Human Rights Watch Briefing Paper
To the 59th Session of the UN Commission on Human Rights
On the Human Rights Situation in Chechnya
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INTRODUCTION

Last year, as Russian troops in Chechnya were committing hundreds of forced disappearances, extrajudicial executions, and widespread acts of torture and ill-treatment, the U.N. Commission on Human Rights rejected a resolution that would have expressed concern about the Chechnya conflict. The Russian government interpreted the resolution’s failure as a signal that the international community now endorsed its actions in Chechnya, and refused to implement the key elements of the resolutions the Commission adopted in 2000 and 2001.¹

Today, with the Commission in its 59th session, the human rights situation in Chechnya remains abysmal. The March 23, 2003 referendum—hailed by the Russian government as a major step toward peace and cautiously endorsed by the international community—cannot obscure Chechnya’s harsh realities.² The armed conflict in Chechnya continues and humanitarian law violations appear to be increasing. Human Rights Watch research conducted in the region in late March found that Russian troops had “disappeared” at least twenty-six people between late December and late February, or roughly three people per week. This is the highest rate of “disappearances” Human Rights Watch has documented since the beginning of the conflict. In more than fifty interviews with victims and eyewitnesses, we also documented new cases of extrajudicial execution, torture and ill-treatment, and arbitrary detention. The Russian government’s long-standing failure to investigate diligently such abuses and prosecute their perpetrators remains unchanged. Chechen rebels are believed to be responsible for a continuing pattern of assassinations of village administrators and other civil servants working for the pro-Moscow government in Chechnya. This briefing paper summarizes these findings, and describes government efforts to compel internally displaced people living in Ingushetia to return to Chechnya, despite the life-threatening conditions civilians face there.

¹ Leonid Skotnikov, Russia’s permanent representative to the U.N. in Geneva called the voting results last year “the moral and political victory” of the Russian side, saying that “in practical terms this means a recognition by the international community of the arguments Russia has made to close the Chechnya question at the human rights commission,” see “U.N. human rights commission voted against the resolution on Chechnya introduced by the European Union,” RIA Novosti, April 19, 2002, cited at http://www.infocentre.ru/win/user/index.cfm?page=3&date=2002-04-19&startrow=1&msg_id=44240 (accessed on April 4, 2003). The 2000 and 2001 resolutions expressed concern about the Chechnya conflict and called on the Russian government to, among other things, establish an independent national commission of inquiry to investigate human rights violations by both sides of the conflict, and to facilitate visits to the breakaway republic by five U.N. thematic mechanisms: the special rapporteur on torture, the special rapporteur on extrajudicial, summary and arbitrary executions, the special rapporteur on violence against women, the special representative of the secretary general on internally displaced persons, and the special representative of the secretary general on children in armed conflict.

² Official reports on the referendum described overcrowded polling stations, an unprecedentedly high turnout, and an enthusiastic and hopeful Chechen population demonstrating support for the initiative by dancing and singing in the streets. Reports by journalists and other observers who traveled to Chechnya independently contrasted sharply with this picture and cast doubt on the fairness of the electoral process. They reported only small numbers of voters at polling stations and noted that Grozny, the capital, was almost deserted (although some people in Grozny joined a demonstration against “disappearances”). For more information, see: Natalie Nougayrède, “La Russie organise un simulacre de référendum en Tchéchénie,” Le Monde, March 25, 2003; “Referendum in Chechnya: Seven People came to the Polling Station in School # 7 in Grozny,” Grani.ru, March 24, 2003, http://www.grani.ru/War/Chechnya/m.26977.html (accessed March 27, 2003); Memorial Human Rights Center, “Situation on the eve and on the day of referendum.,” March 25, 2003, http://www.memo.ru/hr-hotpoints/caucas1/index.htm (accessed March 27, 2003).
Unpublished government statistics confirm the high risk of abuse civilians face in Chechnya. According to an unpublished report on criminal activity in Chechnya, in 2002 1,132 civilians were killed, or between five and eight times the murder rate for Russia, and between ten and fifteen times the murder rate for Moscow.³ A second unpublished report, providing crime statistics for the first months of 2003, stated that for January and February there were seventy murders, 126 abductions, and twenty-five cases in which human corpses were found. Accompanying the statistics were detailed descriptions of more than 185 crimes in Chechnya committed in January and February 2003; in many, federal forces are implicated.

Throughout the past year, the Russian government sought to limit the flow of information from Chechnya. It barred outside scrutiny of the conflict by refusing to renew the mandate of the OSCE Assistance Group to Chechnya, forcing its closure, and by refusing to arrange visits to the region by several U.N. special mechanisms. The government also denied Human Rights Watch access to the region for the tenth time since the outbreak of the conflict in 1999. Finally, the government harassed several Chechen human rights advocates, one of whom subsequently “disappeared” after being taken into custody.

Human Rights Watch urges the Commission to adopt a resolution on the Chechnya conflict, calling on Russia to issue invitations to the relevant thematic mechanisms, to agree to renew the mandate of the OSCE Assistance Group, and to invigorate the domestic accountability process. A Commission resolution should deplore continued abuses, and should note in particular the failure by Russia to establish a national commission of inquiry, as required by previous resolutions, and an official public record of violations of international human rights and humanitarian law committed in the conflict. It should also call on the Russian government to refrain from pressuring displaced people to return to Chechnya.

**ABUSES BY RUSSIAN FORCES**

In prior years most abuses committed by Russian forces occurred during large-scale military sweep operations.⁴ But in the past year abuses generally occurred during night raids, when armed men in masks burst into the homes of unsuspecting Chechens and, without identifying themselves, took away one or more inhabitants, usually male. In most cases, these people are never seen again; in some cases, their corpses are subsequently found.

Although Russian government officials have routinely blamed Chechen rebel fighters for the raids, much evidence suggests that in many cases Russian forces are in fact responsible—a view recently expressed by Akhmad Kadyrov, head of the pro-Moscow administration in Chechnya.⁵

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³ A government official made the reports available to Human Rights Watch. The population of Chechnya is estimated to be between 600,000 and one million. The total number of murders in Russia, whose population totals about 145,000,000 was about 34,000 in 2001. The total number of murders in Moscow, whose population totals about 10 million, was 1,275 in 2002. See: “There were 1,275 Murders in Moscow in 2002,” available at: [www.rosbalt.ru/2003/01/22/82079.html](http://www.rosbalt.ru/2003/01/22/82079.html) (accessed April 6, 2003).


⁵ *Echo of Moscow,* see transcript at: [http://www.echo.msk.ru/interview/9.html](http://www.echo.msk.ru/interview/9.html) (accessed March 31, 2003). It is unlikely that dozens of armed rebel forces on numerous vehicles would be able freely to drive through areas that are
The armed men often arrive on armored personnel carriers (APCs) and other military vehicles that are used only by Russian troops and they frequently speak unaccented Russian, which is distinct from the accented Russian often spoken by those who live in the Northern Caucasus. Also, the frequency of such incidents and size of the armed groups seem to indicate Russian involvement. Of the 185 case descriptions in the unpublished government reports, in thirty-eight cases, involving sixty-four victims, the report describes the same three factors.

**Extrajudicial executions**

Human Rights Watch documented the killings of five men in Chechnya in 2003. In most cases, Russian forces had detained the men days or weeks before their relatives discovered their corpses.

In a disturbing new trend, Russian forces increasingly resort to blowing up the bodies of executed Chechens—a crude ploy that eradicates signs of torture, obscures the cause of death, and makes identification of the corpse extremely difficult. Human Rights Watch documented three such cases. Memorial, a Russian nongovernmental human rights organization with permanent offices in Chechnya and Ingushetia, documented thirty-eight cases in January and February in which the corpses of Chechens were found; in twenty of these cases, the bodies had been blown up.6

Below is one of the execution cases Human Rights Watch documented:7

- **Execution of “Kharon K.” and attempted execution of “Aslanbek K.”**8 On the morning of February 16, 2003, a group of about fifteen armed and masked men in uniforms riding in military vehicles arrived at the home of the K. family. According to “Malika K.,” the men searched the house and took away her two sons, Kharon and Aslanbek. The men, who spoke unaccented Russian, refused to look at the brothers’ identity documents, insisting their papers would be examined “at the department.”

  The armed men took the brothers to an ad hoc detention center in Grozny, where they separated them. Aslanbek K. was held in a cellar, where his guards questioned and beat him. They beat him with a rifle butt on his face, legs, and kidneys, and broke his nose in several places with a heavy metal flashlight.9

  It is unclear when Kharon K. was killed; on February 17, the guards loaded his corpse, and Aslanbek K., onto a car and drove them to a nearby district. There, the guards tied the two together, placed them under a large slab of concrete in an abandoned chemical plant, and put explosives between their bodies. They then fired a

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6 Human Rights Watch interview with Aleksandr Cherkassov, researcher for Memorial, Moscow, April 2, 2003.
7 Three other cases are on file with Human Rights Watch.
8 “Kharon K.” and “Aslanbek K.” are pseudonyms. The names of the men and other details are on file with Human Rights Watch. Other details about the brothers’ detention and ordeal have been omitted to protect the family. This case was among those included in the case descriptions of the unpublished government reports.
9 Human Rights Watch interviews with “Malika K.” and Aslanbek K. Date and location on file with Human Rights Watch. “Malika K.” is a pseudonym.
bullet at Aslanbek’s head but missed, causing only a superficial wound. After the armed men left, apparently thinking he was dead, Aslanbek K. managed to free himself before the explosives went off, and return home.10

**Forced disappearances**

Human Rights Watch documented the forced disappearances of forty-four men, twenty-six of which occurred between late December 2002 and late February 2003—about three “disappearances” per week. Human Rights Watch and Memorial have documented hundreds of forced disappearances since the resumption of hostilities in Chechnya in September 1999.11 Memorial’s database of “disappearances” currently contains information on more than 600 cases. These figures reflect only a fraction of the actual number of “disappearances.” For example, the unpublished government reports stated there were 126 “abductions” in January and February 2003 alone; the accompanying case descriptions strongly suggest involvement of federal forces in most of the cases. In mid-February 2003, the procurator of Chechnya stated that the procuracy was conducting 1,163 criminal investigations into the abductions of approximately 1,700 individuals in Chechnya.12

In the majority of cases Human Rights Watch documented in March 2003, the victims “disappeared” after armed men detained them during night raids at their homes, though some were detained at checkpoints. In all of these cases, relatives conducted extensive but fruitless searches, and in most cases, criminal investigations are pending.

Below are two recent examples.

- **Alik Mazhiev (b. 1948), Khasan Mazhiev (b.1974), Khusein Mazhiev (b.1975) and Arbi Mazhiev (b.1983).** On the night of January 4, 2003, several dozen masked and armed men simultaneously burst into the Mazhiev family’s three apartments on Yablochnaia Street in Grozny. Aishat Mazhieva told Human Rights Watch that the men arrived on armored personnel carriers (APCs) and other military vehicles, and took her husband and youngest son, a ballet dancer with the “Vainakh” dance group that had recently toured in Paris, Moscow, and Warsaw. 13 Other armed men detained her two other sons in adjacent apartments, where they lived with their respective families. The armed men took all four Mazhievs away, and despite numerous attempts by Mazhieva to

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10 Ibid. Aslanbek K. was able to extinguish the fuse before the explosives went off. He was able to retrieve his brother’s corpse.


find her husband and three sons their fate remained unknown as of this writing. The procuracy of Chechnya opened a criminal investigation into the “disappearances.”

- Sharpudi Israilov (b.1973) and Adlan Dovtaev (b.1971). On December 30, 2002, Sharpudi Israilov drove from the village of Tolstoi-Yurt, where he had received his new passport, to his home village of Kulary together with three local police officers. As they passed a checkpoint near Chernoreche, an APC drove out of a nearby forest and opened fire on their vehicle, killing one of the policemen and wounding Israilov and one other man. The soldiers put Israilov and the two policemen in the APC, and threw the third policeman’s dead body on top. Five other detainees, including Adlan Dovtaev, were already inside the APC. According to a relative, Dovtaev had been detained minutes earlier as he passed through the checkpoint. The men were taken to Khankala military base where Russian soldiers interrogated, beat, and tortured them with electric shocks. On January 1, 2003, soldiers took Israilov and Dovtaev away and the other detainees did not see them again. In the next few days, the six other detainees were released and informed Israilov’s and Dovtaev’s relatives that they had been in custody together at Khankala military base. Both families filed a complaint with the procuracy, which opened a criminal investigation. At the time of the interview, the relatives had no information on the fate and whereabouts of Sharpudi Israilov and Adlan Dovtaev.

Torture
Many survivors of torture and ill-treatment in Chechnya are extremely reluctant to talk about their experiences for fear of arrest or reprisal. Nonetheless, Human Rights Watch interviewed at great length five victims of torture and also received detailed accounts of the torture of seven other victims. In most of these cases, Russian soldiers tried to force the detainees to confess to involvement in the December 27, 2002, attack on the main government building in Grozny.
Below are two examples.

- **“Musa M.” and three other men at Khankala military base.** At the end of January 2003, federal servicemen stopped Musa M. and three of his friends near the hospital in the village of Alkhann-Kala. They put them in an APC and took them to Khankala military base, where they were held in a cellar for eight days. Musa M. told Human Rights Watch that in the APC the soldiers placed dark plastic bags over their heads and interrogated them. At the military base, soldiers held the men in a cellar, where they handcuffed them and placed plastic bags over their heads, in an attempt to force them to confess to the December 2002 bombing of the government building in Grozny. They beat Musa M. and the other men on the kidneys with a sixteen-kilogram weight, subjected them to electric shocks, suspended them from the ceiling by their hands and beat them with a strap, poured boiling water on their backs and arms, and threatened them with rape and execution. The men were released after a relative, who is an official with the Chechen police, intervened on their behalf.

- **“Ruslan R.”** On February 28, 2003, Ruslan R. was washing his car in the yard of his house in Grozny, when Russian soldiers in several military vehicles drove up to the gate and detained him. Ruslan R. told Human Rights Watch that they placed a bag over his head and drove him away. For the next three days, he was kept in a very small room, cuffed to a radiator in between two safes. The soldiers took Ruslan R. out of his makeshift cell three times a day for questioning, beating him on the head and subjecting him to electric shock. At the time of the interview, four days after his release, a Human Rights Watch researcher noticed welts and swelling on his head.

### ABUSES BY CHECHEN FORCES

In 2002 Chechen rebel forces carried out two dramatic attacks on civilians, causing enormous loss of life. The October 2002 hostage taking in a Moscow theater perpetrated by about fifty armed Chechens resulted in the deaths of 129 civilians, mostly due to the effects of a debilitating gas that Russian special forces used in their rescue operation. On December 27, 2002, Chechen forces blew up the main government building in Grozny, killing at least seventy-two civilians and wounding 210. Chechen forces also are believed to be responsible for a continuing pattern of assassinations of village administrators and other civil servants working for the pro-Moscow government in Chechnya.

Human Rights Watch researchers have repeatedly attempted to collect information outside Chechnya on the assassination campaign but found Chechen civilians reluctant to speak about abuses by Chechen fighters. Many said they feared retaliation by the fighters if it became known they had given testimony to a human rights organization. While during prior missions Human Rights Watch was able to gather some first-hand testimony on rebel abuses, during this mission

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20 Ibid.
22 Ibid.
this was not possible. We therefore cite cases reported in the media during the period covered by this briefing paper:

- On December 27, Nadezhda Pogosova, the deputy prosecutor of Shali district, and Alexei Klimov, the deputy prosecutor of Shatoi district, were abducted.23
- On December 25, Mukhadin Musalov, the head of the Sharoi district administration, was killed.24
- On December 18, Imran Khusiev, the head of the Tsotsin-Yurt administration, was killed, along with his two bodyguards.25

The unpublished government reports also list assassinations of at least three public officials committed by Chechen rebels. On January 1, 2003, about ten rebel fighters shot dead two Chechen police officers who worked as guards for the Chechen republic administration.26 On February 26, 2003, about five rebel fighters captured and killed another local officer, Usman Mollaev.

THE PLIGHT OF PEOPLE DISPLACED BY THE CHECHNYA CONFLICT

The Russian government continues to exert undue pressure on internally displaced people in Ingushetia to return to Chechnya. In January 2003 the government stopped threatening displaced persons into filling out “voluntary return” forms and refrained from forcibly closing all tent camps in Ingushetia in the winter months.27 Instead, officials have resorted to other coercive measures, such as deregistering displaced persons, thereby depriving them of access to housing and social services in Ingushetia.

Arbitrary Deregistration

In the last three months, Ingush and Chechen officials have arbitrarily removed hundreds of displaced persons from registration lists in Ingushetia, resulting in their eviction from government-sponsored accommodation. Without the financial resources needed to rent accommodation, most of these people have few options but to return to their homes in Chechnya. Human Rights Watch interviewed twelve displaced people from various camps and spontaneous settlements in Ingushetia who had been arbitrarily deregistered. Most of these people had repeatedly but unsuccessfully petitioned migration authorities for reinstatement of status; some

26 Under international humanitarian law police who directly participate in the war effort are legitimate military targets. Other police, such as traffic police, are not. The unpublished government reports are not detailed enough to determine whether these killings were humanitarian law violations.
27 In early December 2002 the government closed a tent camp in Aki-Yurt, leaving some 1,700 displaced Chechens without shelter in subzero temperatures, and announced that five other tent camps, as well as other spontaneous settlements, would be closed shortly. However, after an international outcry over the closure of the camp in Aki-Yurt, the Russian government announced it would not proceed with the closure the other camps in Ingushetia as planned.
were reinstated after paying substantial bribes. The human rights group “Vesta,” a United Nations High Commissioner for Refugees subcontractor, informed Human Rights Watch that it had received about a thousand such complaints from displaced persons.

**Law enforcement operations**

In recent months, Ingush police have intimidated displaced people in a number of spontaneous settlements by conducting law enforcement operations there that strongly resemble abusive operations Russian forces conduct inside Chechnya. On January 6, 2003, Ingush police detained four men at Satsita tent camp, later returning the mutilated dead body of one of them, Visadi Shokarov (b.1972), to the settlement. Police claimed Shokarov had died in an accident while being transferred from one detention facility to another. However, a Human Rights Watch researcher who saw the body noticed bullet wounds on his legs, casting doubt on the official version of events. After Shokarov’s detention, his brother, Visit Shokarov, went to the local police station to inquire about his fate. Two policemen took Visit Shokarov inside and he has not been seen since. In another example, police rounded up dozens of young men in the Radiozavod and ORS settlements in Malgobek on February 10, 2003, without so much as checking their identity. Although most were later released unharmed, the displaced people interpreted the incident as a warning that Ingushetia would no longer be safe for them.

**Obstruction of the building of alternative shelter in Ingushetia**

In February 2003, the Ingush government ordered a halt to the construction of alternative shelter for displaced people who currently inhabit squalid tents or overcrowded rooms in spontaneous settlements. Under a project sponsored by the international community, including the European Union, and pre-authorized by Ingush authorities, humanitarian organizations were to build new living spaces for 3,000 displaced families. However, at a point when new living quarters for 180 families in the “Rassvet” settlement in Sleptsovskoe had already been built and construction of rooms for another 200 families had started, the Ingush authorities ordered the halt to construction, citing violations of local building codes and threatening to take down what had already been built.

**BARRING OUTSIDE SCRUTINY**

Russia continues to bar most outside scrutiny of the conflict in Chechnya by international monitors and journalists. In an apparent attempt to limit the flow of information on human rights abuses from the region, authorities have also detained several Chechen human rights activists, one of whom has since “disappeared.”

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28 Human Rights Watch interviewed displaced persons in the MTF Altievo and Logovaz settlements and Tanzila camp in Nazran, Ingushetia.


30 The Human Rights Watch researcher saw the body and interviewed the relatives on February 14, 2003.


As of this writing, the Russian government was yet to invite the U.N. special rapporteurs on torture and extrajudicial executions to Chechnya, as required by two resolutions of the U.N. Commission on Human Rights.\(^{34}\) It had also repeatedly postponed a joint visit by the special rapporteur on violence against women and the U.N. secretary-general’s special representative on displaced persons. In late 2002, the Russian government refused to renew the mandate of the OSCE Assistance Group to Chechnya, forcing its staff to leave the region. The only international observers on the ground are three Council of Europe experts who work under the partial supervision of the Russian president’s special envoy on human rights in Chechnya.

In March 2003, the Russian government for the tenth time denied Human Rights Watch official access to Chechnya. During his January 2003 trip to Washington D.C., presidential advisor Sergei Yastrzhembskii told Human Rights Watch that his office supported access to Chechnya for human rights and humanitarian nongovernmental organizations and would consider facilitating a visit for Human Rights Watch.\(^{35}\) However, after a follow-up meeting in Moscow to discuss the details of such a visit, Yastrzhembskii’s staff informed Human Rights Watch that, due to “changed circumstances,” permission would not be granted and that the office would “discontinue its dialogue” with Human Rights Watch.\(^{36}\) Previously, Human Rights Watch had approached the Russian government on nine occasions with requests to visit Chechnya. All requests, made to several government agencies, were denied or ignored.

In the past three months, Russian troops and government officials have detained or harassed several Chechen human rights activists, disrupting their fact-finding and advocacy work. These include:

- **Abduction of Imran Ezhiev.** On March 15, 2003, armed and masked men speaking unaccented Russian stopped the car of Imran Ezhiev, who works for the Russian-Chechen Friendship Society and the Moscow Helsinki Group, near the village of Serzhen-Yurt. They handcuffed him, put a sack on his head, and threw him into their vehicle.\(^{37}\) For the next three days, the men interrogated him intensively about his work and political associations, and threatened him with torture and execution. After a local and international outcry, the abductors dumped Ezhiev on March 18 on the roadside in the middle of the night.\(^{38}\)

- **Detention and possible disappearance of Sulumbek Tashtamirov, persecution of Sintar activists.** On March 13, 2003, Ingush police detained Sulumbek Tashtamirov, head of a local human rights group, Sintar (“The Seedling”), after he participated in a referendum-related protest. The protest was held in the Satsita tent camp for displaced people in Ingushetia. Police officials later claimed Tashtamirov escaped from custody the next day. However, neither his relatives nor colleagues have seen him since, leading

\(^{34}\) Only one U.N. thematic mechanism, the special representative of the secretary general on children in armed conflict, has visited Chechnya.


\(^{36}\) Human Rights Watch meeting with Yastrzhembskii’s staff, February 27, 2003, and telephone conversation, March 11, 2003.


\(^{38}\) Ibid.
some to conclude that he “disappeared” in custody.\textsuperscript{39} Other Sintar activists who participated in the protest also reported repercussions. For example, “Elza E.” told Human Rights Watch that Ingush police had detained her for several hours, interrogated and released her only after she signed a paper saying she would discontinue her activities at Sintar.\textsuperscript{40}

\textsuperscript{39} Human Rights Watch interview with “Elza E.” and two other witnesses, Yandare camp, Ingushetia, March 22, 2003. “Elza E.” is a pseudonym.

\textsuperscript{40} Human Rights Watch interview with Elza E., Yandare camp, Ingushetia, March 22, 2003.