

Bernard Kouchner
French Presidency of the European Union

Brussels, 3 November 2008
Our ref.: B825

Dear Mr Kouchner,

Subject: EU-Russia summit

In view of the upcoming EU-Russia summit on 14 November, Amnesty International would like to draw to your attention the following key concerns regarding the human rights situation in the Russian Federation, which we urge you to raise with your Russian counterparts.

Amnesty International is particularly concerned about the human rights situation in the North Caucasus where instability and violence remain the hallmark in the region, in particular in the Chechen Republic, Ingushetia, Dagestan and Kabardino-Balkaria. Armed opposition groups continue to mount attacks on law enforcement officials in the North Caucasus region and law enforcement officials are responding with counter-terrorism operations which reportedly in many instances include serious human rights violations such as arbitrary detention, torture and other ill-treatment, enforced disappearances, and excessive use of force during security operations. Amnesty International remains concerned that investigations into the violations are not effective, resulting in widespread impunity. The organization is furthermore concerned about the situation of internally displaced people in Chechnya, who had to flee their houses during the armed conflict in Chechnya. Not all have yet been able to find safe long-term accommodation.

Amnesty International therefore calls upon the EU institutions to remain focused on the situation in the North Caucasus and to remind their Russian counterparts of their obligation to protect the human rights of all people in the North Caucasus. The EU should point out that combating "terrorist activities" should under no circumstances be a pretext to set human rights protection aside.

In this context, Amnesty International would like to highlight the situation of human rights defenders, journalists and lawyers working in the North Caucasus, many of whom have in recent years been subjected to threats, harassment, abuse and on occasion enforced disappearance. Human rights defenders and civil society organisations have been repeatedly accused by government representatives of supporting extremism or working for foreign secret services, without any substantiation of the allegations. Journalists who publish information critical of government policies in the region are commonly intimidated by law enforcement officials.

Most recently, Magomed Evloev, the owner of the independent website Ingushetia.org, was killed on 31 August 2008 in disputed circumstances in police custody in Ingushetia. Amnesty International calls upon the EU to request information from their Russian counterparts about the investigation and how the Russian authorities will ensure that the investigation is being conducted impartially and thoroughly.

One of the most outspoken critics of human rights violations in the North Caucasus, journalist Anna Politkovskaya, was murdered two years ago and the trial regarding her murder is about to start. Amnesty International asks the EU institutions to convey to their Russian counterparts the need to ensure that this trial will be fair, impartial and open as well as the need to continue the investigation into the murder of Anna Politkovskaya, so that everyone responsible for this act, including those who ordered the killing, will be brought to justice.

Amnesty International furthermore reiterates its concerns regarding aspects of the criminal justice system in the Russian Federation, respect for the rule of law and judicial decisions. These concerns Amnesty International has raised repeatedly with the Russian authorities, including with regard to the prosecution of Mikhail Khodorkovskii, Vasilii Aleksanan, Platon Lebedev and other former staff members of the YUKOS oil company. The organization is also concerned about the harassment faced by the legal team of Mikhail Khodorkovskii. Amnesty International asks the EU institutions to urge their Russian counterparts to demonstrate respect for the rule of law by providing full access to all standards of fair trial as guaranteed under Russian and international law to Mikhail Khodorkovskii and his former colleagues.

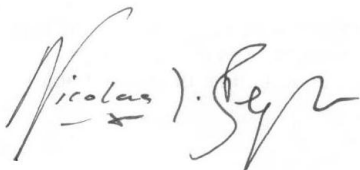
As the consequences of the conflict between Russia and Georgia will also be discussed during the summit, Amnesty International urges the Presidency to raise its concern that all parties to the conflict may have committed serious violations of international human rights and humanitarian law. Indeed, Amnesty International has been present on the ground and is concerned by evidence that the said parties used cluster bombs, which pose severe risks to civilians both during and after the conflict. In addition, many displaced persons remain unable to return to their homes, despite the school year having started and the difficult weather conditions during the autumn and coming winter. We are also concerned about the looting and destruction which took place in Georgian villages in the Russian-controlled "buffer zones". The findings of the mission shall be included in the report *Civilians in the line of fire: the Georgia-Russia conflict*, to be published by Amnesty International on 18 November.

Amnesty International urges the Presidency of the EU to seize the opportunity of the EU-Russia summit to press the Russian authorities to:

- cooperate fully with all international monitoring force(s)/teams deployed in the area so as to facilitate the prompt return of all displaced persons as soon as possible in conditions of dignity, and to ensure that the rights of refugees displaced from conflict zones to the Russian Federation are fully respected and provided for;
- agree to the deployment of and co-operate fully with any international investigation of violations of international human rights and humanitarian law during the conflict and its aftermath
- facilitate the access of international observers to all conflict affected areas; and
- ensure that Russian armed forces comply with international human rights law and take appropriate measures to protect human rights as long as they continue to exercise effective control in South Ossetia.

Yours sincerely,

Nicolas Beger

A handwritten signature in black ink, appearing to read 'Nicolas Beger', with a stylized flourish at the end.

Dr. Nicolas Beger
Director
Amnesty International EU Office