes of the investigation into the aforesaid criminal case were voiced; the attention of the investigator and operational officers from the Ministry of Internal Affairs was drawn to the lack of effective investigation; a request was brought in that the investigation into the case be intensified and proper cooperation with the operational services be organised.

Based on the outcomes of a study of the operational and search case-file in the republican prosecutor's office, requests to eliminate violations of the Federal Law "On Operational and Search Activities" were sent to the Ministry of Internal Affairs for the Chechen Republic on 17/12/2009 and 19/02/2010.

In connection with the unlawful suspension of the preliminary investigation into the criminal case in question and a failure to take all the necessary investigative actions possible in the absence of the suspect (accused person) including the ones mentioned in your application, a request to eliminate violations of the federal legislation that had been committed in the course of the preliminary investigation was sent to the head of the Investigative Directorate of the Investigative Committee under the Prosecutor's Office of the Russian Federation on 24/08/2010; this request has been considered and satisfied; the order to suspend the preliminary investigation has been cancelled.

However, Z.I. Gaysanova's whereabouts remain unknown until today. The investigation into this case is improper; no departmental control over the investigation is effectuated.

On repeated occasions, the institutions of the prosecutor's office brought the failure to ensure an effective investigation and the violations of law committed in this case to the attention of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation.

Criminal case No. 66102 initiated in connection with S-S.A. Ibragimov's disappearance has been studied in the republican prosecutor's office.

In the issue, the study revealed violations of the federal legislation committed during the preliminary investigation. In particular, the investigative authorities failed to perform urgent investigative actions including the questionings of the eye-witnesses of the incident.

On 27/05/2010, in connection with the revealed violations of law, the republican prosecutor's office sent a request to rectify them, which has been considered and satisfied. Sh. Delimkhanov, regiment commander, and V. Abdureshidov, a company commander in the said regiment, had not been questioned until the prosecutor's office issued the respective orders.

The republican prosecutor's office found similar violations during the study of criminal cases initiated following I.I. Umarpashayev and A-Ya.D. Askhabov's abductions and A.R. Zaynalov's disappearance. Based on the outcomes of the study, requests to rectify the violations have been sent to the head of the Investigative Directorate of the Investigative Committee under the Prosecutor's Office of the Russian Federation.

In criminal case No. 72028 related to A-Ya.D. Askhabov's abduction, in connection with a lack of proper and effective operational investigation into the case, requests to rectify violations of the law of criminal procedure and of the Federal Law "On Operational and Search Activities" were sent to the Minister of Internal Affairs of the Chechen Republic on 08/04/2010 and 13/10/2010.

When studying the operational and search proceedings conducted in the aforementioned cases, the republican prosecutor's office found violations of the Federal Law "On Operational and Search Activities". Requests to eliminate them have been sent to the Minister of Internal Affairs of the Chechen Republic.

In connection with the facts of falsification of documents concerning the date and circumstances of Z.A. Idrisov, Z.S. Aslakhonov and I.A. Mezhidov's detention, the Shalinsky Inter-District Investigative Department of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation issued repeated orders to refuse from initiating criminal proceedings, the latest one dated 21/02/2011, in accordance with Art. 24, § 1 (1) of the Russian Code of Criminal Procedure.

A pre-trial check that has been carried out comprised questionings of officers of the Shalinsky District Department of Internal Affairs and other persons who possessed information on Z.A. Idrisov's detention by officers of the law-enforcement agencies; phototechnical and video phonoscope analyses of video files available at the CD-disc submitted by the representatives of the combined mobile group formed by the Russian human rights organisations were ordered to be performed in the Expert Examination and Advice Centre of the General Directorate of Internal Affairs for the Stavropol Region.

Taking into account that the ordered analyses have not been completed, at present there are no grounds for the cancellation of the refusal from initiating criminal proceedings.

The materials of the check are kept under control by the republican prosecutor's office.

The experience of supervision over the investigation of criminal cases referring to the category in question shows that the investigative authorities fail to take urgent investigative actions and organise proper cooperation with the operational services in order to investigate crimes. In fact, the top-ranking officials of the Investigative Committee effectuated no departmental control over criminal investigations. No concrete steps are being taken to eliminate the violations of law found and pointed out by the institutions of the prosecutor's office. No persons who have committed violations of law are being brought to responsibility.

There have even been cases where crimes linked to the abductions of people were concealed by investigators of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation.

It frequently happens that the investigators of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation make decisions to initiate criminal proceedings only after repeated requests by the institutions of the prosecutor's office to initiate criminal proceedings, undertake a search for a missing or abducted persons or bring the guilty persons to responsibility.

As a result of the untimely initiation of criminal proceedings and inactive and unaggressive character of investigation, the guilty persons flee and the whereabouts of the affected persons is not established.

The investigators fail to use all the powers granted to them by the law of criminal procedure for the persecution of the guilty persons including those who obstruct preliminary investigation.

With a view to taking response measures, the republican prosecutor's office repeatedly forwarded the relevant data including information on the issue in question to the General Prosecutor's Office of the Russian Federation.

The Deputy Prosecutor General of the Russian Federation submitted requests to A.I. Bastrykin, Chairman of the Investigative Committee of the Russian Federation, to rectify the violations of law and bring to responsibility the guilty officials of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation.

On a permanent basis, the republican prosecutor's office effectuates supervision over the observance of human and citizens' rights and freedoms at the pre-trial stage of criminal procedure, as well as over the lawfulness of the decisions made by the preliminary investigation institutions. Wherever any violations of law are found, all the prosecutor's powers are used as provided by the law of criminal procedure and other federal laws.

Deputy Prosecutor
of the Chechen Republic,
Chief State Counsellor in Justice

[Signature] N.A. Khabarov