

# **RUSSIA**

## **WAR IN CHECHNYA**

### **New Report From the Field**

|  |    |
|--|----|
| SUMMARY .....  | 2  |
| RECOMMENDATIONS .....                                  | 3  |
| VIOLATIONS OF THE RULES OF WAR BY RUSSIAN FORCES ..... | 4  |
| Chechnya.....  | 4  |
| Grozny.....  | 4  |
| Ingushetiya .....                                      | 9  |
| Troitskaya.....  | 9  |
| Arshty.....  | 10 |
| Barsuki .....  | 10 |
| VIOLATIONS OF THE RULES OF WAR BY CHECHEN FORCES ..... | 11 |
| Chechnya.....  | 11 |
| Grozny.....  | 11 |
| BACKGROUND .....                                       | 12 |

## SUMMARY

This is the second in a series of bulletins documenting violations of human rights and humanitarian law by all forces in the war in Chechnya. Human Rights Watch/Helsinki and Memorial researchers have conducted fact-finding missions in Grozny, the capital of Chechnya, and in Ingushetiya, where they interviewed refugees who fled from Grozny and the surrounding regions. This newsletter describes in the victims' own words the indiscriminate bombing and shelling of Chechnya that has inflicted devastating suffering on civilians.

Open hostilities between Russian forces and troops loyal to Chechen President Dudayev have entered their fifth week. After suffering a stinging defeat on New Year's Eve in their attempt to seize the presidential palace, Russian forces reverted to tactics that would not be unfamiliar to their fathers and grandfathers in World War Two: pounding the enemy into submission through large-scale artillery bombardments and air attacks. But the Chechens continue to defend their damaged city, using the rubble for cover. Russian forces do not control Grozny and continue to direct artillery fire and air assaults against the city.

Such tactics cruelly punish the estimated 100,000 civilians who remain in Grozny, some tenaciously clinging to their homes, but most lacking anywhere to go or transport out of the war zone. They have been reduced to a brutal, subterranean existence. Those who remain represent the most vulnerable segments of society: the old and feeble; the handicapped; the poor. Eyewitnesses told our researchers of spending whole weeks in basements, only to then face attack when they ventured out to get water or an occasional loaf of bread. They described being burned out of a cellar because shelling ignited the floors above them. Russia's five-week offensive has caused an estimated 350,000 displaced, an untold number of civilian deaths, and the destruction of a city once home to 400,000. In addition, Russian forces are alleged to have shot at and killed civilians at checkpoints.

Chechen fighters have also violated the laws of war. In one case, for example, fighters stored ammunition in an apartment building housing civilians, which then exploded when fired upon. They parked a tank in front of a private home, and the subsequent Russian firing to destroy the tank also demolished the house. Eyewitnesses told our researchers that people have been carelessly killed by Chechen fighters who did not at first know they were civilians running from one shelter to the next.

Russia's consistent pattern of bombing, shelling, and firing on civilians grossly violates its humanitarian law obligations set out in 1949 Geneva Conventions and their 1977 Second Protocol, which governs internal armed conflict. The Geneva Conventions strictly forbid indiscriminate fire and targeting civilians, and oblige Russian forces at all times to prevent harm to civilians. Russia has similar obligations under United Nations rules adopted in 1969 and under the Code of Conduct on Politico-Military Aspects of Security, adopted by the December 1994 Budapest meeting of the Organization on Security and Cooperation in Europe (OSCE).

Human Rights Watch/ Helsinki takes no position on Chechnya's claim to independence. Our concern is that all parties obey humanitarian law designed to prevent civilian casualties.

## RECOMMENDATIONS

Human Rights Watch/Helsinki condemns in the strongest terms the hideous violations of humanitarian law committed by Russian and Chechen forces. The recent confusion in Moscow surrounding the chain of command that ordered and carried out these tragedies in no way removes the Russian government from responsibility for them. We call on President Boris Yeltsin to end immediately the indiscriminate bombing and shelling of civilians and civilian property, to publicly condemn these and other attacks directly targeted at civilians, and to punish, in a manner consistent with international law, those responsible for carrying them out. We call on Minister of Defense Pavel Grachev and Interior Minister Viktor Yerin to enforce adherence to the Geneva Conventions by Russian Army and Interior Ministry commanders and troops, and to announce publicly that violations of humanitarian law will be punished. We also call on the Russian government to hasten, and not hamper, delivery of humanitarian assistance to the region by local and international organizations.

In recent days, the Clinton Administration, after weeks of mild statements and nearly unqualified support for President Yeltsin, has shifted slightly its tone on Russia's conduct in Chechnya. On January 12, Secretary of State Warren Christopher issued the Administration's first real rebuke to the Russian government, stating that the renewed assaults on Grozny were "a setback for progress toward democracy" and suggested that bombing by Russians was not contributing to "a peaceful resolution" of the conflict. On the eve of his January 16 meeting with Russian Foreign Minister Andrei Kozyrev, Christopher conceded that "This [Chechen] episode has been very harmful, ill conceived, ill-executed." Human Rights Watch/Helsinki calls on the Clinton Administration to take the lead in the Organization on Security and Cooperation in Europe (OSCE) in organizing a semi-permanent mission in the region (see below), to condemn forcefully further violations of humanitarian law by all sides, and to urge the Russian government to expedite, rather than hamper, the delivery of humanitarian relief to the region.

In contrast to U.S. policy, Western European governments, led by France and Germany, and inter-government bodies were quick to deplore Russian conduct in Chechnya and to threaten and carry out credible sanctions. We commend their stance. Most notably, on January 10, the Council of Europe's Political Affairs Committee suspended its examination of Russia's request for membership. The European Commission has recommended to the European Union to suspend its interim trade agreement with Russia. We join their call and urge the EU Council, in its meeting on January 23-24, to approve this recommendation. We further urge the European Parliament, in its current session in Strasbourg, to freeze ratification of the underlying, permanent trade agreement (Agreement on Partnership and Cooperation between the European Communities and their Member states of the one part, and Russia, of the other part"), which states in Article 2 that human rights is "an essential element" of Europe's partnership with Russia.

On January 12, OSCE Chairman Istvan Gyarmati announced an "early mission" to Chechnya, in which the OSCE would "participate in forwarding humanitarian aid deliveries to Chechnya, restoring law and order, redressing human rights violations, and, for the longer term, in preparations for elections there." While Human Rights Watch/Helsinki welcomes this as a first step, we insist that it be followed as soon as possible by a semi-permanent observer mission to Chechnya.

A semi-permanent OSCE mission (in OSCE terms, a "mission of long duration") should have the following mandate: to act as an ombudsman for the civilian population; to monitor the conduct of Russian military forces, both in military operations and in military rule; to monitor the conduct of Chechen forces,

should hostilities continue; to oversee the return of displaced persons to prevent any retaliation by Chechen or Russian forces; to oversee the disarmament of Chechens, should the case arise, so that such actions are carried out in accordance with international norms; to facilitate relief supplies and relief work to ensure that all aid is distributed on a need-basis, and not according to political calculations; and to ensure access for accredited journalists and non-governmental organizations.

We urge the member-states attending the OSCE's Permanent Council, which gathers on January 19 for its weekly session in Vienna, to adopt a recommendation to the OSCE's Council of Senior Officers for a semi-permanent mission.

After initial hesitancy, Russia has publicly declared that it is willing to receive OSCE representatives. Should Russian cooperation waver, we urge the OSCE to make use of the "Moscow mechanism," which allows OSCE monitors to investigate human rights abuses in a reluctant member state, provided that ten other member states vote in favor of such a mission.

## **VIOLATIONS OF THE RULES OF WAR BY RUSSIAN FORCES**

### **Chechnya**

#### **Grozny**

"We will never be able to convey to anyone the terror we felt," Luisa (she did not want to reveal her last name) told Human Rights Watch/Helsinki and Memorial, discussing the bombardment of Grozny.<sup>1</sup>

*Luisa*, a plasterer, remained in the city and desperately tried to care for her small children, the youngest of whom was a three-month-old infant. Russian bombing in her neighborhood on Zhiguli Street began on December 26, the very day President Yeltsin had publicly promised to scale down air raids on Grozny. Luisa described her situation to Human Rights Watch/Helsinki and Memorial:

We have no reserves left, no work. There are small children, the youngest is three months old. We live in a bomb shelter. Our building wasn't damaged — the ones next door were damaged — but we are afraid to live in the apartment. The bomb shelter is across from our building. There are new buildings in our neighborhood. Of them about five or six, which are in a cluster, are still standing. Everyone was amazed that our building was at least to some degree spared.

Other buildings in our neighborhood started to become ruined after December 26. They tried to calm us down on television, they promised that they wouldn't bomb us, but a minute later the bombing started. How much we've put up with here. We can't do anything for the children.

Bombs fall and — I don't know what they're called. At first something whistles, and that's a bomb, of course. They bombed our bakery, and a parking lot nearby. They [bombed] everything they could. I swear, I don't care now who will be in power, if only they don't kill us. What did we do to deserve to be killed? We have no choice.

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<sup>1</sup>Human Rights Watch/Helsinki and Memorial interview, Grozny, January 11, 1995.

*Hamid*, a civil aviation pilot, told Human Rights Watch/Helsinki and Memorial in Grozny that on January 8 rocket strikes had hit his residential neighborhood around Uzieva Street. "There's nothing there," said Hamid, about fifty-five years old.

It's a private neighborhood. They did three sorties, bombed everything there, destroyed the houses, wounded anyone who remained there. . . . I know one of the people who was wounded there.

His son was in the yard. Three of those f---ing rockets blew up in the yard, fifteen meters from each other. My neighbor's son was in the yard. He was hit by fragments, but he survived. His father and a neighbor were inside in the corridor, having a bite to eat. The ceiling fell on them, the refrigerator was hit and fragments hit them. How they didn't end up killing them, I don't know. They survived.

Other homes on Hamid's street were damaged as well. As shells burst in the background, Hamid told Human Rights Watch/Helsinki and Memorial,

You see what's going on here. Day and night. You wait for something from the sky, or artillery shelling, or whatever. To the left of my house, two houses were blown up by shells. Right behind the railroad tracks, by the river crossing. And over there behind Gudermeski Street. There's a flame burning where rockets launched from planes hit.

*Sergei Kuklin* lived in Grozny all of his forty-four years. Russian artillery shelling on January 5 in his neighborhood, about a five-minute walk from the presidential palace, a major Russian target, wounded him in the back and caused severe damage to his house on Noya Buachikze Street. From the hospital in Sleptsovsk, Ingushetia, he told Human Rights Watch/Helsinki and Memorial that the shelling started at 7:45 A.M.:

There was artillery shelling from all sides. It wasn't clear where it was coming from and what [it was aiming at]. There were no planes, just shelling. I have a house. At 1:00 P.M. a shell landed on my house. At the time I was in [my neighbor's] basement. When I heard the explosion nearby I had a look and I saw that my house was hit, and that the roof was blown off. I saw that the house wasn't burning, but the roof was blown off completely. About three minutes after I went out, I was hit in the back. The explosion was about twenty or thirty meters away, and about 500 or 600 meters from the bomb shelter.

Fragments wounded me. After that people who were there wrapped up my wound. But where could they take me? The shelling kept on going. There was whistling everywhere, beeping everywhere, fragments were pouring out.

I didn't lose consciousness. I lay there until 4:00 P.M. To my great fortune, my neighbor arrived from Nazran. . . . He put me in his car and brought me here.

I [stayed] in my neighbor's basement, across the courtyard. His basement is bigger, mine is smaller. He had his family there. My family was in the bomb shelter. . . .

*Irina* lived on the outskirts of Grozny, in the Third "Mikroraion" near a research institute. This area suffered extensive damage around the third week in December as Russian forces closed in on the city. During one air raid alone, several people were killed as they viewed the damage from an earlier attack. According to Irina,

Our region was the first to suffer. First Moscow Street suffered, two homes, from a rocket attack. Then it was either December 17th or 18th, three nine-story apartment buildings of the institute "Promavtomatika" were bombed out. People all become homeless.

The next day a plane bombed, and it hit a car, which began to burn. Several people ran there, and cars came, and then a second bomb hit [right in this crowd], and a whole lot of people died. The American reporter died in this place.<sup>2</sup>

*An elderly Russian woman*, a long time resident of Grozny, witnessed wide-scale destruction and injury to the civilian population because of Russian bombing and artillery barrages. Her own home was destroyed in the bombing, which prompted her to flee the city on January 9, 1995. She tells of a bleak existence spent mostly in cellars with occasional brief — and risky — forays above ground to get food and water:

We lived in the cellar almost the whole month. The firing became heaviest from about the time of the New Year and especially on Christmas.<sup>3</sup> Until the New Year you could stick your nose out [of the cellar]. . . . Those who left [after], however, for water, maybe, were wounded. One was wounded, then a young girl was wounded, yesterday a man was wounded, he wanted to fetch water. . . . Everything's destroyed and burning.<sup>4</sup>

The woman expressed disgust with the Russian government for disinformation and its brutal bombing and shelling campaign. She commented that, "Even that which they probably didn't have to destroy, they destroyed. They're destroying everything, in a row. . . . What Moscow is broadcasting about this doesn't correspond with reality."

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<sup>2</sup>Interview, Nazran, Ingushetiya, Russian Federation, January 9, 1995.

"A More Confident Russia Presses Hard on Rebels," *The New York Times*, by Steve Erlanger, January 15, 1995, also reported on individuals who suffered in attacks against the "Mikroraion" district in late December.

<sup>3</sup>Orthodox Christmas, January 6, 1995.

<sup>4</sup>Interview, Nazran, Ingushetiya, Russian Federation, January 9, 1995. The woman wanted to remain anonymous.

*Eiset Matiyeva* worked as a home-health care worker in Grozny; before the hostilities broke out, she tended to the disabled, handicapped, and elderly. For this reason she knew the whereabouts of those least likely to escape the fighting and made several trips back and forth to Grozny evacuating these people. Eiset did not report any problems passing through checkpoints manned by Russian security forces. She lived in the center of the city, near a famous city landmark, "Minutka", at International Street, #46.<sup>5</sup> "Minutka" lies about one-and-a-half miles south of the presidential palace. She witnessed wide-scale destruction of nearby homes and buildings by Russian shelling and bombing.

7, According to Eiset, who made numerous trips in and out of Grozny until she left for good on January

At 4:00 A.M., on the morning of January 2, really heavy bombing started. As bombs would fall the planes would drop burning lights, yellow, red, on parachutes. In our block of flats a bomb hit the fifth floor of the fourth building and blew everything out. . . . The block of flats next to ours is badly damaged. (Lenin Prospekt, 59) On the fourth floor there's a dead mother and her son. Armenians. A shell hit and exploded there.<sup>6</sup>

*Tabarg*, a fifty-eight-year-old laborer, also lives near Minutka. Her building had not been shelled, but she reported that the neighboring building was hit. She knew of one woman who was taken to the hospital as a result of wounds inflicted by the shelling. Most of the residents had left the building. "Anyone who had somewhere to go, left," she told Human Rights Watch/Helsinki and Memorial in Grozny.

Tabarg has been living in basements for the past few weeks because "we don't have a bomb shelter, of course." She described to Human Rights Watch/Helsinki and Memorial a typical day for those who remained behind in Grozny:

They start bombing, we run. We hide in basements. There are a lot of us there from our building and from the building next door. Daytime we go our separate ways, while it's quiet, and at night — the noise starts, we go [to the cellars] to hide. And so on, endlessly — upstairs, downstairs, upstairs, downstairs.

As for food - you know, you have your own, your own people help you out, sisters and brothers help. But Russia gives us no help. The villages around us help.

*A Russian woman*, an elderly pensioner who lived not far from the presidential palace on Ordzhonokidze Street, was burned out of the cellar of her building where she sought shelter with about one hundred other people. A shell, possibly an incendiary, hit the top floor, and flames engulfed the structure. She explains that,

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<sup>5</sup>The "Minutka" traffic circle earlier had been a safe area, relatively free from shelling. Journalists would meet there, people would come to find rides out of the city, and bread would be distributed. Although it is surrounded by residential areas, it was a staging area for Chechen fighters before they headed the mile or so up Lenin Prospekt to the presidential palace and thus has become a main target of Russian bombardment.

In the past day or so, it has suffered from serious bombardment, killing both fighters and civilians. See Lee Hockstader, "Shelling Survivor Abandons Hope, Home, Husband," *The Washington Post*, January 15, 1995, p. A29.

<sup>6</sup>Interview, Nazran, Ingushetiya, Russian Federation, January 9, 1995.

We stayed in our cellar until the last. We wanted to protect our home. The building across from ours had burned; at that time [our home] was still unharmed. We were about a hundred in the cellar. Then about forty more people ran to our shelter; a woman was wounded on the way. Some Chechen fighters evacuated her. That was in the evening. About seven the next morning, someone came into our shelter and said: "Your building is burning." By the time we got out, the flames were just reaching the basement.<sup>7</sup>

She and a group of ten finally made it to the "Minutka" traffic circle. Along the way she saw corpses of both soldiers and civilians. Her group tried to find a way out of the city, but by then the evacuations organized by Ingush authorities were over, and local taxi drivers demand 150,000 rubles a head. The equivalent of only about forty dollars, this is a fortune for an old woman living on a pension of maybe 30,000 rubles a month. She struck a deal at 75,000, and they fled to Nazran.

*A seventy-two-year-old Russian World War Two veteran* spent eight straight days, from December 31, the day his house was destroyed, until January 7, in a cellar sheltering a mixed group of about 200 Russians and Chechens. He told HRW/Helsinki that he lived near a bakery and stated that he noticed no military targets near his home. On the morning of December 31, he went back to his house and by chance witnessed its destruction by Russian artillery fire, most likely a "Grad" Rocket round. He relates that,

In the morning [of December 31st], we got up, the sun had just broken through, and went home. We wanted to get something to eat, but we knew that at about 7:30 A.M. the artillery bombardment would start [so we left]. We had just gotten clear of the house when it was blown to hell. A "GRAD" or something, it's called.<sup>8</sup>

The man reported that although all the people in the cellar thought the bombardment would cease or at least diminish for the Orthodox Christmas, January 6, the opposite happened.

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<sup>7</sup>Interview, Nazran, Ingushetiya, Russian Federation, January 9, 1995.  
The woman wished to remain anonymous.

<sup>8</sup>Interview, Nazran, Ingushetiya, Russian Federation, January 9, 1995.



Another man, *Magomed*, lived near a military barracks in an area called "Baronovskaya." He reported that a construction unit<sup>9</sup> was headquartered in the barracks, and therefore there was no military hardware there aside from two old tanks set up on display. Despite this, the barracks became a target of Russian air attacks, and in the process a three-story apartment building next to it was completely destroyed. According to *Magomed*,

When the Russians were unsuccessful with the storming of the presidential palace [on New Year's Eve], they sent the planes in the air. . . . In our area bombing was especially heavy from December 31 to January 5. Each plane would have a separate target: one would head for the barracks, one towards the presidential palace, another, someplace else. . . . Next to the barracks there was a three-story building, newly built. It was completely destroyed. My windows and door [in a house next door] were blown out. This happened on December 31.

## **Ingushetiya**

### **Troitskaya**

On January 6, *Aishat Albogachiyeva*, a former resident of Grozny who fled to neighboring Ingushetiya, tried to organize a convoy to return to the Chechen capital for those left behind. A Russian Interior Ministry patrol, however, stopped them in the village of Troitskaya, in the Sunzhenskii region of Ingushetiya, and killed one of the drivers in the convoy, according to *Aishat Albogachiyeva*, age thirty. *Aishat* relates the following story:

In the block where I used to live there were a lot of old people left, and I felt bad for them and wanted to evacuate them. . . . It was just before lunch; there were six cars, one small bus, and seven drivers — nobody else. No one was armed.<sup>10</sup>

They encountered a Russian patrol in the village of Troitskaya, which allegedly murdered a driver. *Aishat* continues:

The soldiers didn't want to discuss it [our continuing]; They were all pretty drunk. I began to plead with them, but they started to search me very roughly. One of the drivers got out and shouted, "You won't be able to reach an agreement with them — Let's go back." One soldier swung around and said, "Why can't we agree." He then fired a burst from his automatic and killed that guy. His name was Ruslan. I didn't know his last name.

*Aishat* had stayed in Grozny until January 2, but heavy bombing from "GRAD" rockets and aerial bombardment, including cluster bombs, forced him to flee. He reported that there were no fighters in his neighborhood up until the time he left: "If they wanted to kill fighters [Chechen]. . . they were in Dolinskii,

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<sup>9</sup>Construction units in the Soviet [and later Russian] Army, the so-called "Stroibaty", had an extremely low readiness level. Such units were filled usually with non-Russians, such as Central Asian Muslims and Caucasians, and were given little military training. "Stroibaty" were often used for civic construction projects or to harvest crops.

<sup>10</sup>Interview, Nazran, Ingushetiya, Russian Federation, in a displaced persons camp in railway cars at a rail siding. The camp was opened on December 20; each car holds about seventy people.

Pervomaika, Petropavlovsk, and in the presidential palace.<sup>11</sup> That's it. . . . The people took up arms after the New Year, when they understood that this was the destruction of the people. No one was for Dudayev. . . . They [the Russians] set these people against them. They couldn't stand it, went to the villages, got arms, and are presently fighting. . ."

## **Arshty**

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<sup>11</sup>Villages about several kilometers north of Grozny, stretching in an arc from west to east. This is probably referring to an early Chechen line of defense.

On January 3, Russian forces bombed Arshty and one other village in Ingushetiya, on Chechnya's western border.<sup>12</sup> *Salman Sultanov*,<sup>13</sup> fifty-eight years old, is a retired gas station attendant who lived on the edge of the village. During the bombing of Arshty, he lost his eighteen-year-old daughter, Kheyeda, and his wife, Fatima, and suffered leg wounds. About twenty refugees from Grozny had been living in Mr. Sultanov's house on January 3. On that day, Mr. Sultanov told a Human Rights Watch/Helsinki and Memorial representative,

I sent one of the kids out to the woods to get firewood, and a bomb fell; there was this explosion. My wife ran out there toward it. I said, "Don't go there," and ran after her. She was in front, I was behind her, and the girls ran out, four of them were my daughters. [The bombing] was from airplanes. One of the girls was killed; one is in the hospital in Nazran with a head wound — I don't know if she is going to survive. I thought she was dead, and then they said she was alive. One lost her leg and she's here [in the Sleptsovsk hospital].

The planes circled for about an hour and a half. They were bombing the village. Frightened people were running around the village.

I'm not going to lie, I heard only one explosion, but they were shooting. I mean pieces of asphalt were flying around. When I was hit in this leg, I only just started to look at it and the other leg was hit. The bomb fell about 300 meters from where I was standing.

I don't know why they attacked [our village]. We don't have anything there. No one else from our village was killed, only my family.<sup>14</sup>

Mr. Sultanov's relatives told Human Rights Watch/Helsinki and Memorial that there was a total of six bombing raids in the village. They added that fourteen or fifteen cows died as a result of the attack.

**Barsuki** ( seven kilometers north of Nazran)

On December 11, the day the attack on Grozny began, Russian troops shot *Etman Musaev*, a forty-seven-year-old cafeteria director, while he was on his way to Grozny. Mr. Musaev had just flown from Tyumen to Mineral'nye Vody, and had hired a taxi to drive him to Grozny, where his wife and three children were still living. He had been in the hospital for a month, recovering from leg injuries, including crushed bone, when Human Rights Watch/Helsinki and Memorial spoke to him.

I was riding along with the taxi driver. About 1:00 A.M., we were going through the village of Barsuki. As we were going down a hill the search light fell on us. A column was there. [We heard] someone say, "Turn off the lights," and he turned off the headlights. Five or six soldiers were standing there. One walked back, cocked his gun, and started shooting the car. I was hit immediately. I was sitting up front with the driver. He covered me with his body and said, "Were you hit?" I said yes.

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<sup>12</sup>Ruslan Aushev, president of Ingushetiya, sent a letter to President Yeltsin protesting the bombing.

<sup>13</sup> Brief reference was made to Mr. Sultanov's family in *Russia's War in Chechnya: Victims Speak Out*, Human Rights Watch Helsinki, Vol.7, No. 1, January 1995, p. 5.

<sup>14</sup>Human Rights Watch/Helsinki and Memorial interview, Sleptsovsk, Ingushetiya, January 11, 1995. According to Reuters, two other civilians were killed as a result of the January 3 bombing.

Then it was quiet, no one came. Then one started to curse and said, "Whoever's alive, come out." [The driver] started to get out. I said, "Don't go out there, they'll shoot you." He said, "We're finished anyway." He got out. They started cursing again, and put him to the asphalt. Then he shouted, "You killed the guy. We don't have guns, we're driving from Mineral'nye Vody. I'm a taxi driver. What did you shoot for?"

An officer said something, one [of the soldiers] came up to the car, opened the door. "Are you alive?" he says. "Yes," I say. "Where were you wounded?" I say, "In my leg." He touched [my leg] — blood. Wiped the blood on the door upholstery. He left. After some time he came back with a bandage, and wrapped up [my leg]. Then they took the [armored vehicle] with the search light off the road and let us through. We rode for about an hour along the column.

[The soldiers] didn't ask us for our papers. I'm telling you, they were afraid to even come up to the car. [Earlier that evening], in Karbulak, we had been fined 15,000 for breaking the curfew. The police gave us a receipt showing that we paid, in case we would be stopped again. But they just stopped us and opened fire.<sup>15</sup>

The car reportedly had six bullet holes in it. Mr. Musaev reported that his shearling coat also had holes in it, although only he suffered wounds only to his leg.

## **VIOLATIONS OF THE RULES OF WAR BY CHECHEN FORCES**

**Chechnya**

**Grozny**

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<sup>15</sup>Human Rights Watch/Helsinki and Memorial interview, Sleptsovsk, Ingushetiya, January 1, 1995.

*A fifty-six-year-old Russian woman*, a retired researcher at one of Grozny's scientific institutes, related a story of indiscriminate Russian aerial bombardment and days and nights spent in cellars. Most of those left were either old, handicapped, or poor, without the means to buy their way out of the city once the organized evacuation of civilians ceased. She lived on Prospekt Ordzhonokidze, approximately 200 meters from the presidential palace, before fleeing the city on January 9 for the safety of neighboring Ingushetiya. According to her, air attacks ceased a few days before she left, but firing and shelling continued.<sup>16</sup> But the block of flats where she lived was destroyed by fire because Chechen fighters used one of the buildings as an ammunition dump and had parked a tank in front of it, a clear violation of the rules of war. The woman explains that,

When I left [the cellar], the middle buildings [in the apartment complex] were burning. . . . They [the Russians] were shooting at the buildings because a tank was parked right next to it. . . . There were Chechen tanks with flags in front of our building, then the Chechen fighters brought ammunition in and stored it in one of the entrances.<sup>17</sup> Then they parked a truck full of ammunition right next to this. A shell fragment hit this, and one building burned out completely up to the fifth floor. The ammunition started to go off. The neighboring buildings weren't destroyed. They merely burned.<sup>18</sup>

As the ring around Grozny draws tighter, Russian and Chechen soldiers increasingly fight close-range street battles amidst a landscape of burning buildings, rubble, and, most tragically, civilians still trapped in their cellars, desperate as the sounds of battle grow closer. A fundamental principle of the rules of war dictates that a soldier must clearly identify his target before firing; should he be unable to do this, he must hold his fire. *An old Russian woman* who was burned out of the cellar where she was hiding witnessed a civilian death caused by indiscriminate, but not intentional, Chechen small arms fire. As her group fled the burning cellars, she states that,

As we reached the place where we were running to, a woman was killed. . . . She fell, blood [running] from her head. . . . They [Chechen fighters] had started to shoot at us from two sides. We pressed tightly against the wall. Then we walked out a bit and shouted, "Hey guys, don't shoot, we're civilians. Someone said it in Chechen, and they stopped."

While the shooting was not intentional, Chechen fighters did not try to identify their target, which constitutes a violation of the rules of war.

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<sup>16</sup>Most likely air attacks had stopped because of the proximity of Russian troops in the area. She did report that overflights of the area still continued, most likely reconnaissance flights.

<sup>17</sup>A Soviet-style apartment block having the same address, for example, "Peace Street 5", might actually be five buildings built in a row, each with its separate entrance. When one refers to an entrance, "pod'ezd" in Russian, they actually mean the building.

<sup>18</sup>Interview, Nazran, Ingushetiya, Russian Federation, January 9, 1994.

Most likely the truck contained small-arms ammunition, which explains the absence of any large explosion.

*A Russian man*, who lived on Prospekt Pobedy, about 300-500 meters from the presidential palace, reported that Chechen fighters bivouacked in his apartment "as if it were their camp."<sup>19</sup>

## BACKGROUND

The Chechens, closely related to the Ingush, are an indigenous Caucasian people. After a long series of bloody wars lasting from 1817-1864, the Tsarist government managed to bring Chechnya under some type of control. In 1934, seventeen years after the Bolsheviks took power, the Chechen-Ingush Autonomous Soviet Socialist Republic (ASSR) was formed. Ten years later, Stalin abolished the republic and brutally deported all Chechens and Ingush, then approximately 800,000 people, to Central Asia; an estimated 240,000 died. The republic was abolished. In 1957, both peoples were allowed to return, and the Chechen-Ingush ASSR was reestablished, albeit within slightly different borders. The area was an important oil-producing region and became heavily industrialized under Soviet rule.

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<sup>19</sup>Interview, Nazran, Ingushetiya, Russian Federation, January 9, 1995.

The man left the city on January 4, 1995.

In November 2, 1991, Chechnya declared independence from Russia under the leadership of a former Air Force General, Dzhokar Dudayev.<sup>20</sup> Earlier, forces loyal to Dudayev overthrew a temporary government that had in turn toppled the old-line Communist Party leadership supportive of the August 1991 attempted coup against Mikhail Gorbachev. On October 27, 1991, Dudayev won Chechnya's first presidential election. The Russian government condemned the elections and refused to recognize Chechen independence. In November 1991, President Yeltsin ordered Interior Ministry troops to restore order in Chechnya, but a determined Chechen response, and public outcry in Russia, forced their withdrawal. In the summer of 1992, President Dudayev closed the Chechen Parliament.

In the spring of 1994, Russian and Chechen officials reportedly agreed to negotiations to work out Chechen-Russian differences. By the summer of 1994, after a series of bloody hijackings originating from bands in Chechnya struck southern Russia, Moscow announced that it would no longer "tolerate" Dudayev. On July 29, 1994, the Russian government issued a statement calling the situation in Chechnya "out of control" and branding Dudayev a destabilizing factor. In August the Russian government began openly and covertly to support an anti-Dudayev umbrella group called The Temporary Council, under the leadership of Umar Avturkhanov, in the Nadterechni region, fifty miles north of Grozny. Moscow poured funds and weapons into the region controlled by the Chechen opposition.

Heavy fighting exploded between the opposition and Dudayev's forces in September and October, with the opposition suffering serious setbacks in spite of reported unofficial Russian military support, including helicopter attacks. On September 16, Dudayev declared martial law in Chechnya. On October 4, President Yeltsin said he would not use force "under any circumstances," and Defense Minister Grachev said his forces would keep the fighting localized. On November 26, the Chechen opposition — backed by active duty Russian forces reportedly recruited by the Russian FSK (the former KGB) — suffered a serious defeat in an attack on Grozny, and over seventy Russians were taken prisoner. Four days later President Yeltsin gave Dudayev's forces forty-eight hours to disband all units, disarm, and release all prisoners, or Russia would impose a state of emergency. On December 1, Yeltsin vowed to help the Russian prisoners, the first indirect acknowledgement of Russian involvement.

December brought some hope of peace, but ultimately ended in bloody, heavy fighting between Russian and pro-Dudayev forces with grievous results for civilians. In early December continued air raids — for which Russia denied responsibility — struck Grozny, hitting the airport and other areas. On December 6, however, Defense Minister Grachev and President Dudayev met, the first meeting between a senior Russian official and Dudayev since 1991.

Grachev promised that, "there would not be a military solution to the question." On December 11, however, 40,000 Russian army and interior ministry troops moved against Grozny from the north, east, and west, and Russian planes commenced withering air attacks against Grozny and the surrounding area, including neighboring Ingushetiya. Hundreds of civilians were killed in the attacks. Approximately 300,000 displaced fled the bombing, according to ICRC estimates. On December 26, President Yeltsin ordered a halt to the ground assault, but on New Year's Eve a failed Russian attempt to take Grozny left hundreds of Russian soldiers dead. Heavy fighting has continued since then, and a two-day cease-fire announced by the Russian government at 8:00 A.M. Moscow time on January 10 did not seem to hold at all.

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<sup>20</sup>The Ingush part of the Chechen-Ingush ASSR was not included in this declaration. It became a republic of the Russian Federation in 1992.

Before the fighting started, Chechnya had a mixed population of about one million.

At present, heavy fighting continues in Grozny; savage artillery and air bombardments are daily occurrences. Most civilians left in the city lead a hermit-like existence, trapped in cellars where they fled from the bombing. Chechen fighters still hold the presidential palace, but a bridge over the Sunzha river leading to it from the south reportedly fell to Russian forces.

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***Human Rights Watch/Helsinki (formerly Helsinki Watch)***

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