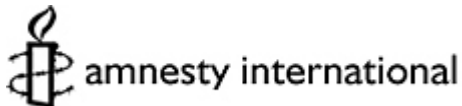


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Amnesty International Report 2009 - Russia

Head of state: Dmitry Medvedev (replaced Vladimir Putin in May)
Head of government: Vladimir Putin (replaced Viktor Zubkov in May)
Death penalty: abolitionist in practice
Population: 141.8 million
Life expectancy: 65 years
Under-5 mortality (m/f): 24/18 per 1,000
Adult literacy: 99.4 per cent

The North Caucasus remained volatile and reports of human rights violations, including killings, enforced disappearances and torture, were frequent.

Russian armed forces were reported to have indiscriminately attacked civilian housing during the armed conflict between Russia and Georgia. They also failed to protect the civilian population in territories under de facto Russian control from human rights abuses committed by South Ossetian forces and militia.

The Law to Combat Extremism and legislation on libel and slander were used to stifle dissent and silence journalists and human rights activists. There were reports that criminal suspects were subjected to torture and other ill-treatment in order to extract confessions. Concerns continued about the failure to uphold fair trial standards.

Government officials spoke out against racism, but racist attacks continued to be reported on an almost daily basis.

The situation for those in Chechnya displaced by conflict remained insecure, as families were threatened with eviction from temporary accommodation.

Background

On 2 March Dmitry Medvedev was elected president. The OSCE declined to monitor the elections, citing restrictions on the monitoring process imposed by the Russian government. President Medvedev announced measures to address corruption. The United Russia party, headed in Chechnya by President Ramzan Kadyrov, won an overwhelming majority in parliamentary elections in the Chechen Republic in October.

In Ingushetia, President Murat Ziazikov was replaced by Yunus-Bek Evkurov in October.

Instability and violence continued to be reported in the North Caucasus, in particular in Chechnya, Ingushetia, Dagestan and Kabardino-Balkaria. Armed opposition groups were responsible for the deaths of dozens of police officers and local officials in Dagestan, Chechnya and Ingushetia. In November, 12 people were killed and many more injured in a bomb attack in Vladikavkaz in North Ossetia. In Chechnya a strict dress code was introduced. Women and girls not wearing headscarves faced expulsion from schools and universities or were prevented from entering government buildings.

After months of increased tension and low-level hostilities, tensions between Georgia and the breakaway region of South Ossetia erupted into an armed conflict in August which at its peak displaced more than 200,000 people. Russia later recognized South Ossetia and Abkhazia as independent states.

Insecurity in the North Caucasus

There were continuing reports of human rights violations – including arbitrary detention, torture and ill-treatment, and extrajudicial executions – by law enforcement officials in Chechnya, Dagestan and Ingushetia. There was ongoing concern that investigations into these violations were not effective, resulting in widespread impunity.

Independent journalists, media outlets and NGOs were targeted by the authorities for reporting about human rights violations. In June, the Parliamentary Assembly of the Council of Europe decided to continue monitoring the situation in the North Caucasus.

Ingushetia

Armed groups carried out numerous attacks, often fatal, against members of law enforcement agencies, including a failed attack on the republic's Minister of Internal Affairs. There were persistent reports of torture of detainees by law enforcement officials; at least one man was reported to have died as a result.

- On 31 August, Magomed Evloev, a prominent opposition figure and owner of an independent website in Ingushetia, died of injuries sustained while in a police car; he had been detained by police at the airport upon arrival in Ingushetia. His death was initially categorized as caused by negligence; an appeal by his colleagues and lawyer for it to be classified as murder was pending at the end of the year. In November a court in Ingushetia ruled that his detention had been unlawful.

Chechnya

A number of mass graves were found in Chechnya. However, the federal authorities blocked the construction of a forensic laboratory, which could have helped uncover the fate of victims of enforced disappearance.

In May, seven bodies were discovered in a mass grave on territory which had been under the control of the so-called "East" battalion of the Ministry of Defence.

About a dozen enforced disappearances were reported in Chechnya in 2008.

- Makhmadsalors (or Makhmudsalors) Masaev was detained by men wearing camouflage on 3 August in Grozny. A month earlier a newspaper had published his account of his previous unlawful detention in 2006, reportedly in Tsenteroi in an area under the control of Ramzan Kadyrov, then Chechen Prime Minister. Makhmadsalors Masaev had also filed a complaint against his detention at that

time and it was feared that his enforced disappearance may have been aimed at preventing his complaint from proceeding. His fate and whereabouts remained unknown at the end of the year.

In 2008 the European Court of Human Rights adopted judgments in more than 30 cases finding that the Russian authorities were in violation of the European Convention of Human Rights regarding the conduct of its forces in Chechnya or the failure to initiate prompt and effective investigations into enforced disappearances and deaths.

- The European Court of Human Rights held the Russian authorities responsible for the presumed death of 15-year-old Aminat Dugayeva (Dugaeva) and her cousin, Kurbika Zinabdieyva (Zinabdieva), who have not been seen since they were taken from Kurbika Zinabdieyva's home by Russian soldiers in May 2003. The Court also regretted that the Russian authorities had not disclosed documents relating to the investigation and stated that the treatment of the relatives during the investigation had been inhuman and degrading.

Dozens of families of internally displaced people were threatened with eviction from temporary accommodation in Chechnya without being offered adequate alternative housing or compensation. There were also reports of families being evicted and their property destroyed because of alleged links with armed groups.

Dagestan

Armed opposition groups killed several high-ranking law enforcement officials. Several men accused of involvement with these armed groups were reportedly arbitrarily detained and tortured. Civilians were subjected to human rights violations during so-called counter-terrorism operations. One such operation lasted for about seven months during which time access to one village was partially blocked and villagers reportedly harassed by the military.

Kabardino-Balkaria

Preliminary hearings continued in the trial in Nalchik of 58 suspects accused of involvement in an attack on government buildings there in 2005. The health of several of the detainees reportedly deteriorated owing to the conditions in pre-trial detention. The Committee for the Prevention of Torture of the Council of Europe visited the detention facility between April and May. In September, a further three men were detained in Kabardino-Balkaria and accused of involvement in the 2005 attack. One of them claimed he had been tortured in order to extract a confession.

- In February, the mother and brother of one of the suspects, Rasul Kudaev, who has been detained since 2005, were arbitrarily detained, their house was searched and documents relating to his detention were taken. According to his mother and lawyer, Rasul Kudaev, who had been previously detained by US forces in Guantánamo Bay between 2002 and 2004, suffered from chronic hepatitis for which adequate treatment was not provided.

Armed conflict with Georgia

Large-scale hostilities broke out in South Ossetia on the night of 7 August, resulting in a five-day war between Georgian and Russian forces in which over 600 people, more than half of them civilians, died. Russian forces rapidly pushed Georgian forces out of South Ossetia and further occupied areas of undisputed Georgian territory, referred to as the "buffer zone", until early October. By the end of the year the Georgian authorities reported that up to 25,000 internally displaced people from South Ossetia were unable to return, and faced long-term displacement.

Russian aerial and artillery attacks took place over 8 to 12 August. While most of the bombardments appeared to have targeted Georgian military positions outside of built-up areas, villages and towns were also hit amid reports that some attacks may have been indiscriminate, or directly targeted civilians and/or civilian infrastructure.

Russian forces also reportedly failed to take adequate action when militia groups loyal to the de facto South Ossetian authorities carried out large-scale pillaging and arson of several Georgian-majority settlements in South Ossetia, and threatened and abused the residents there. These settlements were under Russian military control at the time. There was also evidence that Russian forces had used cluster bombs during the fighting.

Following the five-day conflict between Georgia and Russia, a number of parliamentarians from the Council of Europe visited Russia in order to gather information about the humanitarian and human rights situation in the region. The Council of Europe's Secretary General and the Commissioner for Human Rights as well as the UN High Commissioner for Refugees also visited the region.

Human rights defenders

Human rights defenders, journalists and lawyers who spoke openly about human rights abuses faced threats and intimidation. The police appeared to be reluctant to investigate such threats and a climate of impunity for attacks on civil society activists prevailed.

- In June, the Office of the Prosecutor General announced that it had finished its investigation into the killing of human rights journalist Anna Politkovskaya, who was shot dead in Moscow in October 2006. Three men accused of involvement in her murder went on trial in November; all denied the charges. A fourth detainee, a former member of the Federal Security Services who had initially been detained in connection with the murder, remained in detention on suspicion of another crime. The person suspected of shooting Anna Politkovskaya had not been detained by the end of the year and was believed to be in hiding abroad.
- Four members of the human rights organization Memorial were detained on 17 June in Chechnya, while filming a building thought to have been used as a secret detention centre. The video footage was destroyed and the four were threatened.
- On 25 July, Zurab Tsechoev, a member of the human rights organization Peace (Mashr) in Ingushetia, was taken from his home in Troitskaia, Ingushetia, by armed men, thought to be federal law enforcement officials. He was found a couple of hours later in the street near Magas, the capital of Ingushetia, with serious injuries which required hospital treatment.
- The home of human rights defender and anti-racism campaigner Dmitrii Kraiukhin in Orel in central Russia was the target of an arson attack in August. The authorities refused to open a criminal case. He had previously received a series of threats.

Freedom of expression

In a climate of growing intolerance towards independent views, several human rights defenders and supporters of opposition groups faced criminal charges for expressing dissenting opinions or criticizing government authorities.

- In May, two organizers of an art exhibition in 2007 at the Sakharov Museum were charged with inciting hatred and enmity. Yuri Samodurov and Andrei Yerofeev faced criminal prosecution for organizing an exhibition entitled "Forbidden art 2006". The men were accused of displaying artwork intended to humiliate and

insult the feelings of followers of the Christian Orthodox faith.

- In February, human rights defender and head of the organization Movement for Human Rights, Lev Ponomarev, was charged with insulting Yurii Kalinin, the head of the Department for the implementation of punishment. In an interview, Lev Ponomarev had stated that he held Yurii Kalinin responsible for torture and ill-treatment in Russia's prison colonies.

Freedom of assembly and association

On 6 May, on the eve of the inauguration of President Medvedev, numerous people were detained for trying to participate in a peaceful demonstration against the government. The ban on the demonstration was later found to be unlawful by the Moscow Prosecutor's Office.

- Oleg Kozlovskii, co-ordinator of the movement Defence (Oborona) was detained on his way to the demonstration and was given 13 days' administrative detention. He was acquitted in September by the Moscow City Court.
- Charges against Ludmila Kuzmina, head of a branch of the NGO Voice (Golos), were dropped in March, a few days after the elections. She had been charged in 2007 with using unlicensed computer software. Her branch of Voice, which focuses on voters' rights, had also faced closure for allegedly failing to comply with the law on NGOs.

In May, investigations under the Law to Combat Extremism were initiated against the head of an organization campaigning for lesbian, gay, bisexual and transgender rights in Tiumen, Siberia. Earlier, the organization had been denied registration, as its aims were considered to be directed towards reducing the population of the Russian Federation which might constitute a threat to national security. The investigation was believed to be continuing at the end of the year.

Torture and other ill-treatment

Torture and ill-treatment of detainees and prisoners were reported from throughout the Russian Federation. Methods detailed included beatings, electric shocks, suffocation with plastic bags and being forced to stay in painful positions for prolonged periods. There were also reports of rape in detention. Some detainees were denied necessary medical treatment.

A number of ethnic Ingush men were reported to have been abducted in Moscow in early September. One of them stated that he was ill-treated while held for several days in a secret detention centre in the Moscow region run by the Ministry of Defence. An investigation was opened and was continuing at the end of the year.

- Sergei Liapin from Nizhnii Novgorod was detained in April as a suspect in connection with a spate of thefts; he strongly denied any involvement in the crimes. He stated that he was tortured in order to extract a confession. He said that police poured water over his body, applied electrodes to sensitive parts of the body, kicked and beat him. He was placed in a temporary holding cell overnight and was not transferred to hospital until the following day, by which time his condition had deteriorated.

In September, a law allowing public scrutiny of places of detention by selected individuals came into force. However, monitoring had not started by the end of the year.

Prisoners in several Russian prison colonies protested at their conditions of detention, which sometimes reportedly constituted inhuman or degrading treatment. Riots and

hunger strikes were reported from several prison colonies in the Urals and the Volga Federal District. Prisoners complained about beatings and ill-treatment by prison officials and by other detainees and alleged that the prison authorities refused them access to medical treatment. According to reports, four prisoners died after being beaten during transfer from one prison colony to another in Cheliabinsk region. Criminal charges were brought against several prison officials in connection with the deaths and the case was continuing at the end of the year.

Fear of *refoulement*

There were further attempts to extradite Uzbekistani nationals to Uzbekistan, where they would be at risk of torture and ill-treatment. In at least two cases the extradition was halted following an intervention from the European Court of Human Rights, but there was no general decision to suspend extraditions to Uzbekistan.

- In April, the European Court of Human Rights ruled that 13 Central Asian businessmen should not be extradited to Uzbekistan. In the case of Ismoilov and others v Russia, the Court stated that it was persuaded that the applicants would be at a real risk of ill-treatment if returned to Uzbekistan.

Justice system

Trial procedures did not always meet international standards of fair trial and there were continuing concerns about lack of respect for the rule of law. In some cases with a political context, the treatment of suspects amounted to persecution. The right of suspects to legal representation during investigation was repeatedly violated.

In October, the former owner of the YUKOS oil company, Mikhail Khodorkovskii, was denied parole. He had served half of his eight-year sentence and so would normally have been eligible for early release. In the same month, he was held in a punishment cell for 12 days for giving an interview to a Russian writer. A court in Chita in Siberia later found this punishment, as well as two other punishments for alleged violations of the prison rules, to be unlawful. One of these punishments had been used as an argument against an early release. His pre-trial detention in connection with further charges of fraud was extended until February 2009 as was the pre-trial detention of one of his former colleagues, Platon Lebedev. In June, charges against both men were re-filed and they remained in Chita, where due to the great distance from Moscow, access to their lawyers and families was constrained.

Former vice-president of YUKOS, Vasilii Aleksanian, who had been held in pre-trial detention since April 2006, was transferred in February to a specialized hospital after worldwide protests against an earlier refusal by the authorities to grant him access to adequate medical treatment. His pre-trial detention was repeatedly extended during the year and he was only released on bail in late December, after a court decision. In an interview Vasilii Aleksanian, who was suffering from HIV/AIDS-related illnesses, claimed he had been offered medical treatment in exchange for statements incriminating the former head of YUKOS, Mikhail Khodorkovskii.

Discrimination – racism

According to Russian human rights organizations, at least 87 people died in the course of the year as a result of racially-motivated attacks. Government officials acknowledged that this was a serious problem and called for harsh punishments for those convicted of such crimes. However, no comprehensive plan to combat racism and racial discrimination had been put in place by the end of the year.

In July and August, the UN Committee on the Elimination of Racial Discrimination examined Russia's report under the UN Convention against Racism. In its concluding

observations the Committee called on the Russian authorities to take appropriate action to tackle racially-motivated violence and racial discrimination by law enforcement officials.

- In May, eight men were sentenced to between two years' and life imprisonment for their involvement in an explosion in 2006 in a Moscow market frequented by foreign traders. The explosion left 14 people dead and dozens injured.
- In December, seven young people, several of them under 18, were sentenced to six to 20 years in prison for the killing of 20 people of non-Slavic appearance. Several of the killings had been filmed and distributed by the group on the internet.

Violence against women and girls

Violence against women in the family was widespread. While some government officials acknowledged the problem in public statements, government support for crisis centres and hotlines was totally inadequate. There were fewer than 20 shelters across the country for women fleeing domestic violence. No measures under Russian law specifically addressed violence against women in the family.

Amnesty International visits

Amnesty International delegates visited several regions of the Russian Federation, including Ingushetia, North Ossetia and the Urals Federal District. Delegates were refused entry to the Chechen Republic in June.

Amnesty International reports

- Russian Federation: Freedom limited – the right to freedom of expression in Russia (26 February)
- Russian Federation: Human rights memorandum to President Medvedev (28 May 2008)
- Russian Federation: Submission to the UN Universal Periodic Review – Fourth session of the UPR Working Group of the Human Rights Council, February 2009 (8 September 2008)

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