

RUSSIA / CHECHNYA

A LEGACY OF ABUSE

SUMMARY.....	2
BACKGROUND	4
LEGAL OBLIGATIONS.....	5
MISSING PERSONS, THOSE FORCIBLY DETAINED, AND EXCHANGES	6
Detentions by Russian Forces	7
Detentions by Chechen Forces	9
Amnesty	10
TORTURE IN DETENTION	11
By Russian Forces.....	11
At PAP-I	12
Khankala	13
Samashki and Piatigorsk	16
By the Chechen Side	17
MINES AND DEMINING	17
ACCOUNTABILITY	20
By the Russian Side	20
By the Chechen Side	22
Amnesty	22
CIVIL AND POLITICAL RIGHTS IN POST-WAR CHECHNYA	22
Post-war Summary Executions	23
The Chechnya Criminal Code.....	23

SUMMARY

On Monday, January 27, the people of Chechnya will hold presidential and parliamentary elections, the first since the brutal war ended there last fall. These elections mark the beginning of a new era for Chechnya after twenty months of war and destruction. However, many issues remain unresolved and continue to present an obstacle to establishing long-term respect for human rights and the rule of law. By some accounts, more than 1,400 Chechens and 1,000 Russian servicemen remain missing, yet the Russian parliament has thus far failed to adopt an acceptable amnesty that would release those still forcibly detained by both sides; bartering for individuals continues in spite of an "all for all" prisoner exchange envisaged in the Khasavyurt agreements. Mass graves contain unidentified bodies. Land mines pose a constant threat to civilians. And the complete failure to hold accountable those responsible for crimes against civilians deepens an already profound Chechen mistrust of the Russian government, sets an ugly precedent for the immunity of the military in both Russian and Chechen societies, and serves to perpetuate the notion that humanitarian law guarantees are nothing but a myth.

Tensions between Russia and Chechnya are likely to remain for years to come, especially because the Khasavyurt agreements, which ended the war, did not resolve the question of Chechnya's legal status, but postponed a decision until December 31, 2001. Many of the issues that led to the war will remain great sources of potential conflict.

In addition to resolving the issues related to the war, the new government of Chechnya will be faced with the challenge of creating state institutions that protect the rights of all its citizens. Beyond the war legacy, Chechnya must establish civil rights protections in law and practice. Yet the current criminal code of Chechnya, adopted by the government, contains many provisions sanctioning cruel and unusual punishment and seriously curtailing freedom of expression and opinion.

At this moment of transition, it is incumbent upon both the Russian government and the new government of Chechnya to show good faith by clarifying the whereabouts of those still missing, by adopting an amnesty that will allow those forcibly detained to go home, and by taking concrete steps to hold those responsible for laws of war violations accountable for their crimes. Without a willingness to respect international commitments, there is little hope that the most difficult issues of Chechnya's status can be resolved without again resorting to violence.

Human Rights Watch/Helsinki urges:

The Russian Duma:

- to adopt an amnesty within the guidelines set out in Protocol II additional to the Geneva Conventions, article 6.1. Such an amnesty would provide for the release of those forcibly detained by both sides and would exclude those who committed grave breaches of humanitarian law;

The Russian government:

- to reinvigorate the process of investigating and prosecuting, in full compliance with international law, those responsible for gross humanitarian law violations, especially indiscriminate shelling, targeting civilians, torture, and using civilians as human shields;
- to cooperate fully with the Chechnya Procuracy in order to investigate and prosecute the 342 cases of crimes allegedly committed throughout the war by Russian soldiers which it has compiled and include the Chechnya Procuracy in the investigation of these and other cases;
- in compliance with the Khasavyurt agreements and Protocol II additional to the Geneva Conventions, unilaterally and unconditionally to release all Chechen prisoners held for their alleged participation in rebel activities;

- to provide sincere cooperation in the search for Chechens held in custody for their alleged participation in rebel activities by, among other things, indicating on lists of Chechens in custody the exact dates of arrest and convictions; and
- to fulfill its obligation detailed in the Council of Europe's Parliamentary Assembly Opinion No. 193 (1996), point 7 (vii): "those found responsible for human rights violations will be brought to justice—notably in relation to events in Chechnya."

The Chechnya government:

- in compliance with the Khasavyurt agreements and Protocol II additional to the Geneva Conventions, unilaterally and unconditionally to release all Russian servicemen forcibly detained;
- to thoroughly investigate, and prosecute, in full compliance with international law, individuals responsible for grave breaches of humanitarian law, especially summary executions and hostage-taking;
- to revise the criminal code to eliminate the death penalty and corporal punishment, and to bring it into full compliance with the International Convention on Civil and Political Rights, especially in such areas as the right to freedom of conscience, the right to privacy, and the presumption of innocence; and
- to provide extraordinary security for the Russian federal procuracy and other officials who travel to Chechnya to cooperate in the investigation of war-related crimes.

We further urge:

The Organization for Security and Cooperation in Europe (OSCE)

—Assistance Group in Grozny:

- to condemn in public and private the practice of hostage-taking and using detainees for bargaining purposes; and seek satisfactory responses from the Chechen command on cases as they come to light;
- to insist that both sides unilaterally release all prisoners and hostages as a matter of principle and not based on reciprocity;
- to contract a team of forensic experts, including, if necessary, international experts, to assist Russian state forensic experts in exhuming mass graves and identifying the contents;
- as a matter of priority, to travel extensively in northern Chechnya to examine claims of political persecution against those who opposed the Dudayev independence movement and the current government;
- as a matter of priority, to call on the Chechen side to be responsive to the security needs of non-Chechens in Chechnya;
- to initiate a visit by mine removal experts, if necessary, international experts, to work with the OSCE's Joint Commission to conduct a comprehensive survey of mines locations;
- to produce a mines awareness brochure and distribute it widely throughout Chechnya in Russian and Chechen translation, especially in rural areas; and

The Office of Democratic Institutions and Human Rights:

- to conduct training seminars for the Chechen Procuracy and Ministry of the Interior (MVD) on police recruitment, focusing on the importance of screening out police recruits who were formerly combatants and who violated humanitarian law; on civil rights and law enforcement; and on international human rights

instruments (including the Helsinki Final Act, U.N. conventions, European conventions, and their application in post-war Chechnya. Such seminars should envisage *in situ* follow up by ODIHR or other OSCE bodies.

The U.S. government:

- to incorporate the need for accountability and the mechanisms for accountability in the agenda for U.S.-funded judicial reform projects in Russia;
- to seek guarantees on the release of Chechen prisoners and accountability in the preparation for the March summit meeting between President Clinton and President Boris Yeltsin.

Human Rights Watch/Helsinki takes no position on the question of Chechnya's independence. Our sole concern lies with the protection of civilians and respect for human rights and humanitarian law. We refer to the area as Chechnya, rather than the Chechen Republic or the Chechen Republic of Ichkeria, as a matter of principle to avoid the issue of Chechnya's sovereignty.

BACKGROUND

Twenty months of war devastated the Russian Federation's republic of Chechnya, killing at least 50,000 civilians —about 5 percent of the republic's pre-war population of 1.1 million. Statistics on the number of deaths of Russian servicemen vary: according to an October report, 3,826 Russian troops were killed, 17,892 were wounded and 1,100 were missing in action.¹ A more recent report issued by the Memorial Human Rights Center ("Memorial"), which conducted long-term research compiling lists of the dead and missing, 4,379 Russian servicemen died, 703 were missing or held prisoner, and 705 were reported AWOL.² In addition, 1,432 Chechens remain missing.³ From the very beginning, the war was characterized by massive, appalling violations of humanitarian law. The Russian side indiscriminately and disproportionately shelled and bombed civilian areas⁴; directly attacked civilians during hostilities and during peacetime;⁵ systematically detained males as they were leaving villages, for "filtering"⁶ and tortured or

¹According to Gen. Alexander Lebed, Associated Press, October 3, 1996 - 9:26 a.m. EDT.

² See Memorial Human Rights Center, *The Unknown Soldier of the Caucasus War* (Moscow, 1997). Sergei Osipov, head of the Grozny-based United Commission Department for Prisoners of War, Forcibly Detained and Missing, reported that about 1,000 Russian servicemen were being held prisoner, and between 1,100 and 1,900 were missing. As cited on Russia's Independent Television (NTV) daily news program Today (Segodnya), January 9, 1997, 10:00 p.m. broadcast.

³ Human Rights Watch/Helsinki interview with Khussein Khamidov, chair of Victims of War, Grozny, October 17, 1996.

⁴ See, Human Rights Watch/Helsinki, "Russia's War in Chechnya: Victims Speak Out," *A Human Rights Watch Short Report*, vol. 7, no.1, January 1995; "Russia's War in Chechnya, New Report from the Field," *A Human Rights Watch Short Report*, vol.7, no. 2, January 1995; "Three Months of War in Chechnya," *A Human Rights Watch Short Report*, vol. 7, no. 3, March 1995; "Russia: Partisan War on the Eve of the WWII Commemoration," *A Human Rights Watch Short Report*, vol. 7, no. 8, May 1995, and "Caught in the Crossfire: Civilians in Gudermes and Pervomaiskoe," *A Human Rights Watch Short Report*, vol. 8, no. 3 (D), March 1996.

⁵ See, for example, Memorial Human Rights Center, *By All Available Means: The Russian Federation Ministry of Internal Affairs Operation in the Village of Samashki: April 7-8, 1995*, (Moscow, 1996).

⁶Filtering - the process by which Chechen males were detained in order to ascertain whether they were fighters and to gather intelligence on the Chechen military.

otherwise mistreated these detainees;⁷ used civilians as barter in exchange for servicemen; and in isolated incidents used civilians as human shields⁸. The Chechen side relied on massive hostage-taking as a military strategy, instigated military hostilities in areas full of civilians;⁹ in isolated reported incidents summarily executed prisoners; and used civilian objects as cover for defensive and offensive positions.

Two previous cease-fire agreements — in July 1995, following the Budyennovsk hostage raid, and in June 1996, on the eve of presidential elections in Russia — collapsed soon after they were signed. The Khasavyurt agreements, signed after intense fighting in Grozny threatened utterly to rout Russian forces, have held and are far more comprehensive than their predecessors. As of this writing, nearly all of the 55,000 Russian troops have withdrawn from Chechnya in time for the January 27 presidential election, a key condition of the agreements. Notably, the agreements also called for an “all for all” exchange of those forcibly detained, provided for joint Russian-Chechen command points (hereinafter, joint *kommandaturas*, after the Russian word) to carry out law enforcement functions,¹⁰ and the establishment of a Russian-Chechen United Commission (hereinafter, the United Commission), a political body charged with resolving a range of socio-economic issues, among them, restoring economic relations between Moscow and Chechnya, fighting crime, and post-war reconstruction.

The Khasavyurt agreements postponed a final decision on the legal status of Chechnya until December 31, 2001. Members of the pro-Moscow government, led by Doku Zavgayev, no longer hold high-level positions in public office, but most personnel in the coalition government’s institutions have remained unchanged.

LEGAL OBLIGATIONS

The current legal status of Chechnya is undefined: Russian officials insist that Chechnya is undisputedly a subject of the Russian Federation and that Russian law must apply there; Chechen officials insist on the independence of Chechen government institutions (but are careful to state their willingness to cooperate with Russian governmental and legal bodies) and allow that Russian law may apply so long as it does not contradict Chechen law. Regardless of whether Chechnya is ultimately recognized as an independent state, Human Rights Watch/Helsinki considers that Chechen officials are obligated to uphold those human rights instruments to which Russia is a party.¹¹ Those instruments include, among others, the International Covenant on Civil and Political Rights, the International Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, and the Helsinki Final Act.

⁷ See, Memorial Human Rights Center, *Conditions in Detention in Chechen Republic Conflict Zone. Treatment of Detainees*, (Moscow, 1995). Hereinafter referred to as *Conditions in Detention*.

⁸ See Memorial Human Rights Center, *The Seizure of Hostages and the Use of Civil Population by Federal Troops of Russia as a “Human Shield” During the Armed Conflict in Chechnya*, (Moscow, September 1996).

⁹ Ibid. See also Human Rights Watch/Helsinki, *Caught in the Crossfire*.

¹⁰ These have since been dismantled, with all law enforcement functions transferred to the Chechnya Ministry of Internal Affairs and Procuracy, which investigates and prosecutes most criminal cases and is responsible for legal oversight.

¹¹ See, e.g. The Vienna Convention on State Succession in Respect of Treaties, Art. 34, United Nations Document A/CONF.80/31 of August 22, 1978, as corrected by A/CONF.80/31/Corr.2 of October 27, 1978 (treaty obligations of predecessor State continue in force in successor State formed by separation). The Human Rights Committee has taken the view that human rights treaties such as the ICCPR devolve with the territory, and that States continue to be bound by the obligations under the Covenant entered into by a predecessor state. See, “Human Rights Committee Concludes Review of Report on Hong Kong,” U.N. Information Service press release, October 24, 1995.

During the armed conflict both Russian and Chechen forces were obliged to uphold Common Article 3 of the 1949 Geneva Conventions and Protocol II, to which the Russian Federation is a party, as well as customary international law. The application of these laws does not imply any recognition of the independence of Chechnya or the belligerent status of the Chechen forces; rebel fighters and commanders were, however, bound to observe these standards even though they lacked the capacity to sign the Geneva Conventions.¹² Because the Chechen forces are not recognized as privileged combatants in an international armed conflict, they may be tried and punished by the Russian government for common crimes; nor do they enjoy prisoner of war status under the Geneva Conventions if captured. Russia may, however, agree to treat captives as prisoners of war, and the Chechen forces may do the same. Common Article 3, which governs the conduct of internal armed conflicts, states:

- (1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed *hors de combat* by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

The provision goes on to list specific acts which are prohibited “at any time and in any place whatsoever” with respect to persons who take no active part in hostilities. “Violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture” is the first set of acts explicitly condemned by Article 3. Protocols I and II of the Geneva Conventions elaborate on this and other prohibited acts, such as hostage-taking, as well as the observance of “humane treatment.”

In addition, Russian and Chechen forces are bound by the OSCE Code of Conduct, paragraph 36, which obliges all states involved in internal conflicts to ensure that the use of force by their armed forces “must be commensurate with the needs for enforcement” and that “armed forces will take due care to avoid injury to civilians or their property.”

MISSING PERSONS, THOSE FORCIBLY DETAINED, AND EXCHANGES

The commitment made by a state not only applies to the government but also to any established authorities and private individuals within the national territory; thus they bear the same obligations to the same extent as the state. International Committee of the Red Cross, *Commentary on the Additional Protocols of 1977* (Geneva: International Committee of the Red Cross, 1987) (“ICRC Commentary”), p. 1345.

For the relatives and loved ones of more than 2,400 missing Russian soldiers and Chechens, the anguish of war in Chechnya is not over. A study released in January by Memorial indicated that 703 Russian soldiers and officers were missing or being held by the Chechen side.¹³ As of mid-October, a list of the missing compiled by the nongovernmental organization included 1,432 residents of Chechnya.¹⁴ The true number of missing residents may be much higher, since the list is based not on a comprehensive survey of the population but rather on the reports of relatives and loved ones who sought out and the Search Committee of the United Commission. As many as one-third of those residents of Chechnya and an unknown number of Russian soldiers reported missing may in fact be dead. Since March 1995, Victims of War has participated in the exhumation of 926 bodies from mass graves and successfully learned the identities of 426 of them after forensic examinations were performed in the Russian city of Rostov. More unidentified bodies lay in approximately eighty mass graves within Chechnya,¹⁵ but lack of resources and, according to Mr. Khamidov, the chair of Victims of War, lack of will on the Russian side have thus far prevented exhumations from taking place.¹⁶ Chechnya Procurator Khavazh Serbiyev reported that he expected corpses to be found during the process of road repair and noted that new corpses continually turned up.¹⁷ In addition, district procuracies throughout Chechnya are searching for about 200 missing persons, many of whom also figure on the list. Mass graves containing filtration camp victims are believed to exist elsewhere in Russia.¹⁸ According to, Russian officials in locations where mass graves are thought to exist, in defiance of the October 3, 1996 Chernomyrdin-Yandarbiyev agreement, have hindered the exhumations by claiming they have no bodies or by demanding bribes.¹⁹

Detentions by Russian Forces

A partial analysis, by Victims of War, of 264 of the list of 1,432 reported missing found that, as of October 30, 1996, at least 139 were still being forcibly detained by the Russian side. By crude extrapolation, this might suggest that almost half of those Chechens who are missing are alive and being forcibly detained either on Russian military bases or in Russian lock-ups, pre-trial facilities, or post-conviction prisons. It is entirely unclear, however, how many of these men are in fact alive. Major V. Izmailov, who works for the United Commission's search group, suggested that the debate surrounding an "all-for-all" exchange was absurd because the Chechen men on the list of the missing were "most likely, not among the living," without clarifying whether they had in fact been killed on the battlefield, were shot upon capture, or died in detention.²⁰ Despite the obligation by both sides to release all such individuals, under the Khasavyurt and subsequent agreements and in Protocol II additional to the 1949 Geneva Conventions, exchanges in

¹³ For a list of Russian servicemen missing and held prisoner and for an excellent analysis of the problem see Memorial, *The Unknown Soldier*.

¹⁴ Human Rights Watch/Helsinki interview, Grozny, October 17, 1996. Sixteen of these are children. Russian state forensic medical teams were supposed to send computer programs to Grozny to help identify bodies in mass graves, but as of this writing has not received these programs. According to Russian press reports, which cited no sources, in January 1,300 Chechens and 1,000 Russians remained missing.

¹⁵ Human Rights Watch/Helsinki interview with Khussein Khamidov, Grozny, October 17, 1996.

¹⁶ Russian forensic teams in Rostov identified the bodies.

¹⁷ Human Rights Watch/Helsinki interview with Khavazh Serbiyev, Grozny, October 17, 1996.

¹⁸ Filtration camps were detention centers run by Russian forces ostensibly to weed out Chechen rebels and to gain information rebel activities. Russian forces were notorious for subjecting filtration camp inmates to repeated beatings and torture. See Memorial Human Rights Center, *Conditions in Detention*.

¹⁹ Human Rights Watch/Helsinki interview with Khussein Khamidov, Grozny, October 17, 1996. Chernomyrdin-Yandarbiev Agreement elaborated on the August 31, 1996 Khasavyurt agreements.

²⁰ Interview with Major Izmailov on Press Club, a Russian Public Television (ORT) program, broadcast January 22, 1997

fact occur painfully slowly (see below), and relatives frequently do not know that their loved one has been detained, rather than killed, until after he is released. In addition, Russian authorities have repeatedly presented obstacles to ICRC access to persons detained within the criminal justice system in connection with the conflict by insisting that the ICRC must first get the permission of the presiding judge.

Of a Russian Ministry of Internal Affairs list of 2,000 Chechens in detention in Russia, only nine were cases of individuals sentenced for crimes related to the war and were on the list;²¹ an unknown number of forcibly detained Chechens may well be lost in the Russian criminal justice system, having been seized and then taken for “filtering” outside Chechnya to Mozdok (in North Ossetia), Piatigorsk (in Stavropol district or *krai*) or Stavropol city. They may have been tried and sentenced by a court for their involvement in the war and may be currently serving their prison terms somewhere in Russia²² without benefit of counsel and the ability to contact their relatives.²³

Not all Chechens detained for “filtering” figured in official records because they were illegally detained, which further complicates exchanges and the search for the missing. In March, for example, Russian forces illegally detained three Chechens at the Khankala military base for thirteen days, including Ramzan Akhmedov, for questioning and then exchanged them for five Russian servicemen. Human Rights Watch/Helsinki believes the detention was illegal because at the time, the PAP-I filtration camp was still operating, and presumably Chechens suspected of rebel activities should have been brought there for questioning. Even more telling was the conduct of Russian forces who participated in the exchange. According to Sultan Kacheyev, the Chechen field commander who sought their exchange, “We got through to [commander of Russian forces in Chechnya] Tikhomirov, and they told us officially, they came to us in two APCs, showed us [our guys’] pictures, and said that if we started to look for other channels [to do the exchange] then we’ll make it so you won’t find them. What other channels? Those that are [over their heads]. There’s the prisoner of war commission, we could have gone through them.”²⁴ Because an official exchange commission might have established that the three Chechens had been illegally detained, the commander in charge of Khankala could have been held criminally responsible.²⁵

Some of the missing were initially detained by Russian forces as late as August, shortly before the cease-fire agreement was reached. Aslambek Karmayev, for example, reported to Human Rights Watch/Helsinki that on August 24, 1996, a group of Russian soldiers detained his father, sixty-seven-year-old Alexei, in the courtyard of his neighbors’ home in Grozny. Aleksei Karmayev had previously complained of looting to the headquarters of the nearby 276th Motorized Regiment and sought to have his property returned to him. Mr. Karmayev’s television was returned to him on the morning of August 24, and in the evening,²⁶ Aslambek Karmayev told Human Rights Watch/Helsinki:

²¹ According to a list of 2,000 Chechens in detention that the Russian side gave Victims of War on October 16, 1996.

²² See Masha Gessen, “Mothers in Arms,” *The New Republic*, Washington D.C. September 16 & 23, 1996, pp. 20-21.

²³ The Chechen side is deeply suspicious of the list of 2,000 ethnic Chechens in prison provided by the Russian government. This is due in part to half-baked efforts by the Russian Corrections Department to cooperate in finding those on Mr. Khamidov’s list of more than 1,300 missing after the June 1996 cease-fire. The Corrections Department responded that forty such individuals had been in detention but were released, although they all had been both detained and released *before* 1993, obviously having had nothing to do with the war. No information whatsoever had been proffered on the current whereabouts of any of the 1,300. Human Rights Watch/Helsinki interview with Olga Trusevich, Memorial Human Rights Center, October 30, 1996.

²⁴ Human Rights Watch/Helsinki interview with Chechen field commander Sultan Kacheyev, Starye Atagi, October 18, 1996.

²⁵ Human Rights Watch/Helsinki is grateful to Aleksandr Cherkassov, a member of the Memorial Human Rights Center Search Project, for this insight.

²⁶ Human Rights Watch/Helsinki interview, Grozny, October 15, 1996.

It was around [6:00 p.m.]. There were eight servicemen from the 276th Motorized Division . . . they took my father away from the courtyard of building 28 on Kommunistichskaya Street. My neighbor who lives in that building told me. They were looking after [my father]. The neighbors saw it happen . . . they were sitting on the bench with other elderly people. There was a lot of looting here on the 20th, 21st, and 22nd [of August], . . . and he was trying to stop it. [He would go to the headquarters] of the 276th's headquarters on Kabardinskii Street, in the macaroni factory.

Oleg Skorikov, a retired man, was sitting in the courtyard the day Aslambek Karmayev was taken away. He told Human Rights Watch/Helsinki:

It was evening. I had got up and was walking to the door of my building, when I saw eight [soldiers]. They were walking right up to the bench, they went right up to him and said, "Come on, let's step aside." And he said, "What for? Tell me what it is you want." He wouldn't go with them. They insisted, and . . . he still didn't want to. Then they took him from both sides, under his arms. He showed them his identification as an invalid, but they took him anyway and brought him right to the gates of our building. . . They didn't say who they were. They just walked right up to him.²⁷

Larisa Petrovna, another eyewitness, tried to talk the soldiers into releasing Aslambek Karmayev:

They were all Russian [soldiers]. When Karmayev said that he would talk only to the commander, one of them, a man wearing glasses, said, "I'm the commander. Let's go. What's the matter with you, you can't obey an order?" Karmayev said, "I'm an invalid." And [the man wearing glasses] said, "Don't pull that with us." I also started to say, "What are you taking him away for? I thought they wanted money . . . and then said, "Guys, maybe it's money you need, maybe we can pay you?" But he said, "No, we don't need any money."²⁸

A third eyewitness, Nina Dmitrievna Gabisova, identified the "commander" as having thick-lensed glasses and stated that he was wearing a green kerchief. She confirmed the account provided by other eyewitnesses:

He said hello to us and went up to Aleksei and said, "Papa, we need to talk to you." He said, "Let's talk." "No not here. Let's step aside." Karmayev said, "Let's talk here. I don't want to talk to you. We have nothing to talk about." That's what he said. And [the soldier] said, "Come on, let's step aside." We didn't know who they were. The [other soldiers] were standing near the doorway with their guns. As the events were unfolding, Mrs. Gabisova called a neighbor to contact the commander of the 276th Regiment, but by the time the neighbors had gotten through, by radio, to the base, Aleksei Karmayev was gone.²⁹

Detentions by Chechen Forces

²⁷ Human Rights Watch/Helsinki interview, Grozny, October 15, 1996.

²⁸ Human Rights Watch/Helsinki interview, Grozny, October 15, 1996.

²⁹ Human Rights Watch/Helsinki interview, Grozny, October 15, 1996.

As of mid-January 1997, the Chechen side held prisoner between 700 and 1,000 Russian soldiers and officers.³⁰ According to Memorial, the only centralized camp for Russian prisoners, created in January 1996, in Staryi Achkoi, was evacuated when the village came under Russian bombardment and shifted location seventeen times. Conditions were quite rough, many prisoners were beaten, and approximately one-third of the camp's 150 inmates—many of whom were civilians—did not survive through the end of the war.³¹ Especially in the latter phases of the war, however, Russian prisoners were not held in a centralized location; rather, they were and remain scattered among field commanders and private families and beyond the control of central Chechen authorities. General Aslan Maskhadov, then head of Chechen forces and currently the front-running candidate for the Chechnya presidency, told Human Rights Watch/Helsinki, "We gave orders to all commanders to provide all information about prisoners, and they produced this information."³² However, the lack of a centralized list of, and a centralized holding place for, Russian prisoners in Chechen detention, creates havoc for establishing the true number of Russian missing and for their exchange. General Maskhadov also acknowledged that Chechen families may be holding prisoners in their homes. Human Rights Watch/Helsinki received an alarming first-hand report of a family that had "privately" seized and was holding a Russian soldier as an "insurance policy" until their relative was returned by the enemy side.³³ This illegal practice is believed to be widespread in Chechnya. Both private families and commanders move Russian soldiers from one place to another, which further complicates the process of finding missing soldiers. Human Rights Watch/Helsinki interviewed the mother of one such soldier, K.O. (born 1979), whom Chechen fighters had captured in Urus-Martan in December 1995 and then transferred to another unit in Argun in February 1996.

He was a conscript, he is from a unit from Krasnodarski krai. I found out that he was captured alive together with at least three others. One of them was exchanged and two were handed over by authorities in the presence of the press at the end of February 1996. The released soldiers said that K. was executed. I was in the kommandatura where the handover took place and talked to the commander, Duka Makhayev [now dead], who vowed to me that K. was not executed. His deputy, Maj. Lecho Beksultanbayev, said K. was just handed over to a group [of fighters] near Argun, although it was not made clear which one.³⁴

Finally, the many mass graves in Chechnya are likely to contain the bodies of Russian soldiers.³⁵ Soldiers' mothers on a desperate search to find their sons literally lived at the Khankala military base and routinely attend exhumations.³⁶ One such mother told Human Rights Watch/Helsinki that in ten months, only ten mothers had found their sons alive.

Amnesty

³⁰ For a list of Russian servicemen missing and held prisoner and for an excellent analysis of the problem, see Memorial, *The Unknown Soldier*.

³¹ *Ibid*, p. 32.

³² Human Rights Watch/Helsinki interview, Argun, October 16, 1996.

³³ The source requested anonymity.

³⁴ Human Rights Watch/Helsinki interview, Argun, October 16, 1996. Each of the five mothers interviewed by Human Rights Watch/Helsinki requested anonymity. Hence we have changed the initials of the conscript here.

³⁵ Press reports frequently alleged that Russian forces dumped the bodies of their own soldiers, unidentified, into mass graves.

³⁶ At the time of the Human Rights Watch/Helsinki mission, between seventy and eighty women were living at Khankala, and many more lived elsewhere in Chechnya as they searched for their sons. Khankala has since been closed as a Russian military base.

In the Khasavyurt agreements, both sides specifically agreed to an “all for all” exchange of prisoners to be carried out at the end of the war. Despite this commitment, many persons remain forcibly detained and the process of exchange, now under the authority of the United Commission, has proceeded haltingly because of obstruction by both parties. Neither side has a centralized list of detainees and both sides claim not to be holding any more detainees. Instead, an unacceptable “barter” for individuals has resulted, with both sides continuing to take hostages to increase their leverage.

International law recognizes the importance of bringing to an end the detention of persons captured during a conflict once that conflict ends. Protocol II additional to the Geneva Conventions, which deals with non-international conflicts, in Article 6(5) instructs “the authorities in power . . . to grant the broadest possible amnesty to persons who have participated in the armed conflict, or those deprived of their liberty for reasons related to the armed conflict.” The State Duma, as well as other institutions of the Russian government, has not applied Article 6(5) because it does not consider the war in Chechnya to be a non-international armed conflict to which the Geneva Conventions would apply.³⁷ If the Russian government and Duma had applied international law, an amnesty would have been worded accordingly so as to release those who had taken part in rebel activities, those who had gone AWOL, and the like, while at the same time excluding, among others, those who had committed serious violations of Protocol II and article 3 common to the Geneva Conventions. However, as a result of failing to apply international law and refusing to adopt an amnesty into national law, no post-war amnesty is in place.

Given the absence of a mutual commitment to an “all for all” exchange, the failure by the Russian Duma to an amnesty presents an especially serious obstacle to ending the detention for those still held. Many have called for such an amnesty, including the families of Russian soldiers believed still to be held by the authorities of Chechnya, because they believe that their sons will never be released by the Chechens unless the Russians also agree to release those Chechens still in detention.

The State Duma has drafted an amnesty. Unfortunately, however, it applies only to Russian servicemen and therefore does nothing to facilitate the exchange of those still detained or the resolution of their cases. Indeed, the draft is nearly identical to amnesties granted in honor of major public holidays, such as World War II Victory Day, and provides for the release from custody of men over the age of sixty, women with children under eighteen, minors who are serving sentences of three years or less, and reduces prison terms for certain categories of prisoners. No mention is made of the war in Chechnya or the Geneva Conventions, and only article 1(a) mentions servicemen, granting amnesty to those “who have served in the army or who have served in action to defend the Motherland.”

Excluded from the amnesty are those convicted under forty-two articles of the Russian criminal code, including treason, espionage, terrorism, pre-meditated murder or bodily harm, rape, and more significantly, malicious “hooliganism,” illegal possession of weapons, and banditry. Just as it is unclear how many Chechens detained at filtration points or taken prisoner remain in the criminal justice system strictly for their participation or alleged participation in rebel activities, the Russian government has failed to specify under which articles they were tried and convicted, although in all likelihood these were murder, banditry and illegal possession of weapons. The amnesty as currently written deprives Russian criminal justice officials of the legal grounds upon which to release those Chechens currently held in custody for their participation or alleged participation in the fighting.

TORTURE IN DETENTION

By Russian Forces

³⁷ In a ruling on the constitutionality of the presidential decrees that served as the legal basis for military operation in Chechnya, the Russian Constitutional Court noted that the Protocol II applies to Chechnya. The Soviet Union ratified Protocol II in 1989 but did not adopt it as legislation. See *Rossiiskaya Gazeta*, August 11, 1995, p. 3

Throughout the war, Russian forces systematically beat, tortured or otherwise mistreated Chechens in captivity, blatantly violating Russia's obligations under the Geneva Conventions and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Russian forces held Chechens in so-called filtration camps or "filtration points." Russian and international human rights organizations and inter-governmental organizations condemned torture in these camps.³⁸ By the summer of 1996, most official filtration points in and near Chechnya were closed, but recent Human Rights Watch/Helsinki interviews with victims confirm that Russian forces, obviously undaunted by any threat of being held criminally responsible for their actions, had continued to torture Chechen captives at PAP-1, the one remaining official filtration camp in Grozny,³⁹ at "unofficial" filtration points, at the Khankala military base,⁴⁰ and in the filtration point in Piatigorsk. Because so many Chechens may remain in detention, and because the Russian Ministry of Internal Affairs has failed to respond adequately to documentation of torture in detention, the subject warrants the continued attention of the international community.

At PAP-I

I.K. was detained in PAP-1 filtration camp in Grozny in May 1996. He reported to Human Rights Watch/Helsinki that he and about seventeen other men were detained by Russian troops as they were repairing heating pipes in the center of Grozny. Upon his arrival at PAP-1 he was beaten for a half-hour, mostly across his back, kidneys, and ribs. Upon his release he was forced to sign a statement claiming that he had not been beaten. He told Human Rights Watch/Helsinki how he had been seized:

It was morning, 9:00 a.m.. They were MVD [Ministry of Internal Affairs] troops wearing spotted, camouflage uniforms. I don't know how many there were, but the entire neighborhood was surrounded. They jumped out. They took everyone who was in the neighborhood at the time, about seventeen or twenty. They gave it to us with rifle butts, made us lie on the ground. Took our documents, then they loaded us up on the car and took us to the GUOSH [operations headquarters].⁴¹

Once at the operations headquarters, the captives were put in a cell. Each man was later called for questioning: "They would put a sweater on our heads and lead us off somewhere," I.K. told Human Rights Watch/Helsinki. "They would ask us what we were doing, who had hired us. When they questioned us, their tone was all right. But when we got back outside they decided we were rebels." Toward evening, the group was taken to PAP-I. "They loaded us into APCs. Nine of us in one APC. When they reached PAP-I,

They unloaded us. Put us on our knees. They lifted each of us up and looked at our faces. They also beat us up. All of us. With no reason, just like that. Not on the face, mostly on the ribs, back, and kidneys. They beat me on the ribs, I don't know if I was cut, but it hurt for two or three months. They also said profane things. Then they brought us all to a cell, and called us out one by one for questioning. The cell was about five square meters, and there were nine of us in it. Then after we were questioned they put us in different cells.

During questioning they said that we could leave the "filter" only if our relatives brought weapons or [Russian] prisoners for exchange. The next day when it got dark we signed a paper that said we

³⁸ See, Memorial Human Rights Center, *Conditions in Detention in Chechen Republic Conflict Zone. Treatment of Detainees* (Moscow, 1995).

³⁹ PAP-1 was closed in June 1996.

⁴⁰ By mid-January 1997, the Russian base at Khankala had been entirely dismantled; the area was turned over to Chechen forces for use as a Chechen military base.

⁴¹ Human Rights Watch/Helsinki interview with I.K., Grozny, October 13, 1996.

weren't beaten, that we have no complaints. They put a sweater on our heads and led us out the door. They kept all my documents. My driver's licence and car registration. They gave my passport back.⁴²

A certain Dr. Shamashan, who treated I.K. in Grozny after his release confirmed that a rib had been broken, that he had suffered damage to his chest cage and multiple contusions and bruises, and that he must have been beaten routinely.⁴³

⁴²Ibid.

⁴³Human Rights Watch/Helsinki interview, Grozny, October 13, 1996.

Movsar Tembulatov, chief doctor of city Hospital No. 9 in Grozny, described to Human Rights Watch/Helsinki the case of a thirty-year-old patient who had sought treatment in early 1996 after having been severely beaten in a filtration point, presumably PAP-1. The man had been hung horizontally “like a sheep” and beaten all over. Dr. Tembulatov testified that the man’s groin and hips were completely black and that he had sustained broken ribs.⁴⁴

At Khankala

Russian forces detained thirty-nine-year-old Saidash Shamakhurov at the Khankala base, beat him for twelve days, causing him to lose consciousness repeatedly, breaking four ribs, inflicting bruises and multiple contusions, and causing open wounds in the area under his shoulders and around his kidneys. In addition to beating Mr. Shamakhurov, the Russian military interrogators reportedly stuck needles under his fingernails and forced him to the ground in a split while kicking him. His tormentors, who wore masks, were attempting to make him confess to being a rebel commander and to reveal the locations of Russian prisoners of war. At one point during his detention, a senior Russian officer visited Mr. Shamakhurov, and clearly had knowledge of the torture he had been subjected to but apparently did nothing to stop it or to punish the perpetrators.

Mr. Shamakhurov told Human Rights Watch/Helsinki that he was seized in the village of Gikalovo, in the Urus-Martan district, on April 7:

After they looked at my documents, the senior person in the group told me I had to go to Khankala to get more details on my identification. I drove myself to the base, two guys in masks and one conscript got in the car with me, and the car was surrounded. When we got to the checkpoint at Khankala, after we drove in, they blindfolded me and put me in the back seat . . . And right away, with no questions asked, without any warning, they started hitting me with their automatic butts — on my kidneys, they were kicking me, demanding that I get on my knees. Each time I would say that there must be some misunderstanding, that I was a deeply peaceful person.

They were asking me, “Where are the rebels? Where are the prisoners?” I said, “How should I know? You have your secrets and they have theirs.” They blindfolded me and started to beat me. They forced me down into a split and started kicking me. Pulled out my hair. They broke four of my ribs and pulled out my hair. They literally took me by the hair and beat my face on the ground. When I lost consciousness they dragged me to some underground cell — I never figured out what it was — and I lay there for two days. On the third day, when I regained consciousness, they brought me there again. They put a tape recorder down and demanded, “Ask your !@\$-ing commander to exchange you for fifteen soldiers and forty-eight construction workers.” I said, “How can I ask a rebel commander that if you can’t agree on it among yourselves?” Every time I would say something they would start beating me up. They said that if [the Chechen side] was interested in saving my life, they would go for the exchange. They would punch and kick. Usually they would take me and hit me on the head, but I don’t know what they had in their hands. It wasn’t their fist. They would hit me and when I would fall they would pick me up by the hair and [smash] my face to the ground.

They would push needles under my fingernails. Right under my fingernails, until they turned black. Look, you can see the marks they left. I couldn’t see what [the needles] looked like because I was blindfolded. They would stop only when you lost consciousness.

It seemed there was an investigator, because he was asking questions. He was wearing a mask. The people who brought me there were also wearing masks. They kept me blindfolded. They were trying to prove that I was related to some of the rebels. I said that one of my distant relatives was married to the [rebel] commander’s younger brother. . . Then the same picture: again they beat me up and gave me a piece of black bread and tea once a day.

⁴⁴Human Rights Watch/Helsinki interview. Grozny, October 13, 1996.

They told me nothing whatsoever about where I was and on what grounds I was being detained. . . . Once, on the 17th or 18th [of April] someone came to see me in my cell, probably an officer, and asked how they were treating me, how they were feeding me and said, "I'm sorry, but I can't give you any information [about your case]." I told him what they did to me. I had cuts and bruises, on my face. I told him they pulled out my hair, broke my ribs and my clothes were all bloody. He saw it perfectly well. He saw the shape I was in. They had to hold me up the first week, I couldn't stand up. He said that kind of treatment would stop. But it continued after he left. And that officer never came back again.⁴⁵

On April 27, Mr. Shamakhurov was exchanged for a conscript whose mother had lobbied General Tikhomirov's office very actively for the release of her son. He required two months of hospital treatment and a month of bed rest to recover: "My whole body was sick and I had an i.v. My arms and legs were black and blue, . . . my ribs were broken, my kidneys were damaged. There was damage under my shoulder blade, and the skin was torn over my kidneys. For a month and a half I was in a hospital [in Chechnya] and for two weeks in a hospital in Nalchik."⁴⁶

While his tormentors wore masks, Mr. Shamakhurov believed they were not regular MVD or Ministry of Defense troops, but rather from a special intelligence unit under the Presidential Guards. One of the many times the captors tried to force him to make a tape recording begging to be exchanged, his captors assured him that he could be exchanged only under their conditions, "We have nothing to do with the federal command, with Tikhomirov or Zavgayev, none of them will be able to get you away from us. We answer to [Gen. Alexander] Korzhakov [head of the Presidential Guards]. The only thing you can do is beg the rebel commander to agree to our conditions," they said, according to Mr. Shamakhurov.

Russian forces returned Mr. Shamakhurov's car three days later, in exchange for \$2,000 and a conscript who had been held prisoner. "At first they wanted \$3,500. Then they brought the car for \$2,000 and a soldier. They were afraid. The senior person in their group who met with our people was afraid for his own safety. Our guys started a manhunt for them and their two APCs [after I was returned]. [The Russian group] found out about it, and that's why they returned the car.

Ramzan Akhmedov told Human Rights Watch/Helsinki that every day of his thirteen day detention at Khankala, where he was kept in a railroad tank car, he was beaten with a sack over his head. His captors subjected him to a mock execution and skinned his thigh with a knife. Mr. Akhmedov was seized at a Russian checkpoint between Goiti and Starye Atagi:

We were driving. It was the afternoon. We didn't have our documents with us; some of us had our military i.d. cards [from their service in the Soviet military]. We were in the village defense. Our commander drove up, but they wouldn't let him near us. They didn't say anything. They tied our hands and put a sack over our heads, immediately put three of us in an APC and took us away. I didn't even know where we were.

They took us to a railroad car, a tank car. It was ten or twelve meters deep, about ten meters wide. It was wet and filthy. It was all metal, there were no windows. It was right on the Khankala base. In the morning they took me to be questioned. My hands were tied the whole time, until the moment I was exchanged. I don't know who questioned us. They never took their masks off. And we had masks on. After the questioning they would bring me back to the tank car.

[We knew we were at Khankala] because the MVD soldiers said we were at Khankala. And we knew for sure when we heard a helicopter near by, [like] an airport.

⁴⁵ Human Rights Watch/Helsinki interview with Alakhazurovo, October 21, 1996

⁴⁶ Ibid.

They gave us something to eat only on the third day. If I asked them for water they would come and start beating me up. Right from the first day. They beat me up before the interrogation. They would kick me, all over. There were a few men with clubs, some of them kicked. They beat me on the head — everywhere. I was black and blue all over when I [was released]. There was a scar on my eye from when they hit me on the head and in the eye. Every day they would pretend to shoot me but miss. Standing up and lying down. I would be sitting down and they would hold [the gun] right at my forehead. [Even through the sack] you could tell they were putting it [on my forehead].

They tortured me with a knife. They put a knife through [my leg] once . . . They stuck the knife in and pulled it out. They did it slowly , and twice they cut [my skin off], like stripes . . . on the second leg. It was a flat knife. It left a scar. This was the fourth or fifth day. The beatings were every day, if not every hour. Sometimes before the interrogation, sometimes after, it didn't make a difference. When they knifed me, their commander — the one who was always questioning us — was nearby. A major or colonel or something. I don't know his name. Why would they say their names if they don't even take off their masks? He was nearby but would talk as though he wasn't. He said to look and see what was wrong with my leg, but he knew what they were doing. Then a medical instructor tied it up and rubbed some iodine on it.

They would untie our hands for us to eat. They would leave the lid from a soldier's mess-kit with some porridge and slops. For three of us they would fill [the lid] halfway. There were metal benches [to sleep on], about twenty centimeters wide and four meters long.⁴⁷

Mr. Akhmedov and the two others who were kept in the tank car (in addition to the corpses of two Chechens) were exchanged, on March 28, 1996, for five Russian soldiers who reportedly had gone AWOL and were captured by Chechens.

Sultan Kacheyev, the Chechen commander who participated in Mr. Akhmedov's exchange, described to Human Rights Watch/Helsinki the corpses of two Chechens, bruised presumably as the result of beatings, who were exchanged along with Mr. Akhmedov for Russian soldiers:

Every day they would tell us that our guys were getting a bath, that they were being fed, and the like. Eleven APCs came for the exchange, and there were four of us, unarmed . "The slightest move and we'll open fire," they said. "If another car comes — we're opening fire. And when they opened the hatch . . . For all the blood and guts I've seen during this war — I've been through it all — but what I saw there, tears [came out of my eyes]. One was all black and blue and swollen. He had a bayonet wound."⁴⁸

At Samashki and Piatigorsk

⁴⁷Human Rights Watch/Helsinki interview, Starye Atagi, October 18, 1996.

⁴⁸Human Rights Watch/Helsinki interview, Starye Atagi, October 18, 1996.

Before Russian troops re-took control over Samashki in March, they warned civilians to evacuate. Russian troops later detained ninety-one men who had attempted to leave the village after these warnings. Among them was Murat Ganiyev, who told Human Rights Watch/Helsinki that a group of seventy-five men had been held in a sand pit near the village checkpoint and beaten by soldiers before being transported to Piatigorsk, where he himself was blindfolded and beaten before being sent on to Stavropol. He reported that the beatings had caused bruises and open cuts so bad that his shirt had been covered with blood. The details of his detention and beatings and the beatings he witnessed⁴⁹ were confirmed in a June 31 letter from N.T. Saprunov, a military procurator from the Inter-regional Caucasus Military Procuracy to the Chechnya procuracy. The letter stated that of ninety-one Chechen detainees in the Stavropol and Piatigorsk pre-trial facilities, half had sustained open bleeding, cuts, hematomas (mostly to the back, face and legs), and internal bleeding due to beatings inflicted during transport to Piatigorsk.

Mr. Ganiyev, who lives in Kalininskii oblast, outside Chechnya, told Human Rights Watch/Helsinki that he attempted to leave Samashki on March 15:

[T]hey said that all the civilians should leave [the village] because it was going to be stormed. I wanted to leave and went over to the Russian checkpoint No. 13. . . . [I was on a bus.] They told all the men to get off the bus. They sat me in a military car and took me to a pit, and from there, by helicopter to Piatigorsk, and I was there for a month and a half in jail. The pit was a sand pit, like for a construction site. They would call us one by one, and if they didn't like your face, they would beat you up. Not me, but the others. I saw it [happen]. Later in Stavropol they told us that we had resisted and that's why they beat us up. But our hands were tied behind our backs, how could we resist? They blindfolded me with my own scarf. How could I have resisted? They tied my hands when they put us on the helicopter. It was very tight and my hands hurt to this day. They beat us with clubs on our legs, knees, and they still hurt, and it's still hard for me to walk.

They beat me up in Piatigorsk, as soon as we got off the helicopter. They unloaded us from the helicopter around 4:00 p.m. They ran across our backs, did whatever they wanted. They stole our fur hats, leather jackets, even our shoes. If you had money or anything gold, they took that too. Five men would take you, beat you and throw you into a car. They put us in a cell and beat us up again. We were blindfolded.

In the morning they took us to Stavropol — forty-six of us — and beat us in the [truck] too. We were in a prison transport truck [*avtozek*]. In Stavropol they didn't beat us, they treated us well. The head of the prison warned the guards right away not to touch us. They fed us three times a day, gave us time outside every day, except on Friday, that was bath day.

A doctor came to see us, took blood samples from our veins and fingerprints. The doctors asked us where we had been beaten, because we all had bruises all over. All my skin was bruised and my shirt was full of blood from the cuts on my body. My legs were swollen throughout the month and a half we were in jail, and I still can't walk right. The doctor would examine ten of us at a time, all of us had been beaten. One of them, his nose was broken. [The doctor] gave us some aspirin and would come to see us every day, except weekends.

In Stavropol they asked detailed questions about who I was. They asked if any of us were fighters. "Say who they are, and we'll let you out," they would say. I told them I didn't know anything, I'm from Kalininskii oblast, I came [to Chechnya] recently for my mother's funeral and the war started. I'm neither here nor there. I was defending my home. I told them I wasn't a fighter. I have bad vision. It

⁴⁹The beatings he witnessed in Piatigorsk were by sound only, as he was blindfolded. Human Rights Watch/Helsinki interview, Samashki, October 14, 1996.

was bad when I served in the army and it's worse now. They said that if I said I was a fighter they would release the other forty-six. The only thing they gave us to sign was our release papers.⁵⁰

By the Chechen Side

⁵⁰Human Rights Watch/Helsinki interview with Mr. Ganiyev, Samashki, October 14, 1996.

During its mission, Human Rights Watch/Helsinki was unfortunately unable to interview Russian federal soldiers or civilians who had been held by the Chechen side.⁵¹ We rely therefore on the observations made by the Memorial Human Rights Center Search Project. The Search Project identified many cases and camp locations and time periods where inmates were treated well, and also pointed out cases in which inmates were beaten or tortured. As an example of the latter, Minister of Interior Kazbek Makhashov acknowledged that Chechen guards had beaten inmates at the camp that had evacuated from Stayi Achkoi to the mountains during the period from March to May 1996.⁵² A group of sixteen prisoners captured by Adam Beybulatov's unit in Grozny in August 1996 were reportedly tortured during the time they were detained in Shali.⁵³

The Memorial report notes several cases in which the Chechen beat, tortured or summarily executed Russian prisoners early on in the war. In particular, at some point after January 27, 1995, Russian prisoners held in the Shali DGB (Chechnya Department of State Security) pretrial detention facility were beaten. Notably, the took place after the first Chechens were released from Russian filtration camps and it had become evident that they had been beaten and tortured there. On May 27 1995, field commander Ruslan Gelayev threatened to kill five Russian prisoners per day until Russian forces ceased the bombing of the Chechen mountain stronghold of Shatoi. According to the Memorial report and numerous press reports the Chechen side executed eight Russian prisoners in carrying out this threat. The report also notes two other deaths among prisoners in 1995, attributing them to the lack of centralization of prisoners and the failure of a comprehensive exchange to take place following the July 1995 cease-fire. The report does not indicated whether or not they had been tortured or executed.⁵⁴

MINES AND DEMINING

Both parties to the conflict widely used anti-personnel and anti-tank mines as a defense tactic to protect bases, roads, checkpoints and other strategic areas. Authoritative international organizations believed that for the most part both sides used mines within the framework of military strategy, and that mines were not used in a manner intended to harm civilians.⁵⁵ However, the failure adequately to mark off mined areas, sloppy demining, and the inherently indiscriminate nature of land mines contributed to as many as 500 civilian mine casualties during the first year of the war, according to international relief organizations.⁵⁶ After the conclusion of the Khasavyurt agreement, the United Commission facilitated an agreement between the two parties on demining. The process to date, however, has been disorganized, according to a member of the international community in Grozny.

⁵¹Major Gen. Nikolai Shvetsov, then co-commander of the central joint kommandatura, declined our request for assistance in locating two Russian prisoners released during our field mission, expressing fear that interviewing them — with all guarantees of anonymity, if the soldiers so desired — with the purpose of documenting their conditions in detention would “hinder the process of return.” Human Rights Watch/Helsinki interview, Grozny, October 21, 1996.

⁵² See Memorial, *The Unknown Soldier*, p. 32.

⁵³ Ibid, p. 33

⁵⁴Ibid, p. 30-31

⁵⁵Source requested anonymity.

⁵⁶Source requested anonymity

A major impediment to the demining processes is that neither Russian nor Chechen forces possess maps of minefields, which perhaps explains why demining occurs in response to individual complaints rather than as a systematic effort. Major Gen. Nikolai Shvetsov, then co-commander of the joint kommandatura, explained to Human Rights Watch/Helsinki that the lack of maps was due both to the hasty withdrawal of Russian forces from their bases throughout Chechnya, during which “everything was lost in the hurry,” and to the fact that for many areas Russian forces never had such maps.⁵⁷ Demining teams duly respond to reports of mines: during the five-day period prior to Human Rights Watch/Helsinki’s mission, for example, four locations had been demined on the basis of individual complaints. Yet this rather haphazard approach to demining poses obvious dangers for civilians, especially in rural areas where entire fields may be mined. The threat of civilian deaths and injuries will increase with time, as people forget where minefields were once located.

It is difficult to ascertain the number of mine victims, for two reasons. First, not all hospitals differentiate between grenades, previously unexploded shells, and mines as cause of injury. Second, patients themselves often do not know what explosive device caused their injury.⁵⁸ Civilian mine casualties are not yet at a crisis level, but their occurrence, according to some experts, is expected to account for a greater share of hospital patients as time goes on. This is all the more tragic because they are preventable. Human Rights Watch/Helsinki learned, for example, of three children who had become mine casualties after the end of hostilities in August. A boy who had been playing with a mine was brought to the ICRC hospital in Novye Atagi at the end of August. He lost his right arm, leg, and groin, and a lot of blood. While hospital staff did everything they could to stabilize him, he died in surgery. Two young boys had also been transferred to the Novye Atagi hospital from the pediatric hospital for mine shrapnel injuries, although it was unclear exactly when the injuries occurred.⁵⁹

Sheta Maksutov, a shepherd, lost his right leg to a mine explosion on October 6, 1996, as he was herding sheep in the Andreev valley near Grozny. He reported to Human Rights Watch/Helsinki that he had been through that spot previously but had never seen anything suspicious:

But then on October 6, sometime in the afternoon . . . There was one sheep I wanted to drive off, she ran off through a fence. I grabbed it with both hands [to climb over] and stepped on a mine with my right foot. I didn’t see the mine, it was underground, hidden under some weeds. There was a clicking sound and I knew I stepped on a mine. I stood there for twenty minutes wondering what to do. I knew that as soon as I step off, the mine would explode. Then I put my jacket on, huddled myself up in to a ball and jumped aside, toward the factory. But the mine blew up in a second. I saved my left leg, but I couldn’t save my right leg, I lost it below the knee. I wrapped up my leg with a scarf and called for help.

It was an anti-personnel mine, not an anti-tank mine. There had been a checkpoint 400 meters away. And there was a rubber factory nearby. We had told the soldiers to take the mines away, but they didn’t clear the whole area. It wasn’t just a field, there is also a factory and a brick fence. There was a path, but there wasn’t a road and people [wouldn’t drive] cars through the field. The fence was broken. . . . Soldiers were walking around there all winter, they were clearing the roads and looking for mines, before they were withdrawn. But when they left their checkpoint [for good], we asked them to take the mines away. They said that it wasn’t their job and that there weren’t any mines there.⁶⁰

⁵⁷ Human Rights Watch/Helsinki interview with Major General Alexander Nikolaevich Shevtsov, co-commander of the Joint Kommandatura, Grozny, October 21, 1996. Regarding maps, Major General Shevtsov stated, “I think they do not exist.”

⁵⁸ Human Rights Watch/Helsinki interview with Fernanda Calado, delegate with the ICRC, Novye Atagi, October 20, 1996. Ms. Calado was one of the six ICRC delegates murdered on December 17, 1996. The ICRC withdrew completely from the hospital and from Chechnya after the attack.

⁵⁹ Ibid.

⁶⁰ Human Rights Watch/Helsinki interview with Sheta Maksutov, Novye Atagi, October 20.

Saidari Bekeshev is a farmer whose tractor blew up on an anti-tank mine on September 30 near the Shami-Yurt forest, causing him to lose his leg and killing one of his co-workers. He reported to Human Rights Watch/Helsinki:

We drove out on the tractor. We got there all right, but on the way back we hit [a mine]. There were three of us; one died here, in the hospital. The other received burns, I don't know where he is now. I have burns and had my leg amputated. After the explosion I was on fire. I didn't lose consciousness. I jumped into some water to put out [the fire].

There was some kind of military base in the woods. The checkpoint, it was three kilometers from where we hit the mine. There used to be soldiers there, they would go around on APCs.⁶¹

Tunko Malayev, a farmer from the Veden district, was riding on his tractor when it hit a mine in mid-August 1996, damaging his kidneys, spine and spleen.⁶² Mr. Malayev had great difficulty recalling the events, but told Human Rights Watch/Helsinki, "I was on my tractor, it's on treads, not tires. I don't remember when it was. They said I flew right out of the cab [of the tractor] and landed on the ground. They said I screamed something. They operated on me . . . twice in Shali. Sometime around September 12 they brought me home. That part of my body, it's not normal. I can't even hold a cup [in my hand]."

Mr. Malayev related that while in the Shali hospital, he saw new mine victims brought in just about every day. "There were two of them in my ward, just like me. They're out there herding cows and something exploded. Shrapnel everywhere."

Shaman Gaitiyev witnessed the explosion of Mr. Malayev's tractor, and noted to Human Rights Watch/Helsinki that it took place around 11:00 a.m. in mid-August.

He was riding behind me. I went around the mine. He was behind me. He went to get gas and came through an hour later. I'm sitting and waiting. . . about 150-200 meters away. I hear the sound of his tractor. I turned around and [shouted] for him to follow my tracks. I knew there could be mines there... I heard the explosion, then understood that it was a mine. I ran up... We put him right in a car and took him to the hospital. He was unconscious.

The explosion left a hole about a half a meter wide. It was deep. There wasn't any shrapnel. It was an anti-tank mine. Their base was further up the heights. There wasn't any base or anything there. Just the woods.⁶³

In mid-November, the deaths of eight people due to mine explosions in Bamut (which had been a major Chechen stronghold during much of the war) and Orekhovo raised public awareness about the mortal dangers left by mines.⁶⁴

ACCOUNTABILITY

⁶¹Human Rights Watch/Helsinki interview with Saidari Bekeshev, Novye Atagi, October 20, 1996

⁶² Human Rights Watch/Helsinki interview with Tunko Malayev, Oktyabrskii village, Veden district, October 15, 1996.

⁶³Human Rights Watch/Helsinki interview with Shaman Gaitiyev, Oktyabrskii village Veden district, October 15, 1996

⁶⁴ See RIA-Novosti, "Eight People Blown up by Mines in the Achkoi-Martan District," November 18, 1996.

By the Russian Side

The systematic nature of human rights and humanitarian law violations throughout the conflict is matched by a systematic failure to punish such abuses. The Russian military procuracies have taken some steps to investigate abuse related strictly to common crimes committed against civilians, apart from hostilities or other military operations. But the Russian military and Russian politicians refuse to acknowledge the need to punish individuals for indiscriminate and disproportionate attacks and attacks on civilians that took place during hostilities and other military-type operations. Moreover, during the August 1996 peace negotiations, the Russian side reportedly balked at the notion of including accountability on the agenda, and the efforts of Russian investigatory agencies throughout 1995 and 1996 resulted in a mere handful of convictions. This is shocking given the widespread nature of the abuse.

In June 1996, the Chechen procuracy⁶⁵ investigated and forwarded 342 cases of crimes allegedly committed throughout the war by Russian soldiers to the Military Procuracy in Grozny (which has jurisdiction over the army) and the Inter-regional Northern Caucasus Procuracy (which has jurisdiction over MVD troops and special forces), with a request to investigate them as criminal cases. The largest number of such cases related to alleged direct attacks on civilians (e.g. murders, shootings of shepherds, cutting off of ears, dropping corpses from helicopters). Human Rights Watch/Helsinki took detailed testimony from multiple witnesses to two summary executions in March in the village of Nagorno that were among this group of cases.⁶⁶

Russian military procuracies have failed to cooperate fully with their Chechen counterparts in order to conduct further investigation of the cases.⁶⁷ Procurator General Serbiyev told Human Rights Watch/Helsinki that “a federal delegation came to negotiate with the [us]. This delegation did not include FSB, military procuracy, or the MVD. We discussed organizational questions twice with them, such as having some representatives of the federal government on the commission travel in Chechnya to become acquainted with the situation. Then the commission left.”⁶⁸

Both procuracies returned more than half of these cases to the Chechen procuracy “for further investigation,” although in some cases only military personnel with unfettered access to military bases and archives could hope to conduct such an investigation effectively. The rest of the cases were closed for lack of evidence or were not processed at all. Similarly, the June 30 letter from the Inter-regional Northern Caucasus Procuracy to the Chechen procuracy detailing the beatings of ninety-one Chechen detainees incredibly instructed the Chechen procuracy to determine who had beaten the men, ignoring the fact that the victims were blindfolded and that only a military records book could reveal who had convoy duty on the dates of the beatings.⁶⁹

⁶⁵ Since the list was compiled by the former pro-Moscow procuracy, claims of anti-Russian bias in bringing the cases are not compelling.

⁶⁶ Human Rights Watch/Helsinki interviews with Sergei Davligov, Magomed Jafar, Alpat Aigumova, Nugai Saliyev, and Seip Saidulayev, Grozny, October 20, 1996. The victims were twenty-eight-year-old Iskhan Aigumov and his brother, Sultan, thirty-one years old and a father of four.

⁶⁷ Human Rights Watch/Helsinki interview with Khavazh Serbiyev, October 20, 1996.

⁶⁸ Human Rights Watch/Helsinki interview, October 20, 1996.

⁶⁹ The letter was signed by N.T. Saprunov, procurator for the Interregional Northern Caucasus Procuracy. We are grateful to Procurator General Khavazh Serbiyev for sharing this letter, which is on file at Human Rights Watch/Helsinki.

The office of the main military procuracy of the Russian Federation, reportedly on its own initiative, opened and investigated 1,500 criminal cases against men serving in Chechnya, of which 300 were sent to military courts, more than 350 dismissed, and 600 suspended for “objective” reasons; about seventy men were amnestied.⁷⁰ The majority of these cases involved “premeditated murders, breaches of rules for handling arms, thefts of arms and ammunition, dodging military service and other general criminal offences.” According to the International Helsinki Federation, of the twenty-seven convictions of conscripts and *kontraktniki*⁷¹ reported by the Russian Federation Military Procuracy, most involved breaches of military discipline, drunkenness and the like, and only six of these twenty-seven involved crimes against the civilian population.⁷²

Concerning accountability for war-related crimes, we emphatically underscore the need for criminal and disciplinary penalties for indiscriminate firing, attacks on civilians, hostage-taking, using civilians as human shields, and the like. To give two more recent examples of the latter, Human Rights Watch/Helsinki took credible testimony of two incidents in Samashki, on March 15 and 17, 1996, during which Russian forces, to protect themselves from enemy fire, forced civilians to ride through the village on armored personnel carriers;⁷³ and in Grozny, where from August 9 to 11 about one hundred pinned-down Russian troops took up defensive positions in Hospital No. 9,⁷⁴ and in effect forced the hospital staff and patients to accompany the troops out of their position, to protect them from Chechen fire. This testimony supplements a wealth of similar reports systematically gathered by Memorial.⁷⁵ As of this writing, no effort has been made to investigate or prosecute these crimes. In response to a November 1996 Memorial letter requesting the Main Military Procuracy to investigate the use of human shields in Samashki and Grozny, the Main Military Procuracy stated that the report had been sent to the North Caucasus Military Procuracy “to attach to mass media reports” on the incidents.⁷⁶

By the Chechen Side

⁷⁰ Alexandra Akayeva and Alexander Chuikov, “Main Military Prosecutor’s Office Opened about 1,500 Criminal Cases against Servicemen from Federal Group of Forces,” RIA Novosti (Moscow), October 25, 1996.

⁷¹ A *kontraktnik*, as distinct from a conscript, is a soldier hired on contract by the Russian armed forces.

⁷² See, International Helsinki Federation for Human Rights, “Report to the OSCE: The International Helsinki Federation for Human Rights Fact-Finding Mission to Chechnya; October 1-11, 1996.

⁷³ Human Rights Watch/Helsinki interviews with Baudi Ilyasov and Aladdin Makuyev, Samashki, October 14, 1996.

⁷⁴ Human Rights Watch/Helsinki interviews with Sakhar Bazayeva and Movsar Khalambulatov (deputy chief doctor of Hospital No. 9), Grozny, October 13, 1996.

⁷⁵ Memorial, *Behind the Backs of Civilians*. The report also documents another case of Russian use of human shields in Grozny’s 15th micro district.

⁷⁶ Letter from A.P. Sinitsyn, Military Procurator for the Second Department of the Main Military Procuracy, dated December 10, 1996

The Chechen authorities have no apparent intention to punish their own for such acts as the Budyennovsk and Kizlyar hostage seizures; they apparently do not view these as violations of customary rules of war that they were obliged to uphold. Chechen Procurator General Khavazh Serbiyev attempted to deflect the need for holding presidential candidate Shamil Basayev accountable for the Budyennovsk raid, stating, "Shamil Basayev carried out a raid to Budyennovsk in the period of military actions with the aim of forcing the leadership to stop the war in Chechnya.... Proceeding from this, Basayev's act cannot be qualified as terrorism."⁷⁷ The procurator of the Vedeno district, for example, told Human Rights Watch/Helsinki, "We were criticized for our military operation in Budyennovsk, but we fight with what we have," suggesting that customary rules of warfare have no validity.

Concerning the ill-treatment of Russian prisoners, action was apparently taken to punish those responsible for torture and other cruel treatment. For example, Minister of Internal Affairs Kazbek Makhachov told Memorial that the conduct of the Starye Achkoi camp staff was criminal,⁷⁸ that some of the guards had been shot, and that a search was underway for the chief of the camp. DGB chief Abu Movsayev, however, denied that any wrongdoing had taken place at the camp.⁷⁹ The Memorial report asserts that commander Adam Beybulatov punished those responsible for torturing a group of sixteen prisoners captured by his unit in Grozny in August 1996. The report does not indicate of what exactly the punishment consisted.⁸⁰

Amnesty

Current public discussion of an amnesty for rebel fighters and for servicemen who evaded service in Chechnya and other conflict zones has so far excluded those who committed serious crimes, which includes crimes against civilians. However because this amnesty draft is so deeply flawed (see discussion above), it would surely be a mistake to allow this document to serve as reassurance that the Russian side or Chechen side will prosecute those servicemen—including officers—who committed grave crimes against civilians during the course of hostilities or other military operations. This kind of amnesty utterly ignores the relevance of the Geneva Conventions and the OSCE Code of Military Conduct.

CIVIL AND POLITICAL RIGHTS IN POST-WAR CHECHNYA

In several respects Chechnya requires urgent reform in order to meet with standards of respect for basic rights. There is reason to fear that the legacy of wartime cruelty may leave its stamp on Chechnya's criminal justice system. In the first few weeks after the war ended, for example, Chechen field commanders summarily executed a handful of people for a variety of suspected crimes. The Chechen criminal code currently allows for an alarming level of violent punishment, invasions of privacy, and violations of other basic, internationally recognized human rights. In addition, one must recognize the especially vulnerable position of those ethnic Russians who remain in Chechnya. While the present report does not address this topic future reports most certainly will.

Post-war Summary Executions

⁷⁷ RIA Novosti, January 7, 1997. It is thus a great misfortune that the massive hostage seizures —Budyennovsk in 1995 and Kizlyar in 1996—were conventionally classified as "terrorism" rather than a violation of humanitarian law. Under international humanitarian law, the taking of civilian hostages and violating the sanctity of such civilian structures as hospitals for military gain is categorically forbidden.

⁷⁸ See above.

⁷⁹ See Memorial, *Unknown Soldier*, p. 32, footnote 3.

⁸⁰ *Ibid.* p. 33

The OSCE Assistance Group has tended to downplay credible reports of post-war summary executions, characterizing them as the fighters “settling personal accounts,” overlooking the responsibility of the Chechen government must face to punish crimes committed by its forces. Memorial reported to Human Rights Watch/Helsinki convincing evidence of the summary execution of Amir Zagayev, head of the Vedeno district under the Zavgayev government, in early September, 1996.⁸¹ Memorial also reported that Chechen fighters summarily executed a husband and wife in Chernorechiye in August, allegedly for having provided information to Russian forces concerning their neighbors and about Chechen fighters in the area. Four other summary executions — including of two Chechen women — by Chechen fighters targeted looters and those suspected of looting. In one case, a Memorial member witnessed a fighter shooting an unarmed suspect in the back and then in the head after the suspect had fallen to the ground. In a more recent case, towards the end of September, fighters detained Vladimir and Galina Shovchenko, residents of Ulitsa Krayevaya in Grozny, for interrogation at the DGB for allegations of looting and also allegedly concerning their son, who worked as a kontraktnik in Chechnya. The couple was never seen again, and extremely reliable sources believe they had been executed.⁸²

Aslambek Ismailov, co-commander of the Grozny central joint kommandatura, acknowledged to Memorial not only that looters were summarily executed during the August fighting in Grozny but that he had headed a military field court, created under a decree issued by Yandarbiyev on August 12, that executed twelve people for aggravated looting. This court ended its activities when the joint kommandaturas were created following the Khasavurt agreements.

Chechnya Minister of Internal Affairs Kazbek Makhashev dismissed the problem of summary executions directly after the war as “myth.”

They were sent to the kommandaturas. We did not shoot marauders, we just arrested and detained them. During the war the Ministry of Internal Affairs was functioning, DGB, the military procurator and the military tribunal, all functioning. They did not stop for one minute. You have not been informed properly. The general procedures were also functioning, as well as DGB. There were no violations.⁸³

This categorical denial, combined with the lack of any plans to punish their perpetrators, cast a pall on the future of respect for human rights in Chechnya is law enforcement structures. While the summary executions were isolated incidents rather than a systematic practice, they nonetheless set an example of arbitrary cruelty untenable under international human rights law.

The Chechnya Criminal Code

Law enforcement is currently based on the constitution of Chechnya, Chechen laws and the laws of the Russian Federation that do not contradict the Chechen constitution.⁸⁴ The December 17, 1996 murder of six delegates of the International Committee of the Red Cross, the subsequent murders of elderly Russians and a rash of kidnappings since the end of the war are but the most tragic and extraordinary examples of what many believe to be a severe crime problem in Chechnya. Chechen authorities understandably seek to “tak[e] drastic measures to ensure law and order and crack down on crime in the republic,”⁸⁵ but the legal basis for such efforts, the new Criminal Code of Chechnya,⁸⁶

⁸¹Vedeno procurator Jabrail Dakayev acknowledged in an October 15 interview with Memorial that Zagayev had been shot. Human Rights Watch/Helsinki interview with Oleg Orlov, Memorial Human Rights Center, November 4, 1996.

⁸²These sources wish to remain anonymous.

⁸³Human Rights Watch/Helsinki interview, Grozny, October 18, 1996. General Maskhadov told Human Rights Watch/Helsinki on October 17 that he did not remember whether he had issued orders for summary executions of looters.

⁸⁴Human Rights Watch/Helsinki interview, Kazbek Makhashev, Minister of Internal Affairs, Grozny, October 18, 1996

⁸⁵A citation attributed to Deputy Prime Minister Movladi Udogov, Itar-Tass, December 25, 1996.

includes many provisions that violate the ICCPR, the Helsinki Final Act, the International Convention Against Torture, and other human rights instruments.⁸⁷

⁸⁶ The code was published in *Ichkeria*, a Grozny newspaper, on September 17, 1996.

⁸⁷ Chechnya is obliged to observe these instruments, regardless of the republic's legal status. See above. Legal Obligations.
Human Rights Watch/Helsinki 26 January 1997, Vol. 9, No. 2 (D)

First, it prescribes for capital punishment—which Human Rights Watch as a policy opposes in all circumstances — for at least eight crimes. Moreover, the criminal code (article 27) specifies types of executions that inflict horrible pain and suffering on their victims: decapitation, stoning (applicable, notably, for adultery, see article 146), or “the manner in which the criminal deprived the life of his victim” for those crimes that fall under the category of “eye for an eye” cases, i.e. if the convicted person poisoned the victim then the method of execution would be poisoning. It allows for the execution of minors for crimes whose jurisdiction is *shariat*⁸⁸ courts, and for “eye for an eye” cases, and no mention is made of sparing pregnant women from the death penalty.

Second, it provides for amputations of the right arm or left foot for robbery (article 167) and for corporal punishment (in the form of caning) for minors over the age of ten “for educative purposes” (article 47); for creating a public disturbance in relation to the use of alcohol (article 78); for gambling or operating gambling establishments (article 80); and a variety of other crimes including consensual sodomy (article 148), rape (article 149), indecent conduct (article 151), insulting public morality (article 152), debauchery (article 154), seduction (article 156), stealing (article 174), and robbery (article 167). These provision are in clear violation of The Convention Against Torture And Other Cruel, Inhuman or Degrading Treatment or Punishment, which obligates each each State Party to “take effective legislative, administrative, judicial or other measures to prevent acts of torture.”[Article 2(1)] There are no exceptional circumstances whatsoever that may be invoked to justify torture. Torture is defined by the convention as “any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as . . . punishing him for an act he or a third person has committed or is suspected of having committed . . .”

Apostasy, defined in article 126 as “[openly] propagandizing the idea of rejecting the religion of Islam” is punishable by death in the Chechnya Criminal Code. Criminalizing apostasy is a gross violation of freedom of conscience (article 18) of the ICCPR. That only Muslims are subject to apostasy and alcohol violations means in effect that all citizens are not equal before the law, and, because such a dual system deprives Muslims as a group of their internationally protected rights and freedoms. The provision amounts to a form of discrimination against Muslims.⁸⁹

The Criminal Code also seriously transgresses other fundamental rights and freedoms. Article 125 provides for a maximum six-month prison term for “publicly insulting or humiliating any religion or its symbols or its faithful.” While this article seeks to protect the faithful of all religions, it makes untenable incursions into freedom of speech, guaranteed in article 19 of the ICCPR, and its vague formulation would allow it to be applied in an entirely arbitrary way.

⁸⁸Islamic religious court.

⁸⁹ For an elegant elaboration of this argument, see “a Letter by the Human Rights Observer Mission in the Armed Conflict Zone in Chechnya to the President, Parliament and Government of the Chechen Republic of Ichkeria, and to All Candidates for President and Parliament of the Chechen Republic of Ichkeria.” Available through Memorial. The letter also notes that the criminal code’s vague definitions of the terms “court proceedings,” “crime,” “state authority,” and “court” allow for arbitrariness on the part of the state, that the code makes no provision for the presumption of innocence (in violation of the ICCPR’s article 14) , and that it allows for new criminal laws to have retroactive force, in violation of the ICCPR’s article 15.

The criminal code is an extremely disturbing document, but Chechnya officials present divergent views on it and on the degree to which it will be implemented. In a recent interview for Russian television, Minister of Internal Affairs Kazbek Makhachev made vague assurances that "measures would be taken" to provide individuals with full protection of their rights under international law.⁹⁰ Makhmud Magomadov, a deputy to the procurator general, described the code to Human Rights Watch/Helsinki as having been "adopted to war conditions and applied in limited areas." He noted, for example, that while the code established shariat courts, in practice they had not yet been created. Scoffing at the Russian media for "playing up" corporal punishment, he commented, "Good people do not consider it as too brutal, however. There is a history in Russia itself of whipping or lashing as punishment." Concerning the actual use of corporal punishment, the same official stated that lashing was used in some cases in Grozny, during and after the war. He noted that, "There have not been any amputations, not one case," and "[I] don't think this part of the law will be applied."⁹¹ One local law enforcement official in Grozny, when interviewed for this report, denied having applied corporal punishment to civilians, in particular to people who were drunk in public, contrary to earlier press reports.⁹² Jabrail Dadakayev, procurator of the Vedeno region, told Human Rights Watch/Helsinki that theft and hooliganism are punished in the district by caning and attempted to justify the practice by explaining measures codified by law to make sure the victim is not severely injured.

⁹⁰ Interview on Hero of the Day (Geroi Dnya), Independent Television (NTV), Tuesday, January 14, 1997.

⁹¹ Human Rights Watch/Helsinki interview, Grozny, October 20, 1996.

⁹² Human Rights Watch/Helsinki interview with Aslanbek Ismailov, co-commander of the Grozny Joint Kommandatura, Grozny, October 19, 1996.

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Human Rights Watch/Helsinki

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