

Russia

Three Months of War in Chechnya

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SUMMARY

As the war in the breakaway republic of Chechnya enters its third month, Russian forces continue to commit gross abuses against the civilian population in the region. In the early weeks of the war, Russian bombs and artillery fire laid waste to Grozny, the capital of Chechnya, and outlying villages, destroying apartment buildings, hospitals, and other civilian objects, and killing, maiming, or injuring thousands of civilians.

Now the war is spreading throughout Chechnya, leaving everywhere in its wake civilian suffering. Russian forces continue to use disproportionate force to dislodge Chechen fighters from villages. In some cases villagers resent and fear Chechen fighters in their midst because of the tragedy their presence can bring. Undisciplined Russian soldiers attack civilians, systematically loot civilian property, and rob individual civilians. Russian Interior Ministry forces have brutally beaten and tortured Chechen prisoners detained at the Russian military base in Mozdok.

These abuses are forbidden by international human rights and humanitarian instruments to which Russia is a party. Protocol II additional to the 1949 Geneva Conventions, which deals with internal armed conflict, mandates humane treatment of civilians and those who have ceased to take part in hostilities. Article 4 forbids "violence to the life, health, or physical or mental well-being of persons, in particular murder as well as . . . torture, mutilation or any form of corporal punishment." It also prohibits the taking of hostages, collective punishments, outrages against personal dignity, pillage, and threats thereof. United Nations General Assembly Resolution number 2444 (1968), which also relates to internal armed conflicts, obliges warring parties to distinguish between combatants and civilians and to spare the latter as much as possible. The U.N. Convention against Torture and Other Forms of Cruel and Degrading Treatment forbids beatings, torture, and other mistreatment in detention.

The present report documents Russian forces' flagrant violation of these rules. It is based on a ten-day field investigation, from February 8-20, by two Human Rights Watch/Helsinki researchers. They traveled to Grozny, Shali, Znamenskoe, Samashki, and Achkoi-Martan, all in Chechnya; to Nazran and Sernovodsk, in Ingushetiya; and to Khasavyurt, Dagestan.

This report's focus on Russian forces in no way suggests that Chechen forces have not committed serious violations of the rules of war. Future Human Rights Watch/Helsinki reports will document Chechen abuses as they come to light.

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

RECOMMENDATIONS

Human Rights Watch/Helsinki condemns in the strongest terms the conduct of Russian forces described in this newsletter. We call on Russian forces to:

- cease indiscriminate and disproportionate attacks on civilian objects;
- cease all attacks on hospitals, mosques and schools
- cease taking civilian hostages;
- cease the beating, torture, and other mistreatment of detainees in Mozdok and other "filtration camps;"
- grant full and ongoing access to detention centers to the International Committee of the Red Cross and other humanitarian organizations;

- publish lists of all prisoners, their ages, where they were captured, where they are being detained, and other relevant details;
- establish a special task force within the military police to investigate and put an end to looting in areas under Russian control;
- reinforce the code of military conduct among troops, emphasizing the consequences of looting and other illegal conduct;
- bring to justice officers and enlisted men suspected of humanitarian law violations, in open trials before independent tribunals and punish those found guilty in a manner consistent with international law; and
- halt all aerial bombardments, long-range artillery shelling, and other military operations that are being used to target or indiscriminately fire on civilians.

We remind Chechen forces of their duty under Protocol II not to use civilians and civilian property — homes, apartment buildings, hospitals, and the like — as human shields. In certain cases we examined, it was not clear whether Chechen forces attempted to use civilian objects as shields. In any case, however, the use of human shields does not relieve Russian forces of their obligation to minimize civilian casualties. Human Rights Watch/Helsinki calls on Chechen forces carefully to evaluate their positions in Chechen villages and the potential danger they bring to civilians, to warn civilians of potential danger, and, should danger warrant, to organize and facilitate the safe evacuation of villagers.

The Clinton administration continues unqualified support of Russian President Boris Yeltsin and in general offers mild statements of concern over the war in Chechnya. In a February 13 telephone conversation with Mr. Yeltsin, President Clinton urged a peaceful settlement of the conflict in Chechnya and noted the toll the war had taken on civilians.¹ In contrast, Defense Secretary William Perry charged that Russia's handling of the Chechnya war was "entirely reprehensible. It [had] serious human rights violations."² A proposed May 8 summit between the two leaders, timed for the fiftieth anniversary of the Allied victory over Nazi Germany, has not yet been confirmed. President Clinton is under some pressure from the U.S. Congress to refuse a summit because of Chechnya. Human Rights Watch/Helsinki firmly believes that President Clinton should agree to a summit only if the administration is prepared to: condition it on Russian implementation of the recommendations enumerated above; to make Chechnya a top priority on the agenda; and publicly and in private meetings with Russian officials to condemn the hideous abuses of civilians that Russian forces have committed in Chechnya.

The United Nations Commission on Human Rights, currently convened in Geneva, has so far been shamefully silent on Chechnya. The U.N. High Commissioner for Human Rights was denied permission by the Russian government to conduct a fact-finding mission to the region. Human Rights Watch/Helsinki is deeply distressed by the commission's failure to adopt a statement condemning the Russian government for its conduct in the war in Chechnya. We believe that remaining silent for so long, in the face of Russian forces' well-documented brutal mistreatment of civilians, seriously undermines its credibility as a body dedicated to human rights. We call on the commission to:

- condemn forcefully Russia's violations of human rights and humanitarian law in the Chechen war;
- maintain pressure on the Russian government to allow a High Commissioner for Human Rights mission to visit the crisis region to investigate violations of humanitarian law by both sides, a mission which would result in a report by the high commissioner; and

¹Reuters, "Clinton Calls Yeltsin, Urges Peace in Chechnya," February 13, 1995.

² *Ibid.*

- ask that the U.N. Secretary General report on Chechnya at the 52nd Session of the Commission on Human Rights next year.

Equally distressing is U.N. Secretary-General Boutros Boutros-Ghali's failure to acknowledge Russian abuses and civilian suffering in the Chechen war. At a U.N. press conference last month, Mr. Boutros-Ghali made mild remarks about U.N. assistance in the next elections in Chechnya. When asked directly by a journalist about Russia's brutal conduct of the war, Mr. Boutros-Ghali replied, "I have no comment," dodging an important opportunity to promote respect for U.N. instruments and the principles enshrined in them.

In late January, the Organization for Security and Cooperation in Europe (OSCE) conducted a fact-finding mission to the Northern Caucasus. To our great dismay, at the OSCE's press conference following their return to Moscow, OSCE Ambassador Istvan Gyarmati declared that the delegation "had seen no evidence of the torture of Chechen detainees" by Russian forces, even though by this time other human rights groups were documenting brutal beatings of detainees. On February 3, the OSCE's Permanent Council, acting on the mission's conclusions, adopted a seventeen-point resolution that "expressed deep concern over the disproportionate use of force by Russian Armed Forces," but otherwise failed to identify Russian abuses of human rights and humanitarian law in the war. Human Rights Watch/Helsinki continues to urge the OSCE to establish a semi-permanent mission in the region that would:

- act as an ombudsman for the civilian population;
- monitor the conduct of Russian military forces, both in military operations and in military rule;
- monitor the conduct of Chechen forces, should hostilities continue;
- oversee the return of displaced persons to prevent any retaliation by Chechen or Russian forces;
- monitor conditions in detention facilities and investigate allegations of torture and other forms of cruel treatment;
- facilitate relief supplies and relief work to ensure that all aid is distributed on the basis of need and not according to political calculations; and
- ensure access for accredited journalists and nongovernmental organizations.

SPREADING OF THE WAR

The war in Chechnya is spreading with increasing speed throughout the republic, bringing with it serious danger to noncombatants. A study ordered by Russian Human Rights Commissioner Sergei Kovalev estimates that 25,000 (with a rate of error of 25 percent), about 6 percent of the population, died in Grozny between December 25, 1994 and January 25, 1995.³ Military operations on both sides intensified after a shaky cease-fire expired Sunday evening, February 19, 1995. Fighting and bombing renewed near Argun, Shali, Alkhan-Yurt, Chechen-Aul, Samashki, and Chernorech'e, with Russian forces reportedly bringing the Rostov-Baku highway, a main east-west artery, under direct tank fire.⁴ Should fighting spread further south, the other east-west line of communication will be severed,

³"Nekotorye Itogi Chechenskoi Kampanii," *Nezavisimaya Gazeta* (Moscow), February 22, 1995, p. 1.

⁴Natalya Gorodetskaya, "Voennye Deistviya v Chechnye nachalis' s novoi siloi," *Segodnya* (Moscow), February 22, 1995, p. 1.

trapping fighters, residents, and the displaced between the Caucasus mountains to the south and Russian forces to the north.

Recent statements from Russian military commanders point towards an increase in military operations and suggest that the war could drag out indefinitely. During a visit this week to an armor testing range, Defense Minister Pavel Grachev stated, "But our talks with them are short — no cease-fire whatsoever, just an ultimatum about surrendering weapons,"⁵ and the next day he acknowledged that the war could last "several years."⁶ On February 20, the commander of Russia's airborne forces, Col. Gen. Yevgenii Podkolzin, commented, "The affair in Chechnya has to be brought to its conclusion: if you disturb a bee's nest, you have to capture all the bees."⁷ Last week, the Interfax news agency quoted a senior Russian official as stating that plans had already been prepared to seize Shali, Argun, and Gudermes, and that if fighters there did not surrender, all the towns would be subjected to "powerful air strikes."⁸ Chechen commanders too have vowed that they have regrouped and have plenty of weapons to continue their fight. One Chechen fighter commented, "Even if they take Grozny, the war will not end. We'll find a place to fight."⁹

The very nature of the conflict affords little or no protection to the civilian population: small, mobile, and highly motivated groups of Chechen fighters take up positions in a village or area, which is then subjected to heavy air and artillery bombardment by Russian forces, which either lack or are reluctant to use highly-trained, elite ground units.¹⁰ Russian appeals to the civilian population broadcast over loudspeakers in helicopters, and published in *Vozrozhdeniye*, the paper of the pro-Russian opposition "Temporary Council" (in Russian, "Vremennyyi Sovet,")¹¹ or distributed in pamphlets, make exaggerated claims and demands. One such statement, *An Appeal from the Command of Federal Forces to Citizens of the Chechen Republic*, states:

The war has to be stopped. In villages and in districts honest citizens who respect the law must take power in their hands. You should not wander the streets with weapons in your hand, shooting at Russian soldiers and planes. The modern, technical capabilities of the army are such that we can suppress the fire of both one AK-47 and of groups of armed individuals, not even to speak of whole groups of fighters. We can easily determine where groups of fighters and their headquarters are located. We track them day, and night, and even when there is a cloud cover.

⁵"Grachev Says Time for Talks is Over," *Moscow Times*, February 21, 1995, p. 1.

⁶"Vesti" (Russian Television Company), February 23, 1995.

⁷Pavel Fel'gengauer, "Komanduyushchii VDV oproverg slukhi o ssore s Pavlom Grachevym," *Segodnya*, February 21, 1995, p.2.

⁸Thomas de Waal, "Officers Agree on Chechen Cease-fire," *The Moscow Times*, February 14, 1995, p. 1.

⁹Alina Gracheva, "Idut Poslednyie boi za Grozny," *Segodnya*, February 8, 1995.

¹⁰ Elite paratroop units and Russian marines apparently do most of the fighting in spite of official assertions that military units would be withdrawn to let MVD units conduct "clean-up" operations. There are currently 7,000 paratroopers in the region (Fel'gengauer, "Komanduyushchii VDV oproverg slukhi o ssore s Pavlom Grachevym," *Segodnya*, February 16, 1995, p. 2.), and a recent order to withdraw a unit of Russian marines to their base in the Far East was revoked.

¹¹ See Background, below, for an explanation of political developments in Chechnya.

Therefore understand, that armed individuals in your midst represent a mortal danger to you. Try to force them to change their minds. If they don't put down their arms, then get them out of your villages.

¹²

That the vast majority of the civilian population is effectively trapped was clearly evident during Human Rights Watch/Helsinki's three-day visit to Shali, about thirty-kilometers southeast of Grozny.¹³ A group of fighters — the majority not from Shali — had established a base in the village, but appeared to have little support from the population.¹⁴ People with whom we spoke wished nothing more than to broker a deal with Russian forces to spare their village further destruction, but seemed inclined to support the fighters should Russian forces subject their homes to heavy bombardment.¹⁵ One elderly man told us, "I wish those guys [the fighters] would leave the village. They'll bring Russian fire upon our heads." Another villager told us, "I don't think there will be any resistance as long as the Russians don't harm the city. Because everyone wants his home safe and secure." Heavy shelling from Argun and Chechen-Aul that rattled windows in Shali served as a constant reminder of what the war would bring. Older residents would make motions for fighters to calm down as they drove through the village. During our stay in the village, helicopters flew overhead making incomprehensible announcements, and at night long-range Russian artillery fired illumination flares over the village. A leaflet apparently dropped over the village called on the people to remove the fighters from Shali or face serious consequences:

Residents of Shali!

All of Chechnya is watching You! How could it happen that in your proud settlement, without your permission, bandit formations appeared that prepare for nothing more than for your annihilation? One shot from Shali and return fire will be opened up upon the whole village. Remember how much unhappiness one single anti-aircraft gun parked in the hospital courtyard brought? Tens of innocent people died, and the bandits that fired at the plane escaped. . . . You must immediately kick the bandits out of Shali. In the worst case, great misfortune awaits all residents of Shali. . . . Hurry and make your choice, Residents of Shali. Little time remains. . . .

Temporary Council of the Chechen Republic¹⁶

¹²"Obrashcheniye Komandovaniya Federal'nykh Voisk K Grazhdanam Chechenskoi Respubliki."

¹³Human Rights Watch/Helsinki researchers were in Shali from Friday, February 10 to Sunday, February 12, 1995. All witnesses are identified in this report according to their own preferences — anonymously, first name only, or full name.

¹⁴In Gudermes, a village about twenty kilometers northeast of Shali, village elders reportedly met with Chechen field commanders to request that Chechen fighters leave the village, in order to preclude Russian bombing. The meeting ended in a shootout between the two groups, leaving six people dead. See Dmitrii Balbarov, "Pauza Pered Grozoi," *Moskovskie Novosti*, no. 13, February 19-26, 1995, p. 4. The article did not clarify whether the civilians attending the meeting were armed, nor did it say whether the dead were civilians or fighters. Had this information been available, and if it were true that Chechen fighters fired on civilians, it would be serious violation of humanitarian law by Chechen fighters.

¹⁵We had heard of other such attempts to negotiate local cease-fires between village elders and Russian forces, especially in Belgatoi, southeast of Grozny and in Assinovskaya, on the Chechen-Ingush border. Both failed.

¹⁶"Shalintsy," *Vremennyyi Sovet Chechenskoi Respubliki*.

A similar appeal was made to the residents of Achkoi-Martan, a Dudayev-controlled village in western Chechnya, a few kilometers south of Samashki, a sight of heavy fighting. The appeal, "Dorogiye Achkoi-Martanovtsy," appeared in the paper of the "Temporary Council", *Vozrozhdeniye*, No. 11 (49), February 1995.

The appeal in part read, "One has to immediately kick-out of the village these roaming remnants of Dudayev fighters. . . . Such delegations don't care about us, but just provoke the bombardment of the village."

The head of Shali's DGB (or KGB), the Dudayev version of the KGB, Abu Movsayev, stated, "Having taken Grozny, Russian forces cannot say that they have won the war and then celebrate victory. . . the most important strategic point today is Shali. Only having taken it can they say they've won, but they will not take it."¹⁷ Alsambek Abdulkhadziyev, the Chechen forces military commander in Shali, told us, "The international community has done nothing. The OSCE didn't even see fit to visit our side of the front. We'll have to take matters into our own hands."¹⁸

Indiscriminate and Disproportionate Use of Force by Russian Troops

Shali

Shali has been under intermittent bombing and aerial attack since early January. On January 3, 1995, in an apparent attempt to hit a radio communication tower, Russian planes struck a market and the village hospital, killing several civilians. An ethnic Russian wounded in the attack described it:

I was wounded in Shali on January 3 on Terskaya Street, not far from the market. We were in the courtyard, there were women and children. And a small child ran out of the house just as the plane appeared. I saw shrapnel flying everywhere. It was a cluster bomb that landed about five feet from me and eight bombs landed in the yard. They dropped eighteen bombs in and around Shali that day. The center of Shali was hit with rockets. First they hit the gas station. Then a bunch of people went there to help out and a second attack occurred. There were eight people in the yard and another twelve or fifteen in the street. Almost everyone received some type of wound from shrapnel.

I covered the child with my body, and her mother had been hit with many pieces of shrapnel. I don't know where they are now. I stayed in the basement for two days after that attack. After two days we saw there was no danger. I have shrapnel in my lungs, my leg, and many pieces still in my arm. (He shows his jacket full of shrapnel holes.) There are twelve holes in my jacket. My boots are also full of holes.¹⁹

Samashki

Samashki, located about fifty kilometers west of Grozny in the Achkoi-Martan region, is the western-most point in Chechnya where fighting is taking place. The only open road into Chechnya from the west goes directly through Samashki. On January 31, 1995, Russian forces attempted to enter the village, but were repulsed by a Chechen detachment. At least several Russian soldiers were killed, and several of their armored vehicles destroyed and abandoned. Numerous houses were destroyed in the attack, and at least two noncombatants, Saripa Yurmagombetova and her daughter, Sarizha, were killed.

¹⁷Natal'ya Gorodetskaya, "Boris Yel'tsin Schitaet Situatsiyu v Chechne Normal'noi," *Segodnya*, February 10, 1995, p. 1.

¹⁸ Human Rights Watch/Helsinki interview, Shali, February 10, 1995.

¹⁹ Human Rights Watch/Helsinki interview, Khasavyurt Hospital, Dagestan, February 11, 1995.

Since that time, Russian forces have subjected the village to intermittent artillery and air attacks, especially from the hills overlooking it, but have failed to dislodge Chechen fighters still based there. A villager told us, "Those mortars that are located along the ridge of the hill continuously fire [on us], two hours, three hours, before dinner, after dinner. There is no peace."²⁰ The village had been mortared the first morning we visited Samashki, but fortunately the three rounds fired did not explode when they penetrated the home of a seventy-year-old man, Abdulmajid: "That's the situation, I'm not a fighter, I'm not one of them, I can't even fight. They already evacuated my children to Malgobek. It occurred early in the morning, at 7:00 A.M. An hour after the sun rose. I went into the courtyard, everything was still fine then. (When the mortar shell fell) I wasn't in the bedroom. The mortar shell penetrated the tile roof and fell right next to my bed."²¹

Omar Shuipov, a twenty-five-year-old resident of Samashki, was seriously wounded when his tractor rolled over a mine he believes was planted by Russian forces. He had been driving on a back road near Assinovskaya, a nearby village that Russian forces attacked in late January and have since sealed off. He explained:

It happened at around 11:15 A.M. I didn't know that the road was mined, but I think the Russians mined the road when they surrounded Assinovskaya. I set out on my tractor on a back road towards Assinovskaya and hit a mine. This occurred on the 9th of February. It was a large anti-tank mine, and it exploded over the rear wheel. I was wounded by the force of the explosion, the tractor turned over on me. The person sitting next to me on the tractor was blown to bits. The tractor was mine, and now it's gone. I'm lucky to be alive.²²

Another villager, Lecha Esmurzayev, forty-seven, was wounded on February 2, 1995, when Russian forces from the hills overlooking the village mortared a funeral ceremony for those killed during the fighting on January 31. A shell, presumably from a 122mm mortar, exploded nearby. Esmurzaev's cousin, Dzhebrail, who was thirty-eight and had two children, died instantly. Another man, Baysultanov, died six days later. Esmurzaev's brother was wounded in the right arm, and is now in the hospital in Urus-Martan. In all, ten people were wounded, mostly with minor shrapnel wounds. Esmurzaev's explained,

[After the attack], we decided to bury the dead. The day of the attack we couldn't bury them so we decided to wait for the next day. Snipers from the hills were shooting at the cemetery outside of town. Some of the graves were damaged by the fire. So we waited another day, buried them, and then had a funeral ceremony in the courtyard of a relative.

There were two groups of men standing outside the yard. These were all relatives, everyone else had left. My father, brother, and two cousins were there. About ten people in all were there. It seemed that the Russians had an observation post in the hills, and a mortar shell was fired. We didn't hear it, but it exploded about six meters from us, and Ruslan Toysultanov fell. Then my brother and my cousin also collapsed. I was conscious, saw people falling, but didn't feel anything. Then I looked down, saw blood, and saw that my legs were all shot up. I made my scarf into a compress to stop the bleeding and ran to the side, but my legs were also hit. The old men in the courtyard were frightened and confused. All of this was from one mortar shell that fell, another shell exploded farther away from us two or three hours earlier. The one that hit us fell as we were about ready to go home.²³

²⁰ Human Rights Watch/Helsinki interview, Samashki, February 9, 1995.

²¹ Human Rights Watch/Helsinki interview, Samashki, February 9, 1995. We inspected the damage and the mortar shells.

²² Human Rights Watch/Helsinki interview, Hospital, Nazran, February 13, 1995.

²³ Human Rights Watch/Helsinki interview, Hospital, Nazran, February 13, 1995.

Esmurzaev's told us that when the wounded were brought to Nazran through the Russian checkpoint at Sernovodsk, they asked the soldiers why they had attacked them, but the soldiers only replied, "What did you do when our BTRs [armored personnel carrier] were burning in the village?" Esmurzaev admitted there was a small group of fighters in the village, and believed that the attack was vindictive. He related:

But we didn't set fire to their BTRs. Only a small percentage of those in the village are fighters. Both from Grozny and local people. The Russian troops tried to get into the village, but were unsuccessful, so they announced that they would bomb the village. They don't treat the local civilian population well. I don't know why they do that, maybe they do that on purpose to set the local population against them. If they entered a village and didn't harm people, then everything would be okay. These violent methods should be applied to real fighters, but not to us, the civilian population. It occurred on February 2, 1995.

Alkhan-Yurt

Alkhan-Yurt lies about twenty kilometers southeast of Grozny. The area was bombed recently, as Russian forces push south of Grozny and try to cut lines of communication for Chechen forces. A displaced person from Grozny fleeing through the village reported heavy shelling and damage:

Last night we slept in Alkhan-Yurt, very few people are left there. Farm animals are wandering the streets. They have closed the bazaar there. When we went into Alkhan-Yurt on February 12, there was heavy smoke over the city. Shelling started. I put the children next to a concrete fence to hide, the children were crying. Luckily a man with a truck appeared and took us to the next village.²⁴

Akhmet Zhdibaltayev, head of the surgical department at the hospital in Achkoi-Martan, lives in Alkhan-Yurt. On February 10, his brother's home and several of his neighbors' homes were destroyed by shelling. He told Human Rights Watch/Helsinki:

A couple of days ago, my brother's house received a direct hit and was destroyed. That was February 10. Altogether five homes were heavily damaged. The shell hit just where he slept in the bedroom. Another relative was killed in Chechen-Aul, that was the Imam of Alkhan-Yurt. I took my brother back with me to Achkoi-Martan. The heaviest bombardment began on February 11, many of the homes on the left side of the village suffered damage, near a large mosque. You can see the mosque from Urus-Martan. All the windows in the mosque were blown out.²⁵

Chernorech'e

Chernorech'e is a village due south of Grozny. It has been the scene of heavy fighting for the past several weeks. Aleksandr Akhmatov lived on Ulitsa Magilovskaya 11 before he fled the settlement with his family on February 12, 1995. His home was destroyed in a bombing raid in late January despite public announcements by the Russian government that aerial bombardments would cease. He explained:

I left there yesterday, there are air raids often, during the day. Once Yeltsin got on TV and said that the air raids would stop, but nevertheless they continued. Yesterday two planes struck, each fired four rockets. I left with my four children, I wanted to save them. I'm going to the Ukraine to seek refuge and to get an education for my children. Nothing exists anymore where I used to live. My house was burned out on January 24, 1995; since then I have been living in someone else's house.

²⁴ Human Rights Watch/Helsinki interview, Nazran, February 13, 1995.

²⁵ Human Rights Watch/Helsinki interview, Achkoi-Martan, February 12, 1995.

All our documents were lost, military papers, passports, everything but my birth certificate. I will never forgive anyone for what happened, for all the suffering. Even if I am killed, my children will continue this fight.²⁶

Bombing in Areas South of Grozny

²⁶ Human Rights Watch/Helsinki interview, Nazran (Ingushetiya), February 13, 1995.

Russian forces have bombed roads south of Grozny, especially between Goity and Stary Atagi, in an attempt to disrupt Chechen forces' lines of communication.²⁷ These roads, however, are full of displaced people, who most likely outnumber fighters traveling on them by a factor of at least one hundred to one. In mid-February, bombing forced Chechens to move their hospital from Stary-Atagi.

Hamzat Bastulkhayev, a construction worker and displaced person from Grozny, was wounded in an air attack on January 3, 1995, twenty kilometers on the road south of Grozny near Stary Atagi. Several other civilians were killed in the attack. Two Russian fighters rocketed and machine-gunned people waiting for a bus that travels from Grozny to Shatoi. The bombing occurred where this bus line intersects the main Baku-Moscow highway. Bastulkhayev reported:

Lots of people were waiting there for the bus. There weren't any fighters. I was in a truck. When the attack happened the driver was killed. I managed to get out of the truck and I was wounded. The bone of my leg was broken and ripped out of the skin. No one expected anything. We stopped at the bus stop, you couldn't hear a plane or anything. It was flying very low. There was a shooting sound, and then we heard the plane. When I was laying there with a wounded leg, a Zhiguli rumbled to a stop about ten meters from me. There was only a bloody mess on the front seat of the car, all the windows and doors had been blown out. Nothing was identifiable, not a hand, not a head. . . . An ambulance came that was carrying a corpse, the driver loaded me on top of that body. They then loaded on another person who had been wounded in the legs. When we began to move, one of his legs fell off. I told the driver, "A leg fell on me," and he answered, "What the hell can I do?"²⁸

Argun

Argun lies about twelve kilometers east of Grozny. It has been the scene of heavy fighting since the beginning of the conflict, though the battle there has intensified as Russian forces move out of Grozny. Dudayev forces and the Russian-backed opposition had fought in Argun, and as many as twelve people were killed in bombing raids in November 1994. The Argun-Gudermes-Shali triangle appears to be a major strategic goal for Russian forces. The present battle line is just outside of Argun, though Russian forces pound the city with artillery and air attacks in an apparent effort to deny possible shelter and hiding places to Chechen fighters. Such bombardment was clearly audible in Shali, about ten kilometers to the south, often causing windows to shake.

Ayza, about forty-five, left Argun on February 8, 1995, because of heavy shelling. She and her family have led mostly a subterranean life for the past few months because of the fighting, leaving their cellar only to get water. Even burying the dead in the village became a problem, and corpses were interned in nearby settlements. During the bombings in November all the windows were blown out of Ayza's house, even the window frames. She told Human Rights Watch/Helsinki:

They were supposed to be bombing only military targets, but school number 1 and number 3 were bombed with nail bombs. The sport training school, the sporting goods store, the police station. The hospital was bombed, and the kindergarten also. Not even to speak of the number of private homes destroyed. My daughter, who lives on Voroshilov Street, lost everything. And when people are killed you can't even bury them because of the bombing, you have to take the bodies to Shali or to Mesker-Yurt. People are even burying the dead in their gardens. This happened about three weeks ago. They've been using incendiary shells lately, and the homes immediately begin to burn. They also have recently been using a bomb that makes a sound like steam escaping.

Everything in the direction of the Moscow state farm has been destroyed. An appliance factory and its housing complex were destroyed, and an elevator factory. And there was a small village nearby, about forty houses, that were also recently heavily bombed. They say that planes and helicopters don't

²⁷ Human Rights Watch/Helsinki researchers driving on the road south of Goity witnessed planes bombing the road to Stary Atagi.

²⁸ Human Rights Watch/Helsinki interview, Khasavyurt, Hospital, February 11, 1995.

attack, but its simply a lie, they do. You can only leave your house to get water between 7:00 and 9:00 in the morning. After that the streets are deserted.

I'll tell you how the helicopters attack: a person is walking along and the helicopter spots him, and the helicopter hangs in the air and fires until it hits its target. Even if the person hides in a building somewhere, the helicopter attacks that building. When I left the last time, only the roof of our home was damaged, but I've heard the whole area since then has been heavily bombed. My son and husband have stayed at our house, and I don't know their fate. When I left the last time the road between Gudermes and Argun had been bombed. And now you have to escape south through Mesker-Yurt, and then north to Khasavyurt through Dzhalka. But the road to Mesker-Yurt is also under fire, from helicopters and planes.²⁹

Ibragim, a civil engineer, left Argun on February 9, 1995. He reported that the city is under more or less constant artillery bombardment, but that the fighters still there are dug-in and hidden, and that mostly the civilian population suffers. He commented on the tragic plight of civilians in Argun:

I don't think there is any point to it. The fighters aren't standing out in the open waiting for a shell to land on their heads. They hide. [The bombs] only destroy houses, but I'm not quite sure who will rebuild them. Our house is still standing, but in general the taller buildings are hit by artillery fire. Right next to our house, maybe fifty meters away, a shell exploded. Our neighbor had left already, so nobody was killed. Most all people have left, one or two people stay to prevent looting. They hide in the cellar.³⁰

Ibragim's testimony does not make clear whether Chechen fighters used civilian objects in Argun as shields; if they did, Russian forces would still have been obliged to attack in a way that minimized civilian casualties.

Zerkam, thirty-five years old, lived in Argun with her husband until February 7, 1995. Local Chechen authorities told her to leave immediately because a strong bombardment was imminent. She recalled the damage to homes and injuries brought by the attack: "There was already heavy shelling on February 7. They bombed from the air and from GRADs and from URAGANs.³¹ Our house was still intact when I left, but on Ulitsa Nurodilova ten homes were destroyed. In one of these homes the roof was damaged. Three women and a child lived there, but they survived. Two other shells fell in the kitchen. There were many wounded civilians there."³²

Grozny

Although the Russian government claims that Grozny has been "pacified," fighting continues in the southern part of the city. During the two days Human Rights Watch/Helsinki spent in Grozny, we heard gunfire coming from the areas of Minutka, south of the Sunzha river. Often a Chechen sniper would fire a round or two, only to be answered by machinegun and mortar fire. A young Russian woman who had left the city during the heaviest bombardment and later returned was wounded by Russian shelling on February 3, 1995, outside her home near the Minutka traffic circle. She told Human Rights Watch/Helsinki:

²⁹ Human Rights Watch/Helsinki interview, Khasavyurt, Dagestan, February 11, 1995.

³⁰ Human Rights Watch/Helsinki interview, Khasavyurt, February 11, 1995.

³¹ Anti-infantry missiles.

³² Human Rights Watch/Helsinki interview, Khasavyurt, February 11, 1995.

It happened so suddenly, I was right outside our home, a small house with a courtyard. A heavy bombardment began. But there was also shooting all the time, not only on this day. I was standing next to my sister, we were looking over the house, at the shutters. And the shutters were punctured, so my sister said, "Let's go inside to find the shrapnel." They were shooting at the next block, but shrapnel was flying back at us. They were firing exactly at Hospital Number 2, about two blocks from us, where the soldiers' mothers congregate. Before we stayed in the same basement with these soldiers' mothers, and they told us that as soon as they arrived, soldiers started to shoot at them. The mothers told us that it was reported that the hospital was the headquarters for Chechen fighters, and that's why they were shooting. The shrapnel hit my knee, I didn't lose consciousness because I was an athlete, but I lost an awful lot of blood. I was given first aid at Hospital Number 2. There were no fighters there at all, it's a hospital.³³

MISTREATMENT AND ABUSE OF DETAINEES BY RUSSIAN FORCES

Russian forces have arbitrarily detained and mistreated civilians. Human Rights Watch/Helsinki interviewed three civilians arrested and beaten by Russian troops, held in a so-called "filtration camp" at the Russian military base in Mozdok, North Ossetia, and then released and exchanged for captured Russian combatants. The detained civilians were also robbed of personal possessions, including a car. There is no precise figure on the number of such civilian detainees, but estimates could run as high as 500. The three men reported that the railway wagons in which they were kept held about seventy individuals, and that daily ten or more new detainees arrived and the same number were released or were transferred to other detention facilities. Places of detention are reported also to include Stavropol and Pyatigorsk in southern Russia.

In addition, there continues to be serious concern about the fate of Chechen combatants captured by Russian forces, few — if any — of whom have been visited or seen by international relief organizations, journalists, or independent observers. Detainees released from Russian custody report seeing no Chechen fighters in such camps. Officially, Russian forces have captured 471 Chechen fighters, though it is unclear whether this figure represents combatants captured in battle, civilian detainees, or both.³⁴ The commander of Russia's border forces, General Andrei Nikolayev, reported that another eighty foreign mercenaries have been captured and are being interrogated, awaiting trial.³⁵ Gen. Mikhail Kolesnikov, chief of the general staff, commented: "Prisoners are treated well, although we don't have to, because by law one could shoot them on the spot as bandits."³⁶ Indeed, unconfirmed reports allege that only intelligence operatives — and not Russian forces — take prisoners. If this is true, it is a very serious violation of Protocol II.³⁷

³³ Human Rights Watch/Helsinki interview, Achkoi-Martan, hospital, February 12, 1995. The Geneva Conventions provide special protection for schools and hospitals.

³⁴ Pavel Fel'gengauer, "Mikhail Kolesnikov: Dudayev nado unichtozhit'," *Segodnya*, February 16, 1995, p. 1.

³⁵ "Tri Tsyachi Naemnikov," *Rossiiskaya Gazeta* (Moscow), February 4, 1995, p. 1.

³⁶ Fel'gengauer, February 16, 1995, p. 1.

³⁷ See, Aleksandr Bourtin, "Razgovor v hospitale," *Moskovskie Novosti*. This article quotes a soldier alleging that "in the beginning, when we were in the park, we took prisoners. We beat them, of course. Because when you see the guy who shot at you, you think he's a beast. But then we stopped taking [prisoners] at all. The only people who took prisoners were FSK [the Russian counterintelligence service]. No FSK — no prisoners."

Foreign humanitarian missions that have visited the main Russian detention center at the large military base in Mozdok reportedly met only with detained civilians, not with combatants. On Friday, January 27, 1995, forty-three Russian soldiers held in Shali were exchanged for approximately the same number of Chechen detainees.³⁸ The Chechens exchanged, however, were reportedly civilians, not combatants. One of the civilian detainees with whom we spoke was exchanged during this process. Since under humanitarian law only combatants may be held and exchanged, the ICRC has reportedly refused to facilitate such exchanges.

Alvi Batashev, age twenty-five, served as a senior lieutenant in the Ingush Republic Interior Ministry, where he worked as a detective. He was detained along with the head of the criminal investigation department, Arbi Shovkhalov, by OMON³⁹ troops on January 23, 1995, near the village of Assinovskaya, in Ingushetiya, and held for seven days. He was detained while on duty and in uniform. According to Batashev:

The OMON troops stopped our car and asked us for our documents. We showed them our militia identity cards, driver's permit, registration. They weren't satisfied, and told us we had to go to their headquarters [so that they could] check us again and then we would be released. We had no objections and went along with them. We went to the headquarters of the OMON troops located on the outskirts of Assinovskaya in a pre-school. We saw that another policeman had been detained, Tumsoyev, who had been in his own car.⁴⁰

When they arrived at the military base they were immediately loaded on a Ural truck, blindfolded, and bound. The truck drove about five or six kilometers, then the men were unloaded as a military television crew filmed them. According to Batashev:

The TV crew commented that we were fighters, but it was a joke since I was in a police uniform. They said, "These people were captured during battle wearing police uniforms, but they are really Dudayev fighters." After that, they started to beat us, maybe there were ten of us. About half of the soldiers who beat us were drunk. They beat us with the butts of rifles, fists, boots. They really beat the hell out of us. We tried to explain to them that we were police officers, but they could not care less.

The next morning Batashev and the others were interrogated by an Internal Ministry (MVD) officer. Although the officer found his name on a list of active duty police officers, he and Arbi Shavkholov were loaded on a helicopter and flown to Mozdok. The ill-treatment continued during the trip. He recalled:

They beat us in the helicopter. They took a ring from Shavkholov in the helicopter, they almost broke his finger doing it. There was an old man, Chitayev, we got to know him later, they stomped all over his legs and beat them. They beat us all the way from where the helicopter landed to where they finally took us, a ride of about an hour. They cursed us the whole way.

³⁸Lev Aleinik, "Rossiiskaya i Chechenskaya storony obmenyalis' spiskami plennykh," *Segodnya*, January 31, 1995, p. 2; "Rossiiskikh plennykh, vozmozhno, uzhe obmenyali," *Novaya Ezhednevnyaya Gazeta* (Moscow), January 27, 1995, p.1; "Russia: Prisoners of war exchanged in Dagestan," *BBC Summary of World Broadcasts*, January 28, 1995.

³⁹ OMON are Interior Ministry riot troops.

⁴⁰ Human Rights Watch/Helsinki interview, Sernovodsk, Chechen-Ingush border, February 17, 1995.

At Mozdok, Batashev and the others were taken to a mobile pre-trial detention center (SIZO), a railway car that had been subdivided into sections, a so-called "Stolypin Wagon."⁴¹ There were several such cars near the railway station in Mozdok, shunted off to a section of the railyard where fuel and coal for the town were stored. Prisoners were given a cup of water for two people three times a day, some bread, and at times sardines in tomato sauce, one can for two people for a day.

Batashev explained, "There were several railway cars, in our wagon maybe there were about seventy people. But from these wagons people were sent to Pyatigorsk and to Stavropol. I don't know how many exactly are held, but during the time we were there anywhere from ten to thirty new detainees were brought to our wagon. Some had criminal charges brought against them. I did not see any fighters in the car in which we were held." He asked to speak with the procurator to find out why he had been detained, but to no avail:

We were passed off as Dudayev fighters. Our interrogation started on January 27th. I couldn't figure out who was interrogating us, no one would tell us. As far as I could understand, some were from FSK,⁴² others from the MVD. They asked us who we were, where we were from, what units we had fought in. It was a joke, we told them that we didn't have any idea what they were talking about. That we were police officers trying to carry out our functions. They interrogated us almost every day. It's called a "filtration camp," they checked us through all types of lists.

Before he was released, guards stole Batashev's uniform jacket and scarf, and forced him to sign a statement that all his belongings had been returned. "The guards forced us to sign a document stating that nothing had been taken from us and that we would file no complaints against them. I signed it, insulting as it was, because I just wanted to get out of there."

After he and Arbi Shovkhalov were released, they went back to the headquarters where they were initially detained to get the car they had been driving. The car had been almost completely disassembled: the seats, wheels, parts of the engine, the steering wheel, and the bumpers had been removed and the backs had been hit by a BTR.⁴³ Batashev commented that, "We heard that the cars the soldiers liked were taken to Mozdok."

Batashev suffered injuries to his ribs, left eye, and kidney as a result of the beating, and nearly one month later continues to require medical treatment for these injuries.

Alvi Batashev was given a release paper by pro-Russian Chechen authorities in Znamenskoye, Chechnya, although he had been held in Mozdok by Russian Federation authorities. The following is a translation of his release paper:

Nadterechni ROVD
January 30, 1995
56/007

This certificate given to Lieutenant of the militia Batashev, Alvi Khizirovich, investigator in the Sunzhenskii ROVD of the Chechen Republic, service I.D. # 0193 testifies to the fact that he was

⁴¹Pyotr Stolypin, a Tsarist prime minister known for his tough stance on law and order, initiated the practice of transporting prisoners in sealed railway cars. The nickname has endured ever since, throughout the Soviet period and beyond.

⁴²FSK, "Federal'naya Sluzhba Kontrarazvedki," is the successor of the KGB. Its chief is Sergei Stepashin.

⁴³Human Rights Watch/Helsinki examined the car.

detained on January 23, 1995 and held in the mobile pre-trial detention unit in Mozdok and was freed on January 29, 1995 as held without grounds.

Certificate issued to be showed on demand.

Chief of the Nadterechnoi ROVD

Militia Major

A. Yu. El'murzayev

Two other released detainees with whom Human Rights Watch/Helsinki spoke confirmed Alvi Batashev's account of his arrest and mistreatment. Two cousins, Abdul and Alik Bakharchiyev, were detained by Russian OMON troops near Assinovskaya on January 23, 1995. Both men were robbed of rings, clothing, and money. They had gone to Assinovskaya that day to find out whether his house had been looted. They were detained at about 3:00 in the afternoon when returning to Sernovodsk from Assinovskaya. According to Abdul Bakharchiyev:

My residence permit was for Sernovodsk, I didn't re-register [my residency permit] for Assinovskaya. They stopped and searched us, but didn't find anything. They checked our documents but kept our passports. They said they will check it out and took us away in the back of a truck. When they put us on the truck, there were nine of us, then they brought another four, and then another four. The guards blindfolded us. Those who detained us were MVD, OMON troops. We spent the night in a trailer, some handcuffed, some tied up. We were questioned in the morning and they wrote our addresses down. Then they loaded us on a helicopter. As soon as the helicopter got off the ground they started to beat us, it was about 10:00 or 11:00 in the morning. The guards beat us. There were several helicopters, in our helicopter there were five or six people. Towards lunch we arrived in Mozdok. They beat us with nightsticks, rifle butts, and fists. They beat my lungs, broke some ribs, and part of the broken rib punctured my lung.⁴⁴

According to the Bakharchiyev cousins, they were held in Mozdok in small wagons divided in two. There was little room, and the detainees could sit could not lie down. As many as fifteen men were on each side of the wagon. Abdul Bakharchiyev explained, "Guys who had been detained on January 4 said that they had been held in Pyatigorsk and Stavropol. They said that they had been handcuffed, hung by their hands, and tortured with electric shock that left burns on their wrists."

Abdul Bakharchiyev was exchanged at Shali on January 27, 1995. "I was lucky to be exchanged at Shali and to be able to go immediately to a hospital there. Until that time I wasn't given any medical aid whatsoever. I wasn't interrogated in Mozdok because I was exchanged too quickly. When they organized the exchange, they were short one prisoner so I was taken. Some of the officers there refused and said that I still hadn't been properly questioned. They only had time to beat me, but not to interrogate me." His cousin, Alik Bakharchiyev, was not picked for the exchange because his face was too badly swollen from the beating. He explained that, "The guards called for people to be exchanged, anyone. But we didn't know what was in store for us, maybe we would be shot. So I decided to go so at least one of us [Abdul] would get out alive. But when the officer saw that my face was all bruised, he didn't accept me. But when he didn't accept, I knew then it was a real exchange and told my cousin he should go because he really was in bad shape."⁴⁵

⁴⁴ Human Rights Watch/Helsinki interview, Sernovodsk, February 9, 1995. Abdul had two intravenous holes, one in each side of his chest, to drain fluid from his lungs. He is undergoing treatment, and was told that he will have a chronic lung problem because of the beating.

⁴⁵ Alik Bakharchiyev's face still showed signs of bruises and contusions in his left eye nearly ten days after the beating took place.

Since Alik Bakharchiyev was not exchanged on January 27, he was interrogated by Russian forces. Like the other detainees, he claimed he did not see any military fighters at the prison during his detention there. He was also severely beaten and suffered broken ribs. He told Human Rights Watch/Helsinki:

It didn't make a difference to them whom they beat, if I were a civilian, they would ask why wasn't I a fighter, and vice versa. They would ask if I had fired at them. They asked if I knew who this one was, or who this one was, if I knew who the fighters were or where they were located, but I only moved here in 1992 so how the hell would I know all this. I didn't see any fighters at all in these wagons — they were all civilians. I don't know why they were detained in the first place. There were even old people. We were interrogated on the 27th of January after my cousin had been released. We were brought to a different wagon for the interrogation. They asked where different Chechen units were located. . . . We weren't beaten during the interrogation because uniformed officers were present. But before the interrogation and after it they beat us as they liked. It was as if the guards were in a contest to see who could beat the prisoners best. My ribs were broken, but they have healed now fairly well. But the beating to my face still hasn't completely healed. Only in the past day or so has the vision in my left eye improved. I still don't feel anything on the left side of my face. They know how to beat a person so they don't leave any bruises.⁴⁶

Alik Bakharchiyev was finally released two days later, on January 29, 1995.

LOOTING AND UNDISCIPLINED CONDUCT BY RUSSIAN FORCES

Russian troops in Chechnya systematically loot and engage in disorderly conduct, ranging from the wholesale looting of a single village to petty thievery against displaced persons at military checkpoints. During a twelve-day mission to Chechnya and Ingushetiya, including a two-day trip to Grozny, Human Rights Watch/Helsinki researchers documented numerous incidents of looting and acts of abuse against both Chechen and Russian civilians. Human Rights Watch/Helsinki researchers spent two hours examining an apartment building in central Grozny that, according to residents still living there, had been looted by Russian soldiers as late as February 4, 1995. We observed doors shot open, whole rooms turned upside down, and wanton destruction of property. Russian looting was especially prevalent in Assinovskaya, a village on the border between Chechnya and Ingushetiya, from which most of the civilian population had fled when troops arrived. In other cases, Russian forces have intentionally harassed civilians.

Poor training, lack of basic equipment, inadequate leadership from officers, and underlying ethnic prejudice on the part of many Russians all contribute to an atmosphere in which personal property and human life are often at the mercy of undisciplined, abusive soldiers. The army that once filled Red Square with columns of well-trained and disciplined troops collapsed with the Soviet Union. Military budgets were cut and training was reduced. Young men in ever-increasing numbers sought ways to avoid military service. Currently, only 27 percent of draft age Russians enter military service: of them, only 27 percent completed high school, and another 40 percent received some type of professional training after the eighth grade.⁴⁷ Many career Soviet officers, once based in elite units in Eastern Europe, left the military rather than face an uncertain future living in tent cities in Russia. The poor state of the Russian army was painfully evident in Chechnya. Most Russian military units Human Rights Watch/Helsinki encountered during its mission to Chechnya, including regular army draftees and Interior Ministry troops, were poorly dressed in a hodge-podge of uniforms. Some did not have proper boots, while others wore parts of chemical protection outfits. We noticed few tents or field stoves, with many trench positions seeming to serve as both fighting position and barracks.

⁴⁶ Human Rights Watch/Helsinki interview, Sernovodsk, February 9, 1995.

⁴⁷Viktor Litovkin, "Srok Sluzhby — Uvelichit', Otsrochki — Otmenit'," ("Increase service time, repeal deferrals,") *Izvestiya*, February 18, 1995, p. 1.

This lack of organization seemed especially acute in Grozny, where many of the Russian forces Human Rights Watch/Helsinki encountered looked more like armed bands than a regular army. The few people left in Grozny told us that often Russian troops complained of being under-fed and asked them for bread or for other food. Many Chechens live in extended families and build large, comfortable homes to accommodate ten or fifteen people, immediately drawing the envy of many Russian soldiers familiar with the cramped two-room apartments or communal apartments of Russia's industrial heartland.

The Russian government's response to looting and disorderly conduct has been contradictory, while the pro-Russian Chechen "Temporary Council" based in Znamenskoe and the "Government of National Rebirth" acknowledge such actions by Russian forces and condemn them. In early February, Russian Justice Minister Valentin Kovalev announced that there had been no incidents of looting by Russian forces in Grozny, but last week MVD spokesman Alexei Petrenko stated that his ministry had issued a warning to MVD troops against looting and had opened several cases against soldiers.⁴⁸ The MVD also acknowledged looting in a pamphlet, distributed to MVD troops who were believed to have taken part in the looting of Assinovskaya. The pamphlet, which Human Rights Watch/Helsinki considers as an act of good faith on the part of the Russian Interior Ministry to stop looting, reads as follows:

Appeal from the Military Council of Internal Troops ("Vnutrennaya Voiska") of the Ministry of the Interior (MVD) to all those soldiers carrying out military duties to stop the activity of illegal armed groups on the territory of the Chechen Republic

Comrade soldiers, sergeants, warrant officers, officers, generals, military comrades:

The military council of the Internal Troops of the MVD of Russia addresses you with words of thanks for your able and decisive actions in securing state security and law and the rule of law on the territory of the Chechen republic.

With your self-sacrificing and martial actions, you have made a real contribution in removing the threat to the integrity of the state and the inviolability of the Russian Federation, to its sovereignty, and to the trampling of the Constitution and laws of Russia.

Carrying out their military duties, soldiers of the internal forces (VV) have displayed the highest courage and heroism, and the best human qualities.

Together with this, however, recently there have appeared cases of looting, extortion, and outrages against the civilian population by Russian forces.

It's true, our forces have taken losses, but we should not allow ourselves to harden our hearts. No one has been given the right to meet out mob law or even law and order, especially not ordinary soldiers.

Looting and outrages towards the civilian population bring shame to the internal forces of the Ministry of the Interior, discredit them in the eyes of the public, bring to null the actions of the majority of forces who with honor carry out their duties.

The military council of the internal forces of the MVD demand from all commanders at all levels and from all military personnel the complete abidance of all law in (carrying out) their military duties and the enacting of the most strict measures against all appearances of disorderly conduct and looting against the civilian population, including bringing the guilty to justice.

These very measures are being enacted against a group of soldiers from military unit 3709, which committed crimes and besmirched the honor and dignity of the internal forces.

The code of military conduct remains inviolable:

-one can only fight against those carrying weapons;

-one can only fire upon military targets;

-one must spare civilians;

-one can only use as much force as required to carry out military activities;

⁴⁸Thomas de Waal, "Russian Troops Run Wild in Grozny," *The Moscow Times*, February 14, 1995, p. 1.

We are completely assured of the fact that in these tough times for all of us soldiers of the internal forces will stand as a model for the carrying out of their military duty and an unassailable for assuring the power of law in our fatherland.

Military Council of Internal Forces of the MVD of Russia.

Ruslan Martagev, press secretary of the Republic of Chechnya Temporary Council, complained of looting by Russian soldiers during an interview with Human Rights Watch/Helsinki, "Looting became very bad about two or three weeks ago. It makes our work increasingly difficult when troops that are supposed to 'help' the civilian population abuse them. Recently military authorities have started to take action . . ." ⁴⁹ Salambek Khadzhiyev, chairman of the pro-Russian "Government of National Rebirth," stated: "In a day we detain up to ten groups of looters. Only a small number of Russian forces are engaged in looting, maybe 1 percent. But this fact casts a shadow on the whole Russian army, and forces even Dudayev's most ardent opponents on his side." ⁵⁰ Ruslan Labazanov, one of Dudayev's most fierce opponents among the Chechen opposition, complained that, "I can no longer stand the lawlessness that MVD troops are committing. They loot everything in a row and kill innocent people. Go out on the road and take a look for yourself; everyday through Tolstoi-Yurt they truck out stolen goods." ⁵¹

Grozny

Human Rights Watch/Helsinki researchers spent two days in Grozny. ⁵² The center of the city is mostly deserted, with small groups of people pulling rickety carts in front of bombed-out, scorched buildings. While most human corpses had been removed, dead dogs still lay strewn about the streets. The few people left hung small white flags in front of their wrecked homes and had scrawled in chalk on the wall, "People live here," or "Please don't break down the door." Small groups of Russian soldiers manned crude dug-outs, and nightfall brings danger as nervous Russian troops fire down empty streets or traded shots with Chechen snipers still left in the city. According to residents with whom we spoke, little humanitarian aid was reaching the city and the search for water has become a daily struggle. One man we met was draining water out of the boiler of a bombed-out building.

In spite of this poverty, residents we interviewed complained of looting and harassment by Russian forces. ⁵³ Most said that the combat troops who took the city were well-behaved and did little looting, but that the second-echelon replacement units were poorly disciplined and quickly began to loot. Troops would break down apartment doors in search of anything to steal or simply ransack an apartment. We observed one five-story apartment building in the center of the city that had been methodically looted and ransacked by Russian troops in early February. Doors had been shot open or broken down, and whole rooms looted or turned upside down in what was evidently a frantic search for valuables. Personal belongings lay strewn a foot deep on the floor, with family photographs trampled next to a television that had been ripped open in an apparent search for valuables. ⁵⁴

⁴⁹ Human Rights Watch/Helsinki interview, Znamenskoe, Chechnya, February 15, 1995.

⁵⁰ Igor Rotar', "Kavkazskii Robin Gud gotov stat' maxknovtsem," *Komsomol'skaya Pravda* (Moscow), February 18, 1995, p. 2.

⁵¹ *Ibid.*

⁵² Human Rights Watch/Helsinki researchers were detained at gunpoint in Grozny by a Russian patrol on a wheeled armored personnel carrier in spite of the fact that they had official permission and permits from the Temporary Council to visit the city. The patrol confiscated two maps, three rolls of film, and a taped interview.

⁵³ See also, James Rupert, "Grozny Imprisoned by Fear: Survivors of Bitter Battle Now Hide from Russian Troops," *The Washington Post*, February 13, 1995, p. A12.

⁵⁴ Because most Russian citizens distrust banks, they hide large sums of money, jewels, and other valuables in their homes.

Lida, a Russian woman of about forty-five, returned to Grozny about a month ago, after having left the city in late December. She told us that, while she had awaited the Russian army as liberators and hoped it would save them from the Dudayev regime, the troops occupying the city acted more like conquerors than liberators. Lida showed us several apartments that had been looted in either late January or early February, after Chechen forces had left the city. According to another resident, the only time Chechen fighters had been in the building was on January 1 and on January 7. All the apartments showed signs of forced entry, with the doors either broken down or shot away. In some of the apartments, radios, televisions, and wall clocks had been broken apart, as though someone were searching for valuables inside. In all the apartments, drawers and cabinets had all been opened, and the contents dumped and trampled on the floor. People had defecated in some of the apartments. Lida stated that:

I was dumbfounded by what I saw in my own apartment. Everything that could possibly be taken or dumped out was, and things had been thrown all over the place. All the furniture was turned upside down, I can't imagine what they were looking for. We had an unusually nice, roomy apartment in the center of the city. All the apartments in our five-story building that had not been damaged by shelling or torched, the majority of them, had been looted. Look at what they did, all the damage and destruction in these apartments. They broke the door down, and then fired into the apartment, or they shot the lock-off with their rifles.

On February 3, I heard loud knocking at our door. I opened it and there were several soldiers, including a colonel. He saw that people lived here and that I was a Russian, apologized and left. I felt that something was not right, and went to my neighbor to try to protect her apartment. She was a good friend, and we made an agreement that whoever returned to Grozny first would look out for the other's apartment. When I first arrived back in Grozny, my friend's apartment had been looted, and even the steel entrance door had been shot away. I went to my friend's apartment, and after a while there was a knock on the door. The same group of soldiers was there. They rudely asked me, "Where do you live, here or there?" I started to explain about the agreement I had with my neighbor, but they shouted at me, "Bitch, get against the wall." They went into the apartment, looked around, and then left.⁵⁵

Two older Chechen women who also live in the center of Grozny, several blocks from the Presidential Palace, complained that their small house had been looted and that they suspected that Russian troops were to blame. They left their home intact on December 27, 1994, only to return to a looted, ransacked house on February 10, 1995. According to the women:

Our home was intact when we returned, but the door had been shot through. Pillows had been ripped open by bayonets, furniture had been broken up. A large part of our belongings were missing. For five days we've been cleaning up just to remove the worst of the damage. They had defecated several times in our house, and the bathroom was a complete mess, with urine and human feces all over. You can imagine how it was since there is no water. The most painful thing was when they shot holes in a portrait I had on the wall of the imam of my native village. We sleep at our neighbors' because we're afraid to sleep here, but we're also afraid to return in the morning to find the few things we have left looted.⁵⁶

We also heard accounts of mistreatment of civilians by Russian forces. Sasha, a thirty-year-old ethnic Russian who lived all his life in Grozny, was detained on January 20, 1995, by a drunken Russian patrol, placed against a wall, and fired at several times. According to Sasha:

⁵⁵ Human Rights Watch/Helsinki interview, Grozny, February 16, 1995.

⁵⁶ Human Rights Watch/Helsinki interview, Grozny, February 15, 1995. Human Rights Watch/Helsinki researchers inspected the women's home. Our observations confirm their statements about the condition of the dwelling.

Between 3:00 and 4:00 in the afternoon, I was stopped by a Russian patrol. They were dressed in all different types of uniforms. And they smelled of wine. The soldiers asked for my documents, checked them, and my papers were in order. Then one of them came up to me, grabbed me roughly by the chest, and asked me, "Who is going to answer for my friends who have died in this war?" I told him that I had nothing to do with their deaths, and furthermore that I was Russian myself. But he answered that we all should be shot like dogs. "Get up against the wall," he shouted. I stood against the wall facing the soldiers, and then the one who said that we should all be shot like dogs fired rounds from his sniper rifle around the outline of my body. To tell the truth, it wasn't the best thing that happened in my life. The thing that probably saved my life was a crowd of women who happened to be passing by. They shouted to the soldier, "Hey, what are you doing?" After that, the soldiers left and I continued on my way.⁵⁷

Sasha complained of the lawless nature in the city and the pointlessness of trying to bring charges against the soldiers who fired at him: "I never filed a complaint about the incident with military authorities because it's really no use, there is no authority here." He also observed what he thought to be looting: "I saw soldiers loading two trucks from the neighboring apartment building. I couldn't see what they were putting on the truck, but what could they have been loading from a private home?"

Valentin, an ethnic Russian, lived in the Okruzhnaya area of Grozny, not far from the bus station "Voikova." He left Grozny on February 12, 1995, about eight days after Russian troops had entered his neighborhood. Valentin had been living in a cellar, but recent shelling had blocked the entrance and neighbors had to dig him out. He stated that although there were few armed Chechens in the area, most of the surrounding homes had been damaged by shelling and bombing. According to Valentin, "There practically were no Chechen fighters there. Groups of two or three armed men were standing around, probably to protect their homes and prevent looting."⁵⁸ Valentin described the entrance of Russian troops into Okruzhnaya more as the arrival of hungry guests, rather than as soldiers carrying out a military operation.

Russian troops had occupied all the schools and set up posts. They went into houses and took out anything they wanted. I saw it myself. They simply broke down doors. They were hungry, they took all types of food. Jars of preserves, tomatoes, jelly. But they also took televisions. I didn't see trucks, just groups of guys stealing. Young soldiers. In short, people are furious with the army. Everyone is angry at them. Everyone has suffered because of the army.

West of Grozny, Near Yermolovka, Chechnya

Asma Alimkhanova, a displaced person from the Zavodskii Raion of Grozny, was robbed in the latter part of January at a Russian military checkpoint west of Grozny on the road to Yermolovka. Two of Alimkhanova's relatives — her son Arbi, twenty-five, and a granddaughter, Milana, age five — had been killed and buried in Grozny. She and her family made a frantic struggle to stay one step ahead of the war: when her home was destroyed she and her family escaped to another area of Grozny, Berezka. When shelling made it impossible to live there, they went to a relative in Karpinka, but shortly after their arrival Russian soldiers came and said they had to evacuate the area within forty-eight hours. They were robbed on the road out of Karpinka. According to Alimkhanova:

We met a group of people along the road who told us that it was dangerous to continue along this way, that we could come under fire. They gave us part of a white flag, which we attached to a stick and carried with us. We were wearing gold earrings, rings, and necklaces, our most valuable possessions we could take with us. We came to a Russian check point, and at first they checked our bags for

⁵⁷ Human Rights Watch/Helsinki interview, Grozny, February 16, 1995.

⁵⁸ Human Rights Watch/Helsinki interview, Nazran, Ingushetiya, February 13, 1995.

weapons. Then they told us to take off our jewelry. It was on the road to Yermolovka, to the west of Grozny. It wasn't the army, but rather OMON or Spetsnaz.⁵⁹ Regular troops usually just check the bags and then let people through. The most important thing was to save our children, but besides that we have nothing left.⁶⁰

Assinovskaya, Ingushetiya

⁵⁹ Spetsnaz are special forces. The FSK, the Internal Ministry and the army each has its own Spetsnaz forces.

⁶⁰ Human Rights Watch/Helsinki interview, Achkoi-Martan, Chechnya, February 12, 1995.

The clearest example of looting and misconduct by Russian troops is the village of Assinovskaya, located about thirty kilometers west of the Ingush capital Nazran, in a wooded, hilly area close to the border with Chechnya.⁶¹ Before fighting broke out in late January 1995, Assinovskaya had a mixed Chechen-Ingush-Russian population of about 10,000 people. While Russian forces bombed the villages of Bamut and Arshty to the southwest in early January in an attempt to attack Chechen fighters purportedly based in the village, Human Rights Watch/Helsinki researchers who visited Assinovskaya on January 10, 1995, found the settlement calm and relatively undisturbed by fighting. After an informal agreement between the elders of Assinovskaya and local Russian commanders collapsed, it was subjected to an attack by Russian forces and then to looting. One resident who returned to Assinovskaya on February 16 to try to retrieve personal belongings reported, "We drove along 11th Red Army Street, the main road in the village, and houses on both sides of the street were shot up by large caliber machine guns, probably from a BTR.⁶² Doors and the iron gates of larger homes had been broken open, as if a BMP⁶³ had smashed into them. Few people are left, only Russians; all the Chechens have left."⁶⁴ Another resident of Sernovodsk, about ten kilometers north of Assinovskaya, stated, "In every village, because of what happened in Assinovskaya, all the young men are prepared to fight to the death to prevent another incident like that."⁶⁵

All roads to the village are currently closed by Russian troops, and only those with residence permits for Assinovskaya are allowed to enter. Local residents told us that Russian troops were selling videocassette recorders and television sets for 20-25,000 rubles: "I went to Assinovskaya to identify corpses there, I lost a relative. There I saw soldiers selling electronic equipment for money. There was a videocassette recorder for 20,000 rubles. You can get four bottles of vodka for 20,000 rubles. There were two Cossacks with us from Troitskaya. They offered the Cossacks a VCR for 25,000. The Cossacks said that they didn't have money, but maybe we would like the thing. It was right next to the checkpoint on the road to Assinovskaya."⁶⁶

According to interviews with numerous eyewitnesses who either lived or worked in Assinovskaya, when fighting broke out in Chechnya in mid-December a group of armed Chechen fighters was based in Assinovskaya. The village elders grew uneasy with those military targets in their midst — especially after the bombing of neighboring Arshty and Bamut in early January — and asked the fighters to leave. By mid-January, a deal had been worked out to allow Russian forces to enter the village. According to one villager:

⁶¹ After Chechnya declared independence in November 1991 and the Republic of Ingushetiya was formed a year later, there was no set territorial delineation because of the ethnically-diverse population living in border areas. It was generally agreed that the Republic of Ingushetiya would be comprised of the Nazronovskii, Sunzhenskii, and Malgobegskii regions of the former Checheno-Ingushskaya ASSR.

Some villages however, like Sernovodsk, are largely Chechen, but for administrative reasons still belong to Ingushetiya so that pensioners and civil servants can receive their salary and other payments from Moscow.

⁶² An armored personnel carrier.

⁶³ A BMP is a wheeled, armored personnel carrier.

⁶⁴ Human Rights Watch/Helsinki interview, Sernovodsk, Ingush-Chechen border, February 17, 1995.

⁶⁵ Human Rights Watch/Helsinki interview, Sernovodsk, February 17, 1995. Mozdok, in North Ossetia, is a major Russian military base and detention center for the Chechen conflict.

⁶⁶ Human Rights Watch/Helsinki interview, Nazran, February 13, 1995.

I would not have believed it if I had not seen with my own eyes and experienced what happened and is happening in Assinovskaya. . . . The troops told us that they were only peacekeepers and would not harm us. They asked us to allow them in the village. They announced this intention over loudspeakers and dropped leaflets. The elders of the village trusted the Russian forces and asked the local young fighters not to offer resistance. So the main group of fighters left the village, and maybe seventeen young guys were left. And the idea that these seventeen guys could hold up a Russian column is a fairy tale, but they fought a bit. It's true that these seventeen guys had modern weapons, RPGs,⁶⁷ mortars, and AKs. But then the elders told them that they would bring misfortune to the village and asked them to let the Russian troops enter. So they let the troops in, maybe around January 16 or 17. And the troops behaved themselves until they dug in and surrounded the village, cutting it off from Achkoi-Martan and the surrounding villages. Before then one could exit and enter the village more or less without a problem. Then columns of armored vehicles started to drive up and down the streets of the village. Anyone can confirm this. And they had a task, for example, which was to round up any young people, kids, and say, "These are Dudayev fighters."⁶⁸

Once Russian forces entered the village, looting and disorderly conduct seems to have quickly broken out. What is more, Human Rights Watch/Helsinki received one report of the premeditated murder of a civilian by Russian soldiers in the village, as well as the intentional shooting in the direction of civilians during the looting. This most likely was retribution for the resistance offered by the small group of seventeen Chechen fighters that had remained in or near the village. One resident told us, "When the soldiers came, they said there would be order, that no one should leave, there would be order. But then when they came, they fought a whole day, the seventeen fought back."⁶⁹ Elza, a thirty-year-old Chechen resident of Assinovskaya, confirmed other accounts of Russian conduct in the village, stating that the Russian "peacekeepers" behaved themselves while digging in around the village but then ran amok as soon as their positions were completed. She told Human Rights Watch/Helsinki:

Nothing is left in our home. All the food I had stored up for winter. I hid everything under the hay in our courtyard. One soldier burned this and everything went up in flames. They broke our television, they took my gold ring, which was made of seven grams of gold. I don't know what type of soldiers they were, but the bastards wore black masks.

They came, they looked things over, saw the ring, and then said, "Go ahead, give over the ring." "If you want to live, give me the ring." So I took the ring off and gave it to them. I asked them, "Why do you have to abuse us?" But the soldiers just laughed like hyenas. They also took three large rugs. They took the cows, slaughtered them, and threw them on the truck. They took everything, they didn't even leave a glass in my home. If you want to go and check, go. All the neighboring houses were also looted. What they don't take with them, they shoot the hell out of with automatics. They said, "People are dying from hunger in Moscow, and you live like this." If there is a home that people have left and the gates are closed, they use a BTR to open the gates, or if they can't get in that way they shoot off the lock and throw a grenade in. I saw it with my own eyes, it was amazing that they would do it like that.⁷⁰

Human Rights Watch/Helsinki spoke with an Ingush policeman who patrolled the area and remained in Assinovskaya until January 23, 1995. He reported that many Chechens left the village after the Russian troops entered, and about 50 percent of the homes were empty. Some people managed to take their belongings with them, while others

⁶⁷ Rocket-propelled grenade launcher.

⁶⁸ Human Rights Watch/Helsinki interview, Achkoi-Martan, Chechnya, February 12, 1995.

⁶⁹ Human Rights Watch/Helsinki interview, Achkoi-Martan, Chechnya, February 12, 1995.

⁷⁰ Human Rights Watch/Helsinki interview, Achkoi-Martan, Chechnya, February 12, 1995.

were forced to leave everything. Ethnic Russians, however, remained in the village. According to the policeman, when Russian forces entered the village, chaos broke out. The soldiers who entered the village were not regular army draftees, but from OMON units, older soldiers in their mid-twenties.

They started to search all the homes, including the empty ones. People left because they were afraid for their own lives. Soldiers broke into homes, apartments, I am a detective, and I know that there is a certain procedure for searches, but these soldiers were not guided by any rules. Like bandits they broke into homes, ripped everything apart, broke things, stole. Especially along Bakin Street and Soviet Street. They took the most expensive things, while holding the owner of the home with his face against the wall. But normally, searches should be conducted with the owner of the home and another witness. In some homes, the soldiers broke down the gates and doors with rifle fire or grenades. You can see the holes in the door. Or they used BTRs to simply break down the door.⁷¹

Another resident of Assinovskaya, Mustafa T., was the head of the local collective farm in Achkoi-Martan until he retired several years ago. He remained in the village until the first few days of February, when, according to him, Russian troops went on a rampage, shot at and looted his house, and murdered his friend, Vasilii Talichev, an ethnic Russian resident of the village. According to Mustafa, Talichev had good relations with the soldiers, drank with them, and tried to protect him from abuse by the troops: "One of Russian residents, the director of the kolkhoz [collective farm] garage, was a good friend of mine. He pointed to me and said [to the soldiers], he's okay, don't touch him. He's a poor guy, he has eight kids."⁷²

Mustafa told us that Russian troops looted basically non-stop from the time they entered the village in mid-January until February 4, when he fled Assinovskaya. Looting was concentrated along 11th Red Army Street, he said, where the wealthier residents lived.⁷³

They had everything, televisions, audio equipment. But now all the houses are destroyed and people say the street is mined. But then people saw how the soldiers looted the houses, taking televisions, rugs, stereos. Everything that was left the soldiers shot the hell out of with their automatics. I saw this also. I was there until the last people left the village. They did it slowly, one street at a time. I'll tell you how they did it. They pulled a Ural military truck to the house and loaded it up. Other people also witnessed this. They didn't steal furniture.

On the night of February 3, however, soldiers arrived at Mustafa's house. They shot at it, shattering windows and sending his family fleeing in terror for cover. According to him:

At around 4:40 P.M. before curfew, two soldiers came, one with a pistol and one with an AK-47. They told my wife, who was standing outside, to go in the house. But curfew didn't begin until 5:30. We covered the windows that faced the street where there was a school, but the soldiers broke the windows and APCs were there. And at 5:00 they began to shoot at our house from the APCs. And incendiary bullets entered through the windows. I thought it happened by accident. The bullets hit the couch, where grandmother was lying. I crawled along the floor to put out the fire from the bullets. I told grandmother to get off the couch.

I then picked up the mattress and put it in the windows to protect us from the firing. I put all the pillows there also. I told everyone to get on the ground. They fired at our house, the post office, and

⁷¹ Human Rights Watch/Helsinki interview, Sernovodsk, Ingush-Chechen border, February 17, 1995.

⁷² Human Rights Watch/Helsinki interview, Achkoi-Martan, Chechnya, February 12, 1995.

⁷³ The 11th Red Army is the unit that deported the Chechens and Ingush in February 1944.

the store. They fired all night till about 7:30 A.M. And the worst thing was that a sniper was searching for us and firing at us. The next morning I thought that if they fire a shell it would be the end.

The attack on Mustafa's house enraged his Russian friend Vasili Talichev, who thought Mustafa had been killed. He went to the Russian troops and complained furiously. Talichev asked the Russian soldiers, "What kind of justice is this, what have you done? You killed him." But they told him to mind his own business and to clear out.

According to Mustafa, the next night, on February 2, the soldiers killed Talichev in his home at the corner of Bakin and Pavel Musorov streets. Mustafa told us, "When I heard about it, I ran to the center of the village, and his father-in-law was crying and embraced me. He told me to go look for myself what had happened. I went up to the bed and looked at him. He was lying as if he were alive but a bullet had entered his neck and went directly through it. They most likely knew where he slept so they could kill him." Mustafa finally escaped Assinovskaya with the help of some regular army draftees, who helped him through an OMON checkpoint.

Gazi-Yurt, Ingushetiya

Gazi-Yurt lies on the hill overlooking a major road between Nazran, the Ingush capital, and Grozny. Russian military columns often pass along the road on their way to the front in Chechnya. In mid-December, the village was rocketed by helicopters that killed several civilians. When we visited, Russian columns traveling along the road continue to harass the residents of Gazi-Yurt, either by swerving at them in their APCs or firing wildly to frighten them. These gratuitous incidents have seriously intimidated the villagers, with school children afraid to go home at the end of the day.

Human Rights Watch/Helsinki spoke with two teachers at the school in Gazi-Yurt who complained of the harassment. School lets out around 4:00 P.M., the time when a main military column travels along the road. According to these two witnesses, who identified themselves as Zina and Zida:

Because we're up on a hill here, buses will not come to us and we have to walk down to the road. And we usually walk down to the road around 4:00 P.M., when a column of Russian trucks and APCs are coming along headed to Mozdok. Almost every day they fire at us. Two APCs and three trucks. When we're going down the hill we're scared to death. They come along and they fire at us. We're afraid but where can we go? There is no place to hide there. Once there was an incident when children headed to Nazran were standing next to us. The APCs came rumbling by, the children ran up to us terrified and asked what to do, but what could we tell them? We were hiding ourselves. We held them by the hands very closely. We told them to wait, we'll see what happens. They went past us and fired in the air. This occurred on February 9 or 10. After they fired at us, I was a nervous wreck. When a column was returning from Chechnya it fired at the next village down the road, Yandyrka. It was grenade launcher or something. Then they fired with AK-47s farther down the road. I remembered when they fired at the school from a helicopter. The children hid under their desks. How could I teach in such an environment? The children were crying and told us they were afraid. This happened about two weeks ago. Yesterday was the only day when they didn't fire. We even wondered why they didn't fire today. A boy was wounded, Rustam Shavkhoyev. He was shot in the hand. And it cut a vein. They have to operate on him. He was in the hospital for quite some time, but still his hand doesn't function properly. It happened in the middle of January.⁷⁴

BACKGROUND

⁷⁴ Human Rights Watch/Helsinki interview, Gazi-Yurt, Ingushetiya, February 14, 1995.

The Chechens, closely related to the Ingush, are an indigenous Caucasian people. After a series of wars lasting from 1817-1864, the Tsarist government brought Chechnya under its 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.

In November 2, 1991, Chechnya declared independence from Russia under the leadership of a former Air Force General, Dzhokar Dudayev.⁷⁵ 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 was elected president in elections that were riddled with accusations of fraud. 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 after a clash with its members, and governed Chechnya by direct presidential rule. A violent clash between the National Guard, loyal to Dudayev, and the pro-parliament opposition in July 1993 left about 100 people dead.

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 by armed bands in Chechnya struck southern Russia, Moscow announced that it would no longer tolerate Dudayev's regime. On July 29, 1994, the Russian government issued a statement calling the situation in Chechnya "out of control." 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. 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.

⁷⁵The 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.

Fighting did not end when Russian troops raised the Russian flag over the bombed-out presidential palace in Grozny on January 19, 1995. Fighting quickly spread or intensified in areas to the west, south, and east of Grozny. Heavy fighting and bombing occurred in Samashki in far western Chechnya, in Assinovskaya in Ingushetiya, and in Argun and Chechen-Aul, southeast of Grozny. Russian planes bombed deep into Chechnya, hitting the road between Goity and Staryi Atagi. New columns of displaced people were on the move.

On February 13, 1995, cease-fire talks commenced in Ingushetiya between the Russian commander of operations in Chechnya, Colonel General Anatoly Kulikov, and the chief of staff of Chechen Forces, Aslan Maskhadov. Ingush Vice-President Boris Agapov acted as a mediator in the negotiations, which were renewed on February 15 and February 17. The talks dealt exclusively with military matters, and the cease-fire that was agreed on was only partially observed. The cease-fire ended Sunday evening, February 19, 1995, and has not been renewed. A planned exchange of prisoners was not fully carried out.

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Human Rights Watch/Helsinki

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