



## **Russia: human rights concerns**

---

Briefing paper prior to the EU-Russia Summit, October 2007

Amnesty International  
EU Office  
Rue d'Arlon 39-41  
B-1000 Brussels

Tel.: +32 2 502 14 99  
Fax: +32 2 502 56 86  
Email: [amnesty-eu@aieu.be](mailto:amnesty-eu@aieu.be)

## Introduction

Amnesty International is calling on the EU presidency to reaffirm its commitment that human rights are on the agenda for all bilateral dialogues and to ensure that the main concerns discussed at the EU-Russia Human Rights Consultations are therefore also raised at the highest level during the upcoming EU-Russia summit. In particular, Amnesty International calls on the Portuguese presidency to use the opportunity of the summit to press for progress in the following areas:

- **Human rights violations perpetrated by state officials in the North Caucasus, and impunity for violations committed in the course of the second Chechen conflict.** The Presidency should urge the Russian authorities to take all necessary steps to immediately end human rights violations by security and law enforcement officials in the North Caucasus, including taking measures in line with international human rights law in order to end enforced disappearances and abductions in Ingushetia and Dagestan, as well as in Chechnya. The Russian government must be urged to carry out investigations of the 52 recognised mass graves in Chechnya fully and impartially, in line with international standards; and to re-open criminal investigations into the violations identified by the European Court of Human Rights that have taken place during the second Chechen conflict.
- **The deterioration of freedom of expression and assembly in Russia, as well as increased pressure on civil society organisations in general and human rights organisations in particular.** The Presidency should impress on the Russian government the need to respect the right to freedom of expression, freedom of assembly and freedom of association. The Russian authorities must be urged to refrain from disproportionate measures in their restriction of the activities of NGOs and civil society activists and to amend the law on NGOs in order to allow civil society organisations to be able to continue their work.
- **The reported continuing increase in violent racism and apparent police inaction when faced with crimes that have an alleged racist motive.** The Presidency should urge the Russian authorities, at federal and regional level, to continue to speak out against racism, xenophobia and intolerance and make tackling these issues and addressing any deficiencies in the investigation and prosecution of racist attacks a federal-level priority.

### 1. Human rights violations perpetrated by state officials in the North Caucasus

Amnesty International is concerned that serious human rights violations have been committed with impunity in the course of the second Chechen conflict. While there have recently been some developments in the prosecution and conviction of alleged perpetrators, Amnesty International considers that the Russian authorities' record on investigation, prosecution and convictions of members of law enforcement bodies for serious violations of human rights and humanitarian law in the North Caucasus continues to fall far short of its obligations under international law.

The European Court of Human Rights has delivered judgments in eleven cases from the Chechen Republic in 2007, finding Russia in violation of the European Convention on Human Rights. In all of these cases the Court found Russia had failed to conduct effective, prompt and thorough investigations into the human rights violations alleged. Amnesty International is not aware of any case where the Russian authorities have brought to justice those responsible for the human rights violations detailed in these European Court judgments. At the same time, Amnesty International continues to receive reports of harassment and intimidation of those who turn to the courts in Russia or the European Court of Human Rights seeking justice.

In addition, Amnesty International reiterates that the lack of a functioning forensics institute in Chechnya continues to hamper work to identify bodies in the 52 mass graves recorded in the republic. (See Amnesty International's briefing for the EU-Russia human rights consultations in early 2007.) Amnesty International believes such a forensics institute would play an important role in tackling impunity in the Chechen Republic. Those in charge of the disinterment and investigation of

the mass grave sites must operate in line with international standards, with the clear mandate of investigating human rights violations, including enforced disappearances, torture and extra-judicial executions, that have taken place during the two Chechen conflicts.

There continue to be reports about serious human rights violations committed in Chechnya and other regions of the North Caucasus. According to reports, around 16 young men, between 20 and 31 years old, have gone missing in Dagestan in 2007 so far. Their families fear that they have been arbitrarily detained by police officers and are being held in incommunicado detention in Dagestan or in Chechnya, where they are at a high risk of torture or extra-judicial execution. The president of Dagestan has reportedly stated that law enforcement officials were involved in some of the cases. A demonstration by a group of relatives of the disappeared who protested against the disappearances in Makhachkala, the capital of Dagestan, was violently dispersed on 10 August 2007. Several participants were charged with violations of the Administrative Code of the Russian Federation. A court in Makhachkala later found that the demonstrators had acted in line with the law and criticised the police action. Amnesty International is not aware of further actions against the policemen involved in this incident.

In Ingushetia, the security situation has seriously deteriorated, with armed groups launching attacks on troops on a regular basis. Reported killings of ethnic Russians and other minorities have contributed to fears for the stability of the region. Law enforcement officials including troops of the Ministry of Internal Affairs, and members of the Federal Security Service reportedly are responsible for arbitrary detention, torture, enforced disappearances and extra-judicial executions of ethnic Ingush men. In some cases where men have been arbitrarily detained, their relatives have discovered that they have been transferred to Vladikavkaz under investigation by the investigative group of the department of the Prosecutor General for the Southern Federal Region. They are held without contact with their family and a lawyer of their choice. Amnesty International considers that these individuals are at high risk of torture and other ill-treatment.

## **2. The deterioration of freedom of expression and assembly**

The murder on 7 October 2006 of Russian journalist and human rights defender Anna Politkovskaya, well-known for her reporting of human rights violations, sent a chilling message to media and civil society in Russia about the risk of speaking out. There have since been further reports about death threats to journalists reporting on the situation in the North Caucasus and at least one journalist, Fatima Tlisova, is reported to have left the country in order to protect her own and her family's security.

The recently adopted changes to the law on extremism contain fewer restrictions to the right to freedom of expression than the first draft of the amendments, but concerns remain about the vagueness and lack of definition of certain aspects of the law. For example, Amnesty International is concerned that the definition of "hooliganism" and the inclusion of hatred or enmity against any "social group" as an extremist motivation for a crime are vague and can lead to an arbitrary use of the law.

Amnesty International has repeatedly included its concerns about the case of the non-governmental organisation Russian-Chechen Friendship Society (RCFS) in briefings to the EU<sup>1</sup>. After the RCFS was closed down in Russia, it re-registered in Finland, while several of its members have also formed a new NGO called Nizhnii Novgorod Foundation for the Support of Tolerance. Over the last couple of months, Amnesty International has received reports of numerous forms of intimidation and harassment of the members of the RCFS as well as of this new organisation. Such intimidation has ranged from the confiscation of the organisation's computers, allegedly to check if the software used on them has been legally obtained, to a decision by a court in Nizhnii Novgorod in August 2007 to further restrict the conditions under which Stanislav Dmitrievskii, the former head of the RCFS, has to serve his conditional sentence.

---

<sup>1</sup> See Briefing to the Finnish Presidency, October 2006

Other human rights defenders are subjected to judicial and administrative harassment. It appears the Russian authorities have attempted on several occasions to use the provisions of the 2006 law on NGOs in order to interfere in the lawful work of human rights organisations and other civil society activists. Since the law came into force, nearly all Russian human rights NGOs report that they have had to divert human resources to take on the additional administrative tasks that are required under the law. This therefore disrupts and hinders their ability to concentrate on their core human rights work.

The law allows for arbitrariness in its implementation due to the lack of precise legal definitions of some aspects of the law. This has included, for example, unreasonable demands such as asking one NGO in St. Petersburg, Citizen's Watch (in Russian, Grazhdanskii Kontrol), to provide copies of all their communication with officials over the last three years to the Federal Registration Service. Another law which causes concern in this context is the law on combating extremism (Federal Law on Opposing Extremist Activities), which came into force in 2002 and has been amended two times since then, most recently in August 2007.

In late May 2007, the Mayor of Moscow, Yurii Luzhkov banned a planned gay pride parade. On the day of the planned parade, several Russian and foreign parliamentarians and activists who attempted to hand in a petition to the mayor were detained by police. In view of the upcoming elections the administration of the city of Moscow has put in place further restrictions to the right to assembly.

Amnesty International is aware that the Russian authorities have acknowledged that the police response to demonstrations and assemblies has not always been adequate and that the authorities have expressed the intention to improve the functioning of those structures among the government bodies that deal with public meetings and demonstrations, so that the right to freedom of assembly will be better protected.

### **3. The reported continuing increase in violent racism**

Despite some progress evident over the last year, the official reaction to the problem of violent racist attacks is still far from adequate, and convictions are few and far between. Progress has included increased efforts by authorities to recognise the issue of racism, reports from foreign students that university authorities in Moscow and St Petersburg have made considerable efforts to improve liaison with students and security on university campuses, and some indications that the legal provisions against racism are being used more effectively. There still appears to be no comprehensive federal programme to combat racist and xenophobic ideas and ideologies. New amendments to the law on extremism seem to be used inconsistently in tackling crimes based on racist or radical views.

Violent racist attacks continue to occur in Russia with alarming regularity. Mostly concentrated in big cities, where the majority of foreigners and ethnic minorities live, exact figures for numbers of attacks and racist incidents are hard to verify. However, a Russian NGO which monitors the media for reports of alleged racist and neo-nazi crimes<sup>2</sup>, published a figure of 409 people becoming victims of such crimes in the first nine months of 2007, of whom 46 died. Overall, research by Russian human rights organizations, focussing on the problem of racism suggests that the numbers are increasing and that the attacks are becoming more violent.

Anti-racism campaigners continue to face threats because of their work while the authorities often seem to be reluctant to investigate death threats. There have been a number of attacks against anti-extremism activists, of which at least one was fatal.

Document checks on members of ethnic groups such as those from the Caucasus and Central Asia are conducted as so-called "counter-terrorist" measures but often lead to extortion by police and sometimes to serious human rights violations such as torture or ill-treatment. In addition, Amnesty International has researched several cases of deportation of migrants and refugees from the Russian Federation to countries where they are at risk of serious human rights violations.

---

<sup>2</sup> SOVA Information and Analytical Centre, 1 October 2007, [www.sova-center.ru](http://www.sova-center.ru)