

Memorial Human Rights Center
127051 Russia, Moscow, Malyj Karetnyj per. 12
tel. (495) 225-31-18
Web-site: <http://www.memo.ru/>

Report for the next round of consultations on Human Rights
European Union – Russia

The situation in the conflict zone of the North Caucasus
June 2009 – October 2009

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Introduction

The North Caucasus remains one of Russia's least prosperous regions in the field of human rights. Although the situation in various republics and regions of the North Caucasus differs remarkably, some general factors, spread over a large territory of the North Caucasus adversely influence the development of the situation. These are:

- the ongoing fighting. Right now armed underground forces, using terroristic methods, oppose the Russian state on the North Caucasus. The power structures, in turn, implement a politics of state terror;
- the impunity for mass crimes, committed by state representatives during a "counterterrorist operation". This way, the fate of the absolute majority of thousands of people, that have forcibly "vanished" on the territory of Chechnya since 2000, has not been established. The database of the HRC "Memorial" contains more than three thousand cases on those kind of forced "disappearances", and no one has so far been punished for these crimes;
- the corruption, whose level is high even against the background of the rest of Russia;
- the arbitrariness of the officials;
- a high unemployment rate;
- the conflict between the supporters of the "traditional" Islam for the North Caucasus and the relatively new, fundamental Salafism movement of Islam.

In summer of 2009 a dramatic destabilization and change to the worse of the situation of Human Rights has happened in the Northern Caucasus.

Activization of armed underground

According to information, accessible from open sources, one can come to the conclusion, that within the *three summer months of 2009* in these region 142 members of Russian power agencies were killed and 280 wounded. These are the greatest losses in the summer months of the last five years. Moreover the greatest losses (52 killed and 102 wounded) happened in Chechnya, where since April the regime of the counter-terror operations has been revoked.

The boeviks also use a tactics of individual terror. On *June 5* the Minister for Internal Affairs of Dagestan, General-Lieutenant **Adil'gerey Magomedtagirov** was killed. In June in Ingushetia the republic's Deputy Minister of the Supreme Court **Aza Gazgireeva** and the former head of the local MVD and Vicepremier of the Ingush government **Bashir Aushev** died from boevik's hands. The attempt on the life of Ingushetia's President **Yunus-Bek Evkurov** on *June 22* became an apotheosis for the personal terror. Evkurov survived as if by a miracle, severely injured.

The operations of the boeviks become more complex organization-wise and technically, and without a doubt demand long preparations and high skills in terrorist actions. The boeviks now more often bring forward quiet large groups against the "siloviks", what has happened relatively rarely in the last years. At the same time they have again returned to the practice of using suicide attackers.

When carrying out the operations, the boeviks do not pay attention to victims among civilians. For example, as a result of the terrorist act in Nazran on *August 17* an apartment complex of 10 houses, located in immediate proximity to the ROVD building, was severely affected. Dozens of residents of the house suffered from injuries of various severity, among them also children from 2 to 12 years old. One woman died in her apartment of the received wounds. In similar situations the boeviks make the civilians along responsible for the victims, who live close to objects of aggression and hereby allegedly become direct aides of the Russian power.

Some social stratas of the population (fortune-tellers, business-owners, liquor-dealers, women of easy morals) the boeviks eliminate consciously, led by their interpretation of the norms of the Islam. But they don't intend to limit themselves of that. On October 25 2009, "The statement of mudjakheds" was published on the web-site of Ingush armed underground hunafa.com. It contained warning addressed to school directors and teachers. They are threatened with "death penalty" for "anti-Islam propaganda": prohibition to wear hijab at school, seating boys and girls at one desk etc.

The armed underground is leading an active propaganda campaign, first of all directed towards the young people. Within the last months their representatives have finally opened up for themselves the internet, and their websites are, if judged by the extensive forums, very popular. In the eyes of some inexperienced stratas of the society, the boevik's propaganda advantageously distinguishes itself from the impersonal official information through its passion, its confidence and non-acquisitiveness. The boeviks have distanced themselves from national-liberation motives in their propaganda, fully turning to religious and moral-ethical subjects. The antagonism between the moral character of a "militia man" and a "mudzhahid" is utterly exploited. If the first character is in the society's consciousness thoroughly linked to corruption and unscrupulousness, the second one is, independently from reality, presented as a virtuous, religious and just figure.

A new tendency of the summer 2009 became the intense hacker attacks of boeviks on official websites of government organs and information agencies of Chechnya, Ingushetia and Dagestan. However, as it used to be in the recent years, the activity of underground has gone down in Autumn.

The reaction of the governmental authorities

What does the government do against this activization of the armed underground?

The information of the counter-terrorist propaganda on the internet doesn't change a lot and is, most of all, written slogans and threats in bureaucratic language.

Besides, the country's leadership demonstrates extreme concern about the surge of terrorism in the republics of the Northern Caucasus. The President of the RF D. Medvedev flew to the Caucasus several times within the last four months and every time the reason for his visit were resounding killings and large-scale terrorist acts.

During an external meeting of the Security Council of the RF in *Stavropol* on **August 19**, the President in public confessed, that the illusion of recent years of pacification in the Northern Caucasus has only remained an illusion. In fact the situation is catastrophic. The President marked the three main reasons for the ineffectivity of the fight against terrorism: corruption, the clan system and the ineffectivity of the government, especially of the power structures.

In the power agencies a campaign on renewing the personnel was started, a "cleaning" of unworthy ones. What this will actually develop into, is not clear so far.

It's important to notice that the President didn't want to point out (or wasn't able to do that) another important factor hampering effective fight against terrorism in the North Caucasus – systematic gross violations of human rights by law enforcement authorities during the fight.

Unfortunately the federal powers return to old, long ago tried out methods in search for a way out of the current situation.

Preparing themselves for the worse militants organised large-scale war games "Caucasus-2009". They were dedicated to practicing of repulsing big assaults of terrorist bands. During the games "terrorists" were being annihilated by all means including bombs, concentrated cannonading and tank attacks. We should remember though that in previous years the use of such means in inhabited location lead to grave losses of civilians.

After the terrorist act on August 17 the Deputy Minister of the MVD RF Arkadiy Edelev was appointed curator of all power organs in Ingushetia, and to strengthen the Ingush militia the strengthening of the temporary operation groups was declared, in which members of the MVD from other regions of Russia, commanded to Ingushetia, are serving.

Besides, the experience of the previous years has definitely proved, that this method of extrajudicial commandment to Ingushetia is not effective: the commanded "siloviks" which are not controlled by republic authorities are responsible for most of violations of law during the special operations. According to independent experts, the two months, during which Yu. B. Evkurov was cured, were used to walk exactly in this direction: the dialogue with the society stopped, joint operation of local MVD and law enforcement authorities of Chechnya grew into cruel and illegal actions.

In Chechnya and Dagestan the violation of human rights by power structures is gaining a more and more outrageous and demonstrative character.

Against this background it seems good, that the President of Ingushetia, who in autumn returned to his duty, publicly demonstrates his devotion to the former course, directed towards observance of the law and dialogue with the society.

Human Rights activists under attack

It is obvious, that under the current conditions people and organizations, opposing the politics of state terror, are by the conductors of these politics seen as an annoying hindrance, that has to be got rid of by any means.

A year ago, in a report, prepared for another round of consultations on Human Rights between the EU-Russia in October 2008 we pointed out a new, dangerous tendency: those people and organizations, who openly talk about the violation of Human Rights on the Northern Caucasus, become purposely victims of attacks and persecution. Now we have to talk about this tendency as being a steady one.

This summer high officials of the Chechen Republic in their public speeches presented the members of independent Human Rights organizations as enemies of the Republic and accomplices of terrorists.

So on July 24 on a press-conference, shown on the TV channel "Grozny", Ramzan Kadyrov assessed experts, who denied a stabilization of the situation in the Chechen Republic after the abolition of the counter-terrorist operation regime (KTO). Kadyrov said: *"I consider their activities as equal to those of bandits, terrorists, criminals"*.

One can hardly doubt, that R. Kadyrov equation of dissenting experts with "bandits, terrorists and criminals" is a threat against these experts, among which are also the representatives of HRC "Memorial". In particular Natalya Estemirova, member of "Memorial", critically spoke as an **expert** about the abolition of the KTO's regime on radio "Ekho Moskvyy" ("Echo of Moscow").

A week after the press-conference of R. Kadyrov, on July 1, the nearest associate of Kadyrov, deputy of the Russian State Duma Adam Delimkhanov¹ spoke on the TV channel "Grozny". He repeated R. Kadyrov's point, but developing and intensifying it:

"...there are people, who call themselves Human Rights activists, who help these Shajtans², who represent their interests, defend their actions. They talk about the police. [...] They bring as much harm, as those, who hide in the woods. [...] Everyone should know, be it an Ingush or a Chechen, or anyone else, that for your words you have to take responsibility, and that we will demand answers [...]".

It is important to note, that A. Delimkhanov ended his speech with the following words: *"We will fulfil the duties, that were assigned to us by President Ramzan. These Shajtans, these criminals, those who help them and those, who support them mentally, we will eliminate them."*

This way, A. Delimkhanov at first declared, that Human Rights activists are basically supporters of terrorists ("Shajtans"), and at the end declared, that everyone, who "even mentally" supports the "Shajtans" will be eliminated.

Public speeches like this by officials create circumstances in the Chechen Republic, under which even calling yourself a "Human Rights activist" becomes extremely dangerous.

In the first half of July the Chechen ombudsman Nurdi Nukhazhiev made a number of harsh, often almost insulting public statements about Human Rights organizations: HRC "Memorial", Moscow Helsinki Group, the Committee "Civil assistance", Amnesty International and Human Rights Watch.

On July 15 in Grozny a leading activist of the HRC "Memorial", Natalya Estemirova, was abducted. Right after the abduction she was taken to Ingush territory and shot. A number of events, occurring before the murder, and the circumstances of the crime itself give us serious reasons to suspect, that it was organized and carried out by representatives of the state.

After the murder of N. Estemirova HRC "Memorial" was forced to temporarily put the work of its office in Chechnya to a halt. Nevertheless some members of "Memorial", living in Chechnya, has been openly shadowed and put under pressure.

On August 11 the head of the non-governmental organization "Save the generation" Zarema Sadulaeva and her husband Umar (Alik) Dzhabraïlov were abducted from their office in Grozny. They were taken away in a car by unidentified armed men, who didn't cover their faces and said, they were "from the government". In the morning the bodies of the abducted, with numerous wounds – tracks of tortures and humiliation, were found in Grozny in the trunk of a car. It is

¹ Ramzan Kadyrov's cousin. In the second half of 1990s he worked as a driver for Chechen field commander and terrorist Salman Radyev. In 1999-2004 he was one of the leaders of security service of Chechen President. Then he became head of regiment of administration of non-departmental guard under Chechen MVD, which guarded oil and gas complex (the so-called "oil regiment"). He participated actively in counter-terrorist operations. In 2006, became deputy-chairman of Chechen government, was in charge of power structures. Since December 2007 has been State Duma deputy from Chechnya. R. Kadyrov called Delimkhanov his successor.

² Shajtan – devil; in the terminology, used by government representatives of the CHR, boeviks and members of the terrorist underground are called like that.

obvious, that in Chechnya only members of the government can now abduct people in the light of day, with uncovered faces, and walk around Grozny with weapons in their hands.

Already after the death of Natalya Estemirova Ramzan Kadyrov allowed himself to insult her in an interview on radio "Svoboda" (August 8, 2009).

The Chechen powers create an extremely hostile atmosphere around "Memorial".

In September in an interview with the newspaper "Zavtra" ("Tomorrow") R. Kadyrov declared: *"Memorial" is an organization, developed to undermine Russia*". The Chechen television channels often show materials, where "Memorial" is shown as an enemy of the Republic and the Chechen people. The Chechen ombudsman demands of "Memorial", that this organization *"left the Chechen Republic alone"*. He also, similar to A. Delikhmanov, draws a parallel between the independent Internet media "Kavkazsky uzel" ("The Caucasus knot"), publishing Human Rights materials, and the websites of the boeviks in public speeches. It is not hard to imagine, what consequences public statements like this by officials might have for the employees of "Kavkazsky uzel".

In Dagestan in the night of August 20 a fire happened in the office of Human Rights organization "Mothers of Dagestan for Human Rights". The office burned down completely: all documents of the organization and all belongings were destroyed, the office equipment became useless. Fortunately no human being was affected. The reason for the fire was arson. The organization's leader, S. Isaeva, turned to Sovjet district police department of Makhachkala. But the office didn't accept the application on arson, saying that the people of the police department had allegedly connected themselves with the EMERCOM and an expert had come to the conclusion, that in the office a failure of the electric wiring had happened (there had not been electricity in the office for two weeks, and all employees worked from home). Isaeva from the first moment on pushed the version of arson. Later an employee of the MCHS confirmed it: he found newspaper scraps, saturated with gas and scorched under an office window among a heap of glass and sent them to be examined. Consequently, officers of Sovjet district police department were compelled to admit the fact of the arson.

In the beginning of September 2009 in Makhachala unknown men spread hundreds of flyers, allegedly written in the name of "the relatives of militia men killed in Dagestan". The flyers threatened 250 people, called "supporters of illegal armed formations" with death. The names or family names of 16 people were mentioned directly. These are Human Rights activists, lawyers, journalists.

On October 25 in the suburb of Nal'chik (Kabardino-Balkarian Republic) a car, in which the businessman Maksharip Aushev, a well-known public figure of Ingushetia, and his relative were sitting, was fired at. As a result of the shooting M. Aushev was killed, the woman seriously injured. It is obvious, that the murderers followed M. Aushev from Nazran to Nal'chik.

Maksharip Aushev was from 2007-2008 one of the leaders of Ingushetia's protest movement. They protested against corruption of authorities and violations of human rights during counterterrorist operations. After Evkurov seized power, he stopped to actively participate in public activity, but remained an authoritative public figure.

Maksharip Aushev more than once declared in public, that the Russian special services were trying to kill him. On September 15 2009 armed men, moving on an APC (armoured personnel carrier) tried to abduct him.

Ingushetia

In spite of the "new policy" of President Evkurov, abductions, torture and illegal punishment have not stopped on the territory of Ingushetia. However here, other than in the neighbouring republics, the problem of abductions is not kept silent about, but actively discussed by the President of the Republic. Until his injury Yu.-B. Evkurov often met with Human Rights activists, with parents of abducted people and even killed boeviks, to find a way out of the given situation together with them.

The President of Ingushetia is not only not concealing the problem, but also trying to bring Russia's leadership to notice it. On June 9 on a meeting of the Security Council of the RF in Makhachkala, Evkurov discussed the abduction case of two young residents of Ingushetia, Tsidzoev and Tankiev, that happened this spring, with Dmitry Medvedev and the Minister of Internal Affairs of the RF Rashid Nurgaliev. According to some information, they were kept in Chechnya at the base of the Operating-Investigation Office (ORB-2).³

A meeting of the President of the RI with the public was announced to take place around the 20th, to discuss problems of illegal violence in the Republic. It was not held. The boeviks, who carried out the attack on June 22, were "playing in the hands" of the siloviks, who do not want to carry out their actions within the limits of the law.

Obviously, abductions and illegal punishment are mostly performed not by Ingush militia men, but by members of power structures, who were sent to Ingushetia from other regions of Russia, among them also the Chechen Republic.

We give two examples.

On July 10 in the Stanitza (village) Ordzhonikidzevskaya (Sleptovskaya) the local resident Batyr Albakov was abducted. Early morning he was taken away from his own apartment in front of his relatives and neighbours by armed men, introducing themselves as members of the Nazran ROVD. One of them was an Ingush, the two others – a Chechen and a Russian. Albakov disappeared; all official departments, where the relatives of the disappeared turned to, denied their involvement in his arrest. Still, when they were at the representative office of the ORB-2 in Ingushetia, they saw a man, resembling the one, who came to there house to get Batyr.

According to the actual fact of abduction, a criminal case on Art. 126 (abduction of a person) of the UK RF was filed.

On July 21 Adam Delimkhanov, deputy of the State Duma of the RF for the Chechen Republic, who leads the operation in the Suzhensky region of the RI, told the information agency "Interfaks", that Batyr Albakov was killed in a skirmish. Allegedly he, with a group of boeviks shot at soldiers and police man, who had arrived from Chechnya.

After the MVD RI announced, that the killed Albakov was wanted by the police as a boevik. Still this completely contradicts the facts, because Albakov right until his abduction openly lived at home and worked at the airport "Magas".

On July 22 2009 the relatives were handed Batyr Albakov's body, on which, next to injuries from fire weapons, were also found wounds from knives and traces of torture.

Magomed Archakov, arrested by members of the VOG MVD RF⁴ on July 2 on suspicion of complicity with boeviks, was kept in an unknown place, where he was subject of torture.

A lawyer could only meet him, when he was three days after his arrest brought to the official detention area, the IVS MVD RI. At the insistence of his lawyer a doctor was allowed to see him and gave first aid. Magomed had damaged kidneys, broken ribs, and he had been stung with needels in his ears and the flesh under his toenails.

He had the government resign, that couldn't handle the tasks that were set. He thoroughly listens to the complaints of the citizens, concerning violation of rights during special operations, and his intervention in certain cases leads to an end of those violations. But, unfortunately, there is still the impression, that so far he doesn't have the power to achieve systematic changes to the

³ The Operating-Investigation Office №2 is a structure of the MVD RF, located in Grozny. From 2003-2007 people, suspected of organized crime and participation in NVF were kept and tortured here illegally (for more information compare <http://www.memo.ru/hr/hotpoints/N-Caucas/doc1/2c.htm>). ORB-2 was not under the control of Ramzan Kadyrov. In July 2007 a man, loyal to R. Kadyrov, was put in charge of the ORB-2, a partial change of the personnel took place. In fact this structure was started to being controlled by the President of the CHR. After that the situation there changed for a while, the torture stopped. But since the beginning of 2009 Human Rights organizations again receive information about cruel behaviour towards arrested people in the ORB-2. Since spring 2009, when mutual operation of siloviks from Ingushetia and Chechnya began to be carried out on the territories of Ingushetia and Chechnya, members of the ORB-2 started to work in Ingushetia. In Magas in the UFSB for the RI building a representative office of the ORB-2 was opened in Ingushetia.

⁴ The temporary operative group of the MVD RF is a structure, where members of the militia from other regions of Russia serve, who were commanded to the Republic of Ingushetia.

better – the only stately organ in Ingushetia, able to defend a violation of civil rights, is still the President of the Ingushetia himself.

Whoever is behind the murder of Maksharip Aushev, it was directed towards a further destabilization of the situation in Ingushetia.

Dagestan

In July of this year Ali Magomedov, part of the organs of state security and working as an advisor for the President of the RD and then as a secretary for the Security Council of the RD, was declared new Minister for Internal Affairs of Dagestan.

According to the undivided opinion of experts, this appointment is a definite victory for the group around the President of the RD M.Aliev, especially when taking into account that his presidential authority will soon (in spring 2010) run out. He has not always found a common language with the former Minister of Internal Affairs, who was an independent "powerful figure" in Dagestan.

In June the General Procuracy of the RF examined the work of the Minister of Internal Affairs and the Public Prosecutor's Office of Dagestan. Serious violations in the work of the Republic's MVD were discovered, and the work of the Dagestan Procuracy in supervising organs, carrying out operative and criminal investigative work was found to be unsatisfying. A new Procurator for Dagestan was appointed – Andrey Nechaev, formerly working in the Procuracy of the Chelyabinsk Region.

Personnel changes happened on the background of continuous attacks of boeviks. The authorities reacted with illegal violence, openly turning to the practice of "death troops".

Earlier, until June 2007, many of the abducted residents of Dagestan disappeared without a trace. Then, up to summer 2009, the abducted were after a few days usually found in some ROVD or detention centre. At this moment a person, who has disappeared for a while, already manages to "admit" a crime of terrorist character.

Now the abducted are killed, the murder often covered as death in a shooting. Moreover, their bodies show signs of cruel beatings and torture.

Many of the abducted men are from families, supporting the Salafi movement of Islam, "untraditional" for the Northern Caucasus. The Siloviks often suspect people, who follow this religious confession, of helping or participating in the armed underground.

In 2009 HRC "Memorial" recorded 18 cases like that. 1 of the abducted was released by the abductors, 2 of them escaped, 11 were found killed (official version says that some of them were killed during skirmish), 4 disappeared. 2 people more disappeared with unknown circumstances – later both of them were declared killed in a skirmish. But it is necessary to see, that we monitor only a limited territory of the Republic, and therefore it is very likely, that the real number of similar crimes is noticeably higher.

The events at the end of August received a considerable resonance, when two of the abducted could flee, and the burned bodies of three other crime victims were found later. In this case the authorities were forced to admit the fact of abduction and murder.

On August 23 in Makhachkala in different places people were abducted by armed men in uniforms: Islam Askerov, Arsen Butaev, Artur Butaev, Gadzhi Gunashev and Amiraslan Islamov. At least some of them were tortured and forced to admit, that they were participating in illegal armed formations.

The abducted young men were brought out of town, their hands were tied, bags pulled over their heads and they were pushed into a machine, belonging to the Butaevs. The abductors poured gas over the car, dashed the inside of the car with chloroforme, put an explosive device on the front seat and then drove away.

Islam Askerov could free his hands from the chains and then untied Arsen Butaev. They threw the explosive device out of the car (it exploded immediately) and managed to run away. Three other abducted stayed in the car.

The fleeing young men called their relatives. Those came to the spot, where the car had been left, but didn't find anyone there. They only found pieces of tape, a mobile of one of the abductees and the funnel of the thrown explosive device. Arsen Butaev and Islam Askerov, who had saved themselves, were giving testimony at the Procurator's Office.

On August 26 a meeting was held in Makhachkala. The relatives of the abducted young men demanded to find the disappeared ones and put abductions and illegal punishment to a halt in Dagestan. The meeting was brutally ended by the police.

After a few days the burned out car with the bodies of Artur Bugaev, Gadzhi Gunashev and Amiraslan Islamov was found. In this case the Procuracy couldn't deny the obvious and filed a criminal case on the fact of abduction and murder.

The abductions continued in September.

And again, after the abduction of Sirazhudin Shafiev on September 8 in Derbent, his family tried to hold a protest meeting. Shafiev was abducted during the day in the city before the eyes of many eyewitnesses. Two cars blocked his car, and then armed men in masks and camouflage forced Shafiev out of his car, brutally pushed him into one of theirs and took away in an unknown direction. One of the incidental eyewitnesses could take a photo of the moment of abduction with his mobile phone. More than 150 people came to the protest meeting. This meeting was also ended by police men, who beat people with clubs and shot in the air.

The victimization of the newspaper "Chernovik", where critical articles about the methods of fighting terrorism in Dagestan are published, is continuing. Against the editor-in-chief and four journalists of the paper criminal cases for fomentation (Art. 282 UK RF) were filed, and in court an application for closing the paper as printing extremist material is being examined.

Chechnya

Against the background of harsh critic towards the organs of Internal Affairs of Ingushetiya and Dagestan, as well as the Dagestan Procuracy, the federal powers have not made a single critical comment about the administration of the Chechen Republic. Moreover, on September 15 the President of the RF D.A. Medvedev declared at a meeting with participants of the international discussion club "Valday", that he is satisfied with how the President of Chechnya Ramzan Kadyrov is working. *"He is not that bad a boy, as they are trying to make him"*, said the President.

Besides, this summer the biggest losses of siloviks happened in Chechnya. Here they doubled, if compared to last year's summer (in Ingushetia – half as much again, in Dagestan – four times more).

The "Chechenisation" of the conflict has had a noticeable effect in fighting the armed resistance in the last years. But it is obvious, that today this resource is exhausted, the Republican powers can not fulfill Ramzan Kadyrov's promise to completely eliminate the underground and the boeviks. What is more, the totalitarian regime itself, founded on violence and fear, creates new resistance. A part of the youth joins the boeviks in the mountains. The Republican power reacts very sharp to this development of the situation, and again counts on illegal violence. This violence is of wider and wider scale, carried out openly and demonstratively. The number of abductions is increasing.

In 2008 the HRC "Memorial" registered the abduction of 42 people in Chechnya (this number is, as we know, not comprehensive). 21 of them were released or ransomed after beatings and torture, 12 disappeared without a trace and 5 were later "discovered" in detention centres.

Within nine months of 2009 the HRC "Memorial" registered in Chechnya the abduction of 86 people. 57 of them were released or ransomed after beatings and torture, 9 were found killed, 16 disappeared without a trace and 4 were later found in detention centres. The circumstances of the abductions indicate the participation of state representatives in the commitment of these crimes.

Hereby it has to be considered, that since July 2009 we temporarily stopped the work of our representative office in the CHR. This is why the HRC "Memorial" can receive information only on the grounds of written statements of relatives of victims and statements, collected by members of "Memorial" from other regions of Russia during travels in the CHR. These circumstances inevitably led to a strong decrease of the number of information about abductions, compared to the general number of crimes, that happened. Besides, the victims of abductions and their relatives have recently been afraid to turn to officials or Human Rights agents.

The leadership of the Chechen Republic is publicly giving guidelines for illegal violence, among others the committing of illegal punishment. "Memorial" has a written version of a speech of the President of the CHR in a mosque at its disposal, which was aired at the TV channel "Grozny" on May 23 this year. R. Kadyrov said the following:

"I swear by Allah! The Wahhabis and those, who even faintly smells of Wahhabism will be eliminated in Chechnya. I swear by Allah, that we will only allow those to live here on Chechen grounds, who bring their children home. They either have to bring their bastard-children home, to imprison them, or kill them. [...] I swear by Allah! We won't even arrest them, imprison them, but just kill them on the spot. After that we won't even allow that their names are spoken out loud".

The illegal punishments do not have any justification, even when we are talking about terrorists. But Kadyrov in public declares, that people will be eliminated – not arrested, but eliminated – who follow a certain direction of Islam, and even those, who are if just somehow suspected ("faintly smells of Wahhabism"). He threatens the relatives of those, who went to the boeviks.

Above we have already cited A. Delimkhanov's statement, that people will be eliminated even if they are not suspected of having committed a crime, but just mentally support the boeviks.

As a result the situation went so far, that illegal punishment was carried out in public in the middle of a settlement.

On July 7 in the village Dzhururty siloviks, apparently members of the Kurchalevsk ROVD abducted the resident of the village Akhkinche-Borzoy Rizvan Al'bekov and his son Aziz. On the same day around midnight armed men in camouflage uniforms came to Akhkinchu-Borzoy. For some time they drove around the village, then stopped in the center of it next to a group of locals. They pushed the severely beaten up Rizvan out of their car and asked, if he had helped the boeviks. Rizvan denied that. Nevertheless, they shot at him a few times and said, that this would happen with everyone, who would help the boeviks. The local residents reported this case at the District's Procuracy.

The Al'bekov-case is one of the last cases, which Natalya Estemirova was working on. The information on the abduction of the Al'bekovs and the shooting of Ramzan was published on the website of "Memorial" when she was still alive. Soon after the murder of N. Estemirova it became clear, that the abductors released Aziz Al'bekov.

A criminal case was filed on the fact of murder. But no one was called to responsibility. There is information, that the members of the Kurchaloev ROVD put obstacles in the way of the cases's investigation.

On the territory of the CHR the practice of hostage-taking is used because of instructions by the Republic's authorities, a practice forbidden by international treaties and conventions, which were signed by Russia.

On July 16 of this year the TV station "Grozny" showed the meeting of Muslim Khuchiev, the administration head of the city of Grozny, with the relatives of people, suspected of participating in illegal armed formations ("Memorial" has the recording of this speech).

The anchorman spoke about the meeting in the following words:

"Khuchiev made a loud declaration, results from which are, that from today on, the responsibility for attacks and terrorist acts of boeviks will be laid on the relatives and close ones of the underground".

Also M. Khuchiev declared:

"Yesterday the President talked about this. Today is already the 16th. From today on I am warning you. From now on you are responsible for the stability in your districts, be it the Staropromyslovsky, Leninsky or Oktyabrsky Zavodsky District. For every incident or crime, which these Shajtans commit, their father, mother, brother or sister will have to take responsibility. The relatives of these person, who are living in that district, will be charged with it."

This is by far not the only public statement like that, made by officials in the CHR.

And it is not always just threats.

We bring a few examples.

On June 18 2009 in the village Engel-Yurt on Kh.Nuradilov-Street members of Republican power structures burned down two houses of the Baysuev family. Sheykh-Akhmed Baysuev is part of the boeviks. The burned down houses belonged to his parents Sayd-Magomed, born in 1935, and Nurzhan, born in 1940, Baysuev. After the fire the siloviks did not leave until they had not made sure, that all the property was destroyed.

On June 29 at dawn members of power structures burned down the house of Magomed Dadilov in the city of Shali at Uralskaya Street 5. Before that they chased the wife and the four young children of Magomed out on the street. The owner of the house himself was arrested the night before under suspicion of complicity with the boeviks.

Also in Shali a reprisal attack on the father of a supposed boevik happened. Yusup Askhabov was killed in the city center. The siloviks brought the mutilated body of Yusup to the house of the father (Ivanovsk Street 64) and threw him into the yard. Yusup's father, Denilbek Askhabov, came towards them, an elderly, feeble man. They threw him on the body of his son and started to brutally kick him with their feet and the butts of their guns. They also beat up the women, who were in the yard. Then Denilbek was brought to the center of Shali, they pushed him out of the car and again started to beat him up in front of the locals. When the silovs left, the passersby helped him to get to the hospital, where doctors gave him first aid. But no one of the doctors wanted to make a medical examination on the fact of assault and battery. The state of Denilbek's health is very bad, as a result of a brain concussion he lost his memory.

So it is documented, that the highest officials of the Chechen Republic instruct their subordinates to committ actions, that in the roughest way violate Human Rights and are in conflict with the norms of the Russian law, and that those subordinates carry out these instructions.

Decisions of the European Court of Human Rights

Up until now the European Court of Human Rights (ECtHR) has pronounced 120 decisions on applications of residents of the Northern Caucasus (among them 116 residents of Chechnya, 4 residents of Ingushetia).

Only in one decision the Court did not find a violation of the European Convention for the protection of Human Rights and fundamental freedoms. In all other decisions the ECtHR found Russia guilty of violating this Convention.

Two thirds of the decisions on applications is Chechnya are connected with violent disappearances, most of the others – with illegal punishment, indiscriminate shootings and bombings, torture and the elimination of property. Until now in Russia no one has been made responsible for these violations, established by the European Court.

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

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

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

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

Recommendations

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

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

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

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

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

Such measures should include the following in particular:

Carrying out adequate investigation into cases of human rights violations and bringing perpetrators to accountability.

Having the Prosecutor General of the Russian Federation conduct a comprehensive review of the activities of enforcement agencies and the prosecutor's office in the region. In particular it is essential to look into all cases relevant to the participation of individuals in illegal armed formations, which have been investigated in those republics, and send those cases in which there is evidence of torture and illegal pressure against defendants for re-investigation and re-trial.

Putting an end to the widespread practice of "temporary disappearances" of detained persons. In order to decrease the risk of torture as well to guarantee the legal rights of the family members of the detained, it is essential to ensure that relatives of the detained or arrested are speedily informed on their whereabouts.

Instructing members of federal and local enforcement agencies and security services about the absolute necessity of respecting and observing human rights within the framework of their activities as well as about the accountability for following criminal orders of superior instances and employees.

Ensuring the compliance of the state counter-terrorism activities, both on the level of normative acts and on the level of practices, to the international human rights standards and the international humanitarian law, including the European Convention for Human rights and Fundamental Freedoms, the Geneva Conventions, and the Council of Europe Guidelines on Human Rights and the Fight against Terrorism.

Providing adequate legal and judicial protection and due compensation to victims of human rights violations.

Effectively guaranteeing access to places of temporary and pre-trial detention for representatives of international humanitarian organizations, including the ICRC, in order to visit prisoners on conditions acceptable to those organizations.

Cooperating with the human rights protection mechanisms and agencies of the Council of Europe and the United Nations, including the special procedures of the UN Human Rights Commission and the treaty bodies of the Council of Europe and the UN.

Effectively cooperating with the Council of Europe Anti-torture Committee.

Extending the necessary assistance to Russian and international human rights organizations in their human rights monitoring work in the North Caucasus. Cooperating with such organization in eliminating the climate of impunity and improving the human rights situation in the region.

Fully implementing ECHR's decisions.