

## WAR OR PEACE?

### Human Rights and Russian Military Involvement in the "Near Abroad"

#### TABLE OF CONTENTS

Introduction .....	1
Russian Armed Forces in the "Near Abroad" .....	3
Legal Obligations of the Russian Federation.....	4
The Armed Conflicts .....	5
Georgia .....	5
Moldova .....	8
Tajikistan.....	11
Conclusions and Recommendations .....	14

#### INTRODUCTION

The Russian Federation is engaged in military policies in several armed conflicts in the "near abroad" — the countries of the former Soviet Union — that simultaneously protect and violate human rights. Russia inherited command of the far-flung Soviet armed forces after the legal dissolution of the Soviet Union in 1991; it has deployed additional troops as peace-keepers and sent millions of dollars worth of humanitarian assistance to areas of conflict which are now legally separate from Russia, including Georgia, Moldova and Tajikistan. Minister of Foreign Affairs Andrei Kozyrev stated in September that "Russia has made peace-keeping and the protection of human rights... key priorities of its foreign policy, first of all in the territory of the former Soviet Union."<sup>1</sup> At the same time, some Russian forces have violated their officially neutral position and joined the fighting, killing and injuring civilians and looting their property, in violation of international law. Some have also made weapons available to parties to the conflicts who are known to violate human rights, thereby escalating the abuses.

In the chaos of post-Soviet reconstruction, nationalist sentiment and power struggles have escalated into full-blown warfare in the Caucasus Mountains — primarily in the Azerbaijani enclave of

<sup>1</sup> Daniel Williams, "Russia Asserts its Role in Ex-Soviet Republics," *The Washington Post*, September 29, 1993, p. A25.

**Nagorno Karabakh and the territories of South Ossetia and Abkhazia in Georgia; in Moldova, a largely Romanian-speaking country in the westernmost part of the former Soviet Union; and in Tajikistan, a mountainous country bordering Afghanistan and China. The conflicts in South Ossetia and Moldova are no longer active, although weapons remain widespread among the civilian population. The other conflicts rage on. All told, thousands of civilians have lost their lives or been wounded, hundreds of thousands have been forced from their homes, and incalculable damage has been done to civilian property in the various armed conflicts that have scarred the territory of the former Soviet Union since 1988.**

**Although the causes of the conflicts differ greatly, Russian troops have been involved in all of them in varying capacities and to varying degrees. It is difficult to determine at what level permission, if not orders, have been given for abusive conduct by elements of the Russian forces; what is clear is that the Russian government has failed to investigate, let alone prosecute, any reported cases of criminal behavior, suggesting high-level complicity.**

**Attacks on civilians is the most reprehensible of the abuses committed by elements of the Russian Army abroad. Article 13 (2) of Protocol II additional to the 1949 Geneva Conventions states that "the civilian population as such, as well as individual civilians, shall not be the object of attack." Helsinki Watch has documented that mercenaries from Russia have served with paramilitary forces and attacked civilian objects in Abkhazia, and with money laundered through the "Dniester Moldovan Republic" (DMR). Russian arms and heavy weaponry have been used by paramilitary groups against civilians in these conflicts. We have evidence that these weapons of destruction were sold, bartered, and in some cases given away to paramilitaries by individuals in the Russian armed forces.**

**Such abuse stands in stark contrast to the benevolent efforts in these and other regions of the former Soviet Union. Russia has mediated peace settlements and deployed peace-keeping troops to areas of armed conflict, in some cases at the request of the government of war-torn countries. Russia has undertaken obligations to provide military assistance to the member countries of the Commonwealth of Independent States (CIS) and to several other countries with which it has signed similar agreements on mutual defense. In addition, Russia has given millions of dollars worth of humanitarian aid and developmental assistance to stricken areas. Such involvement has mitigated great hardships and saved innumerable lives; in several cases, Russian troops have suffered casualties while providing this vital support.**

**Despite evidence to the contrary, the Russian government has in most cases denied that Russian troops are responsible for some of the violations of international humanitarian law in the "near abroad." In some cases, Moscow authorities have acknowledged that some individual military personnel have defied central command in acting aggressively; in others, the government has justified such actions as self-defense, protection of fellow ethnic Russians, or defense of the right to self-determination. None of these reasons, however, in any way justifies violating the laws of war.**

**Part of the discrepancy between stated policy goals in the "near abroad" may be explained by the increased autonomy the military establishment has shown in the face of instability within the Russian government. Colonel General Matvei Burlakov, commander of the Russian forces in Germany, stated in October of 1993 that the army feels it deserves a restoration of the status it enjoyed during the Cold War.<sup>2</sup>**

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<sup>2</sup> *The Chicago Tribune*, October 6, 1993; cited in RFE/RL Daily Report, October 6, 1993, p. 1.

Helsinki Watch has investigated violations of international humanitarian law — the laws of war — *in situ* in Moldova (August 1992)<sup>3</sup>, Tajikistan (June 1993)<sup>4</sup> and Georgia (July-August 1993)<sup>5</sup> and has confirmed much of the overwhelming evidence reported by journalists and other observers of the military operations concerning the abusive conduct of some Russian troops there. Helsinki Watch is currently investigating the role of Russia in the five-year war in Nagorno Karabakh as part of its ongoing monitoring of the war.<sup>6</sup> The organization does not take a position on territorial disputes.

In view of the evidence presented here — a fraction of available evidence — Helsinki Watch can only greet with trepidation Russian president Boris Yeltsin's statement of February 28, 1993, that "the moment has come when responsible international organizations, including the United Nations, should grant Russia special powers as a guarantor of peace and stability in the region of the former union." Helsinki Watch reminds the Russian leadership of its obligation to protect human rights, and encourages it to disassociate itself from those who abuse them. Specifically, Helsinki Watch calls on President Yeltsin to disprove the evidence of widespread indiscipline among Russian forces in the "near abroad" and to hold accountable those responsible.<sup>7</sup>

### **RUSSIAN ARMED FORCES IN THE "NEAR ABROAD"**

When the USSR formally dissolved, the Soviet armed forces were succeeded by the CIS (Commonwealth of Independent States) Joint Command. The Command relied heavily on Russia for its strength and unity, but was in flux from the time of its formation. Gradually it lost its purpose and was disbanded altogether on June 15, 1992.<sup>8</sup> President Yeltsin reorganized the military establishment in May of 1993, but conservative, hawkish commanders seem to be benefitting most from the personnel changes.<sup>9</sup>

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<sup>3</sup> See Helsinki Watch, *Human Rights in Moldova: the Turbulent Dniester*, March 1993.

<sup>4</sup> See forthcoming Helsinki Watch/Arms Project report on violations of international humanitarian law in the Georgia-Abkhazia conflict.

<sup>5</sup> See forthcoming Helsinki Watch/Memorial report on human rights in Tajikistan.

<sup>6</sup> See Helsinki Watch, *Bloodshed in the Caucasus: Escalation of the Armed Conflict in Nagorno Karabakh*, September 1992; and "Bloodshed in the Caucasus: Indiscriminate Bombing and Shelling by Azerbaijani Forces in Nagorno Karabakh," July 1993, Vol. 5, Issue 10.

<sup>7</sup> Portions of this report appeared in a letter which was delivered to President Yeltsin in November 1993 and received press attention in Moscow at that time. Helsinki Watch expressed concern about the abusive role of some in the Russian armed forces stationed in the "near abroad" in an earlier letter to President Yeltsin on March 2, 1993. We have received no official response to either letter to date.

<sup>8</sup> The decision to disband was made by six of the ten governments (including Russia) which comprised the CIS at the time.

<sup>9</sup> For a full discussion, see Stephen Foye, *Post-Soviet/East European Report*, Radio Free Europe/Radio Liberty Research Institute, Vol. IX, No. 32, August 18, 1992.

**Although national armies gradually took shape in most of the Soviet successor states, Russian bases and personnel remain on the territories of all of the former republics except Lithuania, in some cases because the host country and Russia have not yet reached an agreement on the future of the troops, and in others because the negotiated withdrawal has not yet been completed. Agreements for their futures — either full withdrawal or becoming permanent bases — vary from country to country. Estonia and Latvia have demanded that the Russian Army withdraw as quickly as possible, whereas several Central Asian countries are negotiating for the Russian Army to remain; the other countries' positions fall in between these two extremes.**

### **LEGAL OBLIGATIONS OF THE RUSSIAN FEDERATION**

**International law is clear in defining the Russian Federation's rights and obligations concerning its military involvement in other CIS countries. Russia is required to assist in protecting them against attack, on the one hand, but is restricted from involvement in "actions" against them, on the other. The Russian Federation and Tajikistan are signatories to the agreement that created the Commonwealth of Independent States following the legal dissolution of the USSR.<sup>10</sup> As of November 1993, Georgia had not yet ratified the CIS treaty, although the government leadership had expressed its intention to do so; the Moldovan parliament was discussing whether to withdraw from membership in the CIS. Article 5 of the agreement states that "the High Contracting Parties recognize and respect each other's territorial integrity and the inviolability of existing frontiers within the framework of the commonwealth."**

**Russia also signed the August 7, 1993, Declaration on the Inviolability of State Borders, along with Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan. The Declaration states that signatory countries "will consider any encroachment on their borders to be unlawful actions which give grounds for the adoption of retaliatory and commensurate measures...including the use of armed force."<sup>11</sup> There are no similar agreements with Georgia or Moldova.**

**At the same time, on May 15, 1992, the Russian Federation, Armenia, Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan signed the Treaty on Collective Security. Article 1 states that "[t]he participating states will not...participate...in actions directed against another participating state." Article 4 stipulates that if any signatory country provides military assistance to another signatory country, "the participating states will immediately inform the UN Security Council [and]... the participating states will abide by the corresponding provisions of the UN Charter."**

**The conflicts in Georgia, Moldova and Tajikistan involve military engagement between government and insurgent forces and are therefore characterized under international humanitarian law as internal armed conflicts; such conflicts are governed by Common Article Three and Protocol II of the 1949 Geneva Conventions. Participation in these armed engagements by any outside party internationalizes them,**

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<sup>10</sup> The members of the CIS are Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. Georgia has announced its intention to join but has not yet legalized the transition.

<sup>11</sup> Text published by Itar-Tass, August 7, 1993; cited in FBIS-SOV-93-151, August 9, 1993, p. 6.

however, and requires that different instruments of international humanitarian law — all four Geneva Conventions and Protocol I additional to those conventions — govern the conduct of the combatants.<sup>12</sup> As a rule, the standards for conduct are more stringent for international than for internal armed conflict.

Russia is not a signatory to the 1989 United Nations convention on recruiting, training, use and financing of mercenaries.

## **THE ARMED CONFLICTS**

### **Georgia**

In July of 1992, the republic of Abkhazia, an autonomous republic located on the Black Sea coast and hugging the Russian border, began laying the groundwork for secession from Georgia. A month later, on August 14, Georgian troops entered the Abkhaz capital, Sukhumi. A bloody conflict began between secessionist combatants and Georgian government troops that continues today. Paramilitary groups participate on both sides of the fighting. Thousands have died in the fighting, and entire areas of western Georgia have undergone forcible ethnic reconstitution as a result of displacement. Russia has endorsed the territorial integrity of the Republic of Georgia; at the same time, Russian military equipment has been the backbone of the secessionist fight. Russia has also served as diplomatic mediator and has supplied peace-keeping forces to the conflict zone.

Russia supports the territorial integrity of the Georgian Republic. In February of 1993, Georgia and Russia reached an agreement that Russian troops may remain in Georgia until 1995, and that Russian border troops may continue to guard the Georgian-Turkish border until the end of 1994. Negotiations continue to resolve permanently the status of the five Russian military bases on Georgian soil: in Akhalkalaki, Batumi, Gudauta, Poti and Tbilisi. Russian peace-keeping troops were deployed to Georgia in September of 1992 on the joint order of the Georgian and Russian heads of state. An estimated 20,000 Russian troops are now stationed in Georgia. Despite Eduard Shevardnadze's claim that "We are practically dealing with a Russian-Georgian conflict," Russia has consistently denied involvement.<sup>13</sup>

Helsinki Watch and the Arms Project, another division of Human Rights Watch, sent a joint fact-finding mission to Georgia in July-August 1993 to investigate violations of the laws of war in connection with the year-long conflict in Abkhazia. We also investigated the nature and source of weapons used by the various parties to the conflict in order to identify those responsible for supplying arms used to commit human rights abuses. We will be issuing a report on our findings in the near future.

We note the following:

- Although asserting that the Russian forces in Georgia have maintained neutrality in the conflict,

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<sup>12</sup> Helsinki Watch has treated the war in Nagorno Karabakh as an internal armed conflict. It should be noted, however, that the Armenian government, despite statements of neutrality in the conflict, has supplied weapons and other forms of military support to the Nagorno Karabakh Armenian forces.

<sup>13</sup> AP, March 16, 1993; cited in *The New York Times*, March 17, 1993, p. A5.

**President Yeltsin told Russian deputies "We will not pull our [military] contingent out [of Abkhazia] because it is necessary to take control of the railroad on the territory of Abkhazia, from the Russian-Abkhaz border to the Abkhaz-Georgian border."<sup>14</sup>**

- **It is highly unlikely that Abkhaz, who number some 100,000, could maintain sustained military superiority over the Georgian forces, drawn from an ethnic population of about 4 million, without military assistance from Russia. As one scholar put it, "With the greatest respect to the scrappy fighters in... Abkhazia, who may well be the best trained, battle-hardened, and highly motivated forces in the former USSR, there are limits beyond which reason cannot leap."<sup>15</sup>**
- **The Abkhaz side launched an unsuccessful capture of Sukhumi by sea in the first part of 1993. The Abkhaz government has no military ships, and logically could have gotten them only from the Russian navy. Although there is no evidence of orders having been given from Russia's high command, some degree of high-level complicity was clearly necessary to procure, man, and arm the vessels on numerous occasions.**
- **Ukrainian authorities registered a protest with their Russian counterparts when the latter dispatched nine warships to Sukhumi, then held by Georgian forces, under the command of Admiral Igor' Kasatonov.<sup>16</sup> The Ukrainians expressed concern about the use of Black Sea ships with Ukrainian crews "for unclear tasks in the area of the Georgian-Abkhaz conflict on orders from Moscow."<sup>17</sup> Russian authorities claim the deployment was to evacuate displaced persons from the port city of Sukhumi.**
- **Su-25 bombers attacked the Georgia-held city of Sukhumi numerous times, flying repeatedly through Russian Black Sea air defense zones. Moscow's failure to complain of the violation suggests high-level complicity.<sup>18</sup>**
- **Russian Defense Minister Grachev admitted that Russian airplanes attacked Sukhumi in February 1993, justifying it as retaliation for Georgian forces' reported attack of areas near Eshera, a Russian defense research center that has frequently been accused of covertly assisting the Abkhaz side.<sup>19</sup>**
- **United Nations military observers confirm Georgian reports that the pilot of the Su-27 fighter-bomber downed by Georgian fighters on March 19, 1993, was a major in the Russian air force; Russia later confirmed this, saying that the sortie was designed to protect Russian facilities.<sup>20</sup> This evidence draws into**

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<sup>14</sup> **Itar-Tass; cited in RFE/RL Daily Report, October 7, 1992, p. 1.**

<sup>15</sup> **Thomas Goltz, "Letter from Eurasia: The Hidden Russian Hand," *Foreign Policy*, pp. 104-105.**

<sup>16</sup> **Reuter, October 12, 1992.**

<sup>17</sup> **Interfax, April 6, 1993; cited in FBIS-SOV-93-065, April 7, 1993, p. 25.**

<sup>18</sup> ***Ibid.*, pp. 107.**

<sup>19</sup> ***Ibid.***

<sup>20</sup> ***Krasnaia Zvezda*, March 23, 1993, p. 1.**

**serious doubt the already highly incredible claims of the Russian military command that the Georgian side painted Russian markings on five Su-25 bombers and was using them to bomb their own troops.<sup>21</sup>**

○ **Four Moscow-trained mercenaries of Russian, Belarusian and Moldovan nationality who reported serving on the Abkhaz side told Helsinki Watch/Arms Project representatives in Gagra that they were paid in the "DMR," which in turn draws its budget almost exclusively from Russian support.<sup>22</sup>**

○ **A Russian arms trader who was captured during a battle in Sukhumi recounted "the direct involvement of Russian troops in military campaigns, including in the capacity of a *navodchik* (one who aims) military rockets that shoot down airplanes and so forth." He also reported that the Pskov Division of the airborne troops, a branch of the Russian Ministry of Defense, transferred its weapons *gratis* to the Abkhaz side.<sup>23</sup>**

○ **Boris Pastukhov, Russia's deputy foreign minister and President Yeltsin's special envoy to the conflict in Georgia, has said, addressing the Georgian government, "We shall not let you win the war against Abkhazia."<sup>24</sup>**

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<sup>21</sup> *Ibid.*, p. 108.

<sup>22</sup> Helsinki Watch/Arms Project interview, Gagra, Georgia, August 8, 1993.

<sup>23</sup> Interview with Mikhail Dem'ianov, Georgian Television "Dobryi vecher," 3-4 October, 1993; cited in *Izvestija*, October 5, 1993, p. 8.

<sup>24</sup> *Moskovskie Novosti*, September 3, 1993.

## **Moldova**

**The Russian government's ultimate responsibility for laws of war violations and for facilitating the escalation of human rights abuses by making arms available to known abusers, is perhaps clearest in the 1992 conflict in eastern Moldova. Consolidation of Russian forces stationed in Moldova — the Russian 14th Army — and support for the secessionist authorities is blatant. Moscow has not taken steps to discipline those responsible for the gross insubordination; on the contrary, in many cases it has awarded them for "outstanding service."**

**In early 1992, armed hostilities broke out in Moldova as forces backing the separatist "Dniester Moldovan Republic" (DMR), which has claimed the area of eastern area of Moldova roughly between the Dniester River and the Ukrainian border, battled the government for political and territorial autonomy. The Russian government consistently sympathized with the secessionist movement, accusing the Moldovan government of infringing on the rights of the country's Russian minority. The Russian 14th Army, stationed in Tiraspol, the self-proclaimed capital of the "DMR," openly backed the secessionist movement. Although armed conflict ended in the late summer of 1992, ongoing negotiations have not yet resolved the status of the Russian army in Moldova, and in the meantime the 14th Army functions *de facto* as a regional force.**

**Moldova has no agreements with Russia concerning mutual military defense. The Russian 14th Army, stationed in Moldova and Ukraine since 1945, is estimated to have between 10,000 and 20,000 troops.**

**Russia disputes charges of partisanship in the conflict, although it acknowledges that elements of Russian troops participated in armed engagements and supplied weapons to insurgents. Despite the Moldovan government's consistent condemnations of Russia's role, it ultimately agreed to Russian units' participation in peace-keeping operations in its eastern territories.**

**Helsinki Watch investigated violations of the laws of war in eastern Moldova in August 1992, and issued a report on its findings. At that time, we recommended that the Russian government investigate incidents of involvement of Russian troops in violations of the laws of war, and prosecute responsible parties in accordance with due process.**

**We note the following:**

- **President Yeltsin acknowledges the involvement of elements of the Russian Army in the fighting and in supplying weapons to "DMR" supporters. In a May 27, 1992, interview, he stated, "Unquestionably, there are supporters of the Dniester region among the 14th Army's officer corps, and they are beginning to switch over, sometimes with equipment, to the side of the Dniester people."<sup>25</sup>**
- **An unnamed Russian government official stated that "the order for the 14th Army to engage was given by the high command in Moscow, though the aim was to make a show of force rather than to wage war."<sup>26</sup>**

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<sup>25</sup> *Komsomol'skaia pravda*, May 27, 1992; cited in Vladimir Socor, "Russia's Fourteen Army and the Insurgency in Eastern Moldova," *RFE/RL Research Report*, Vol. 1, No. 36, September 11, 1992, p. 45.

<sup>26</sup> *Nezavisimaia gazeta*, 1 and 9 July, 1992; *The Independent*, June 24, 1992; *Los Angeles Times*, June 24, 1992; cited in Vladimir Socor, *op. cit.*



- **"DMR State Secretary" Valerii Litskai admitted that some Russian army servicemen had taken an oath of loyalty to the "DMR" and fought on the "DMR" front.<sup>27</sup>**
- **Marshal Evgenii Shaposhnikov, then the commander-in-chief of the CIS Joint Forces, stated that he "did not rule out that the combat hardware had been seized [by "DMR" guardsmen] with the complicity of some officers" or rule out "that there were those among officers and generals who would rise to support those humiliated and insulted people [of the "DMR"]".<sup>28</sup>**
- **An unnamed Russian military spokesman acknowledged that "soldiers had been ordered out of their barracks [in the "DMR"] to defend Russian-speaking areas."<sup>29</sup>**
- **The Russian government reportedly has provided substantial financial assistance to the "DMR" authorities. Chairman of the "DMR Supreme Soviet" Grigorii Marakua told a news conference in Tiraspol' on September 16, 1992, that "Russia's support for the 'Dniester region' [is] not only moral and political, but also material and military."<sup>30</sup> One Moscow journal reported that "Aid is being given behind the scenes... The Dniester (sic) banks are connected to the outside through accounts in the Russian Central Bank."<sup>31</sup>**
- **The Russian government has presided over the *de facto* consolidation of the Russian 14th Army with a paramilitary group — the "DMR" forces" — responsible for numerous violations of international humanitarian law:**
  - **On April 1, 1992, President Yeltsin issued an order placing the 14th Army under the direct control of Moscow.**
  - **On May 21, 1992, the leader of the "DMR" ordered the 14th Army subsumed under his command.**
  - **It was reported on November 17, 1992, that only eighty percent of the 14th Army conscripts recruited from the "DMR" region would serve in the "DMR" forces; the rest would serve in the Russian Army.<sup>32</sup>**
  - **In late November of 1992, Lieutenant General Aleksandr Lebed', commander of the Russian 14th Army, signed an agreement with the leadership of the "DMR" transferring its military equipment to the control of "DMR" forces.<sup>33</sup>**

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<sup>27</sup>Itar-Tass, May 22, 1992; cited in Vladimir Socor, *op. cit.*

<sup>28</sup> *Izvestiia*, May 21, 1992, and *Le Monde*, May 22, 1992; cited in Vladimir Socor, *op. cit.*

<sup>29</sup> *The Washington Post*, May 21, 1992; cited in Vladimir Socor, *op. cit.*

<sup>30</sup> DR-Press and Radio Rossii; cited in RFE/RL Daily Report, September 21, 1992, p. 3.

<sup>31</sup> *Sobesednik*, No. 30, 1992; cited in RFE/RL Research Report, Vol. 1, No. 32, August 14, 1992, p. 71.

<sup>32</sup> *Dnestrovskaia pravda*, November 17, 1992; cited in RFE/RL Research Report, Vol. 1, No. 48, December 4, 1992, p. 54.

<sup>33</sup> *Nezavisimaia Gazeta*, December 2, 1992.

- Every officer and warrant officer of the Russian Army stationed in the "DMR" has been promised "suitable accommodation" and "a large program of social measures for servicemen" by 1995.<sup>34</sup>
- In the middle of May 1992, a bi-lateral agreement reportedly was reached between "DMR" authorities, on the one hand, and Russian Defense Minister Grachev and 14th Army commander Nekatchev, on the other, "concerning the direct inclusion of parts of the 14th Army in the armed conflict in Dniestria (Pridnestrov'e)." Russian Defense Minister Grachev issued the following order: "In connection with the exacerbation of the situation in the Dniester area (Pridnestrov'e) and following from the fact that it is Russian land, we must protect it with all possible methods and means." Minister Grachev also lists the types of equipment and ammunition to be "transferred to the ["DMR"] guards."<sup>35</sup>
- In June 1992, there were numerous reports that the 14th Army, together with "DMR" forces, was involved in attacks on the villages of Ustie, Holercani, Cruglic and Mascauti, in which there were numerous civilian casualties.
- Western correspondents report witnessing numerous instances of Russian soldiers participating in active combat. One representative statement notes Russian army units taking part in the June 19-22, 1992, seizure of Bendery (Tighina) by "DMR" forces using Russian troops, tanks, APCs and "heavy guns."<sup>36</sup> President Yeltsin's advisor, Sergei Stankevich, and other Russian state counselors also confirmed that the 14th Army had conducted the June 19-22 offensive.<sup>37</sup> Hundreds of civilians were killed and wounded, and the attack brought extensive damage to this civilian settlement.
- Local combatants for the "DMR" in Bendery reported receiving APCs upon request from the 14th Army. Asked on whose order the equipment had been issued, a combatant, Sergei Zubkov, stated, "We do not do things that way here. We are not bureaucrats. The commander and the boys at the 59th Division all know us, so they gave us a new APC." Zubkov added that since the skirmishes in the region developed into full-scale war, relationships between local residents and the 14th Army improved dramatically. He stated, "We used to have to beg for equipment. Now they come and offer it to us."<sup>38</sup> This supply of military equipment to paramilitary supporters of the "DMR" was reportedly widespread and routine during the conflict.
- Russia has conditioned the withdrawal of its troops and military equipment from Moldova on the resolution of the political status of the "DMR" within Moldova.<sup>39</sup> Aleksandr Rutskoi, who at the time of the

<sup>34</sup> Interfax, December 17, 1992; cited in FBIS-SOV-92-244, December 18, 1992, p. 71.

<sup>35</sup> *Nezavisimaia Moldova*, June 4, 1992.

<sup>36</sup> Chrystia Freeland, "Russian Forces Fight in Moldova," *The Washington Post*, June 22, 1992, p. A1.

<sup>37</sup> *Nezavisimaia gazeta*, July 1, 1992; cited in RFE/RL Weekly Review, Vol. 1, No. 29, July 17, 1992, p. 73.

<sup>38</sup> *Ibid.*

<sup>39</sup> See letter from Moldovan Foreign Minister Nicolae Tău to the Secretary-General of the United Nations, October 20, 1992. UN index A/47/561, S/24690.

statement was the Russian Vice-president and President Yeltsin's envoy to the peace settlement, stated on July 15, 1992, "I won't say just what kind of status [we are discussing for the lands claimed by the "DMR"]... but such a status is obviously required before the peacekeeping troops can be withdrawn" from Moldovan territory.<sup>40</sup> President Yeltsin indicated the nature of that status on October 8, 1992: "We have achieved our goal in Transnistria (sic)... We insist that the president of Moldova convince the parliament to grant Transnistria such political statehood that will provide for the exercising of the right to self-determination in the region."<sup>41</sup>

○ An order from President Yeltsin promoted Major General Lebed', commander of the Russian 14th Army and the functional military leader of the "DMR," to Lieutenant General. The award ceremony in Tiraspol' on October 2, 1993, reflects outright approval of his command. The Yeltsin government has also awarded medals for outstanding performance to some 200 servicemen who had fought in operations in 1992 against the government of Moldova.<sup>42</sup>

○ No Russian military personnel serving in the "DMR" have been investigated for indiscipline or violations of the laws of war.

## **Tajikistan**

Following months of civil unrest and scattered violent clashes, full-blown civil war broke out in August of 1992 in Tajikistan, a mountainous country bordering China and Afghanistan. It has already left thousands of casualties and forced well over 100,000 from their homes; the conflict continues to rage. Regional and political alliances have pitted the current government — the former communist leadership — against supporters of a short-lived coalition government that it had ousted consisting of self-declared democrats and the Islamic faithful. The Russian 201st Rifle Division has supported the government.

Russia has strongly and unequivocally backed the Tajikistan government in the civil war. The Russian-Tajikistan Friendship Treaty of May 25, 1993, stipulates that the Russian troops shall remain until the Tajikistan government forms its own border guard. Russia's troops in Tajikistan consist of the 201st Motorized Rifle Division, which is subordinate to the Russian Federation Ministry of Defense and is stationed in Dushanbe and Kurgan Tiube, and some 3,500 border guards, which are the overwhelming majority of forces guarding the Tajikistan-Afghanistan border. The 201st Division was stationed in Tajikistan prior to the outbreak of hostilities; the border guards, however, came in December of 1992 on the basis of the joint decision of the CIS countries. President Yeltsin dismissed Security Minister Viktor Barannikov in July of 1993 following the attack that left twenty-five Russian guards dead, because of the poor performance of Russian guards on the Tajikistan-Afghanistan border. (There are allegations that the dismissal may have also been punishment for Barannikov's disloyalty to President Yeltsin in political matters.)

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<sup>40</sup> Tass, July 15, 1992.

<sup>41</sup> Cited in a letter of October 20, 1992, from Moldovan Minister for Foreign Affairs Nicolae Tău to the United Nations Secretary-General. United Nations General Assembly Security Council, A/47/561. S/24690, October 20, 1992, p. 2.

<sup>42</sup> Besapress, October 2, 1993; cited in RFE/RL Daily Report, October 6, 1993, p. 8.

Recent statements from Moscow indicate that the Russian military establishment is to some degree complicit in, if not outright approving of, acts of aggression by Russian soldiers against Tajikistan and Afghanistan civilians. In July of this year President Yeltsin stated that "everyone must understand [that the border] is effectively Russia's, not Tajikistan's border."<sup>43</sup> In that same month, Defense Minister Grachev stated on Commonwealth television, "My task is to work out and take adequate measures to keep the enemy in check and deal him such a defeat that in the future no one will dare to raise their hand against Russians."<sup>44</sup> In view of the disastrous Soviet-Afghanistan war, it behooves the current Russian government to exercise particular caution in this area of the world.

The Russian government has repeatedly denied that it is supplying weapons to either side in the conflict. Helsinki Watch is also investigating the participation of Uzbekistan forces in violations of the laws of war in Tajikistan, and their assistance to known human rights abusers. Helsinki Watch sent fact-finding missions to Tajikistan in June of 1992 and June of 1993 jointly with representatives of the Human Rights Center of "Memorial." We released a preliminary report on our findings and will issue a comprehensive report in the near future. Although our investigations focused on violations of civil and political rights, we were also able to observe some military aspects of the conflict.

We note the following:

- On June 27, 1992, Kuliabis reportedly attacked Kurgan Tiube. Between thirty and fifty people were killed. On-lookers interviewed immediately after the assault reportedly testified that three Russian APCs and one Russian tank were used in the fighting. A Russian Army spokesman stated at a press conference at the end of July that only one APC had been involved.<sup>45</sup>
- In mid-December of 1992, the Russian 201st Division reportedly joined the Uzbek forces in destroying the village of Kofarnikhon, an opposition stronghold.<sup>46</sup>
- On December 22, 1992, Russian and Uzbek forces reportedly aided Tajikistan government forces in seizing two rebel strongholds near Dushanbe through the use of helicopter gunships.<sup>47</sup>
- Chairman of Tajikistan's National Security Committee, Saidimir Zuhurov, stated on January 15, 1993, that 50-60 Russian troops had been involved in the Tajikistan government forces' "clean-up" of Rogun, east of Dushanbe. He confirmed that tanks and Armored Personnel Carriers (APCs) had been on the scene, blocking roads and performing convoy duties to Obigarm and Rogun. He denied reports from western

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<sup>43</sup> Reuter, July 26, 1993.

<sup>44</sup> Reuter, July 17, 1993.

<sup>45</sup> Helsinki Watch interview with journalist, name withheld, October 1993.

<sup>46</sup> Khudonazar Usmanov, "To Whom an Ally, to Whom a Gendarme," *Moskovskie Novosti*, January 24, 1993, p. 12.

<sup>47</sup> *Al-Sharq al-Awsat*, December 22, 1992; cited in FBIS-SOV-93-005, January 8, 1993, p. 34.

agencies that Russian helicopters were also involved.<sup>48</sup>

- On July 15, 1993, Russian troops reportedly launched a four-day artillery attack on Afghanistan villages near Chah Ab in Takhar province, reportedly killing and injuring eighty people.<sup>49</sup> There were reportedly 360 casualties and 6,000 people forcibly displaced.<sup>50</sup>
- On July 25, 1993, units of Russia's 201st Division, together with Tajikistan government troops, reportedly fired at rebel positions near the Afghanistan border, one of several similar reported strikes.<sup>51</sup>
- On July 28, 1993, Russia's 201st Division, together with Tajik government forces, launched "a massive artillery and mortar strike" into Afghanistan, aimed at destroying Afghan-backed Tajikistan opposition forces. Afghanistan officials reported that hundreds of civilians were killed, wounded, and forced from their homes in the attacks.<sup>52</sup>
- Russian authorities have done almost nothing to halt the highly lucrative sale of arms by Russian military personnel.
- It is believed that the 201st Division, in May of 1992, helped President Nabiev distribute some 1,800 Kalashnikovs to government supporters on Ozodi Square in Dushanbe. Although Colonel Anatolii Ivlev, Deputy Commander of Public Relations for the 201st Division, vigorously denied these allegations,<sup>53</sup> a retired colonel who worked as an instructor in the 201st Division told Helsinki Watch that "we gave out [automatic weapons], but it was only after [then a top-level official in Committee on Defense] Rakhmonov had given guns to the opposition. The *voenkommat* [recruiting and military coordination headquarters] was there; they taught the guys how to aim and shoot."<sup>54</sup>
- In late 1992, government troops acquired some six Soviet tanks from the Russian garrison in Kurgan Tiube.<sup>55</sup>

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<sup>48</sup> Interfax; cited in FBIS, 22 January 1993, p. 73.

<sup>49</sup> Reuter, July 17, 1993.

<sup>50</sup> Afghanistan presidential spokesman Abdul Aziz Morad, July 18, 1993, quoted in Reuter, July 18, 1993.

<sup>51</sup> Reuter, July 26, 1993.

<sup>52</sup> Itar-Tass; cited in Reuter, July 28, 1993.

<sup>53</sup> Helsinki Watch interview, Dushanbe, June 7, 1993.

<sup>54</sup> Identity of the interviewee withheld, February 9, 1993.

<sup>55</sup> Steve LeVine, "Brutal Tajik Civil War Shakes All Central Asia," *The Washington Post*, February 5, 1993, p. A31; Steve LeVine, "Ex-Leaders Rebound in Central Asia," *The Washington Post*, December 26, 1992.

## **CONCLUSIONS AND RECOMMENDATIONS**

### **To the Government of the Russian Federation:**

- **Impose strict discipline at all levels of military command within the Russian armed forces to enforce compliance with international humanitarian law;**
- **condemn forcefully and publicly violations committed by Russian forces or individuals in such forces;**
- **try fairly and punish to the fullest extent of the law in accordance with international standards of due process Russian military personnel who commit violations of the laws of war or who arm, train or otherwise assist paramilitary groups who are known abusers of human rights;**
- **accede soon to the United Nations Convention Against the Recruitment, Use, Financing and Training of Mercenaries of December 4, 1989, and rigorously uphold its provisions; and**
- **clarify and broadly publicize the nature of Russia's "strategic interests" in the "near abroad."**

### **To the International Community:**

- **Condemn forcefully violations of international humanitarian law committed by all parties to the conflicts in question;**
- **investigate and publicize information on violations;**
- **use available leverage to insure that Russia investigates and punishes past abuses committed by some in its armed forces; and**
- **call on the Russian government and all parties to the conflicts to observe the laws of war.**

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