

Endless BRUTALITY

WAR CRIMES IN CHECHNYA

A REPORT BY
PHYSICIANS
FOR HUMAN
RIGHTS

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Physicians for Human Rights

Physicians for Human Rights (PHR) promotes health by protecting human rights. PHR believes that human rights are essential for the health and well-being of all people.

Using medical and scientific methods, we investigate and expose violations of human rights worldwide and we work to stop them.

We support institutions to hold perpetrators of human rights abuses, including health professionals, accountable for their actions.

We educate health professionals and medical, public health, and nursing students and organize them to become active in supporting a movement for human rights and creating a culture of human rights in the medical and scientific professions.

As one of the original founders of the International Campaign to Ban Landmines, PHR shared the 1997 Nobel Peace Prize. PHR currently serves as coordinator of the US Campaign to Ban Landmines.

The President is Robert Lawrence, M.D., M.P.H.; Vice President is Holly Atkinson, M.D.

The Executive Director is Leonard S. Rubenstein; Deputy Director is Susannah Sirkin; Advocacy Director is Holly Burkhalter; Director of Communications is Barbara Ayotte; Director of Campaigns is Gina Cummings; Director of Finance and Administration is Lori Maida; Senior Program Associate is Doug Ford; William Haglund, Ph.D. is Director of the International Forensic Program and Vincent Iacopino, M.D., Ph.D., is Senior Medical Consultant.

Physicians for Human Rights
100 Boylston Street, Suite 702
Boston, MA 02116
Tel. (617) 695-0041
Fax. (617) 695-0307
Email: phrusa@phrusa.org
www.phrusa.org

Physicians for Human Rights
1156 15th Street, NW #1001
Washington, DC 20005
Tel. 202-728-5335
Fax. 202-728-3053
Email: phrusa@phrusa.org

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This report was written by Leonard S. Rubenstein, J.D., Executive Director of Physicians for Human Rights; Doug Ford, J.D., Senior Program Associate, Physicians for Human Rights; Ondrej Mach, M.D., a consultant to Physicians for Human Rights; Allison Cohen, Program Coordinator, Physicians for Human Rights; Holly Burkhalter, Advocacy Director, Physicians for Human Rights; Ramin Ahmadi, M.D., Yale University School of Medicine; Michael Vassiliev, M.D., a consultant to Physicians for Human Rights; Haq Nawaz, M.D., Assistant Director of Research Programs, Griffin Hospital, Derby, CT; and Vincent Iacopino, M.D., Ph.D, Physicians for Human Rights Senior Medical Consultant. It was reviewed by Susannah Sirkin, Deputy Director of Physicians for Human Rights and Barbara Ayotte, Director of Communications, Physicians for Human Rights. Ms. Ayotte edited and prepared the report for publication.

The survey was conducted by Mr. Ford, Dr. Ahmadi and Dr. Vassiliev. Dr. Nawaz conducted the data analysis. Lilian Wisniewski, Allison Gill, Keith Mellnick, and Victoria Floriani, PHR research interns and Celine Jackson and Chen Reis, PHR Program Fellows, also contributed to the survey report.

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We dedicate the report to those still missing or detained in Chechnya.

I. EXECUTIVE SUMMARY

Introduction

The findings of this report reveal widespread war crimes against thousands of civilians for more than a year. The crimes include summary executions and other killings, torture, forcible expulsion, and violations of medical neutrality, committed by Russia's federal forces under the command of President Vladimir Putin, in this second war with the republic of Chechnya. To date, Russia has not been held accountable for these crimes nor has it held accountable those individuals, officials, soldiers and others who perpetrated abuses.

While the most intense period of the war in Chechnya ended in the spring of 2000 with the occupation of the capital, Grozny, and most other areas, the behavior of Russia's forces toward the civilian population continues to be brutal, corrupt and illegal.

In February and March 2000, Physicians for Human Rights assessed patterns and prevalence of abuse and found extensive evidence of war crimes and widespread human rights violations. PHR conducted a random survey of 1,143 persons displaced from Chechnya by the war. Respondents and members of their households alone witnessed almost 200 killings of non-combatants. 46% of the 1,143 surveyed reported witnessing at least one killing of a civilian by Russia's federal forces. Survey respondents reported 77 instances of torture.¹ The survey was accompanied by corroborated witness case testimonies of massacres at the villages of Katyr Yurt and Aldi, and atrocities at the Chernokozovo filtration camp.²

Physicians for Human Rights returned to the region in December 2000 and found that Russia's forces continued to engage in arbitrary arrests, unlawful detention, torture, murder, attempted murder, disappearances, bribery, and shelling of population centers. As the year ended, civilians

¹ Extrapolations from survey results led Physicians for Human Rights to estimate that Russia's federal forces had killed more than 4,600 civilians and tortured more than 1,800. Physicians for Human Rights, "Random Survey Conducted by U.S. Medical Group of Displaced Chechens Finds Widespread Killings and Abuses by Russia's Forces," February 26, 2000. Visit www.phrusa.org/research/chechnya/chechen_displaced.html.

² Human Rights Watch has released a number of reports on violations in Chechnya, including, *Civilian Killings in Stavopromyslovski, No Happiness Remains: Alkhan-Yurt, A Day of Slaughter in Novye Aldi, Welcome to Hell: Arbitrary Detention, Torture, and Extortion in Chechnya*, and *The Dirty War in Chechnya: Forced Disappearances, Torture, and Summary Executions* www.hrw.org/campaigns/russia/chechnya/.

continued to be arrested on flimsy pretexts, interrogated, beaten, and sometimes thrown into pits in the ground, only to be released after relatives paid significant bribes. Some have disappeared. Russia's military units still sweep through cities and villages ostensibly in search of fighters on the Chechen side, arrest civilians, shoot into homes, take property, and leave. Travel within Chechnya requires civilians to run a gauntlet of checkpoints, where they also may experience extortion, arrests or beatings.

In April 2000, the United Nations Commission on Human Rights demanded that Russian President Vladimir Putin conduct an independent investigation of serious breaches of human rights by Russia's forces and hold accountable those responsible for them. But when Russia failed to perform the demanded investigation or to end impunity, it suffered no consequences. Instead, Russian authorities continued to block the entry of human rights monitors from international bodies including the Organization for Security and Cooperation in Europe and the United Nations, preventing them from investigating and monitoring ongoing violations. In April 2001, the UN Commission on Human Rights again condemned Russia's conduct and demanded access to authorized human rights monitors but reissued its support for domestic investigation efforts (in lieu of an international independent inquiry). The abuses by Russia's federal forces continue into the present day.

Methods

From February 11 to March 4, 2000, Doug Ford, PHR Senior Program Associate, Dr. Ramin Ahmadi, and Dr. Michael Vassiliev, PHR consultants, and their trained local interviewers conducted a random survey of the displaced population in Ingushetia to assess war crimes suffered by the civilian population. They interviewed more than 1,000 displaced persons and collected detailed testimonies about the massacres of Katyr Yurt and Aldi and torture in the Chernokozovo filtration camp.³ From December 8 to December 24, 2000, PHR Executive Director Leonard S. Rubenstein and Ondrej Mach, M.D., a consultant with extensive experience in the region, traveled to Ingushetia to continue PHR's assessment of the scope of violence against civilians in Chechnya. They interviewed more than 50 witnesses to human rights abuses that took place during the last five months of 2000, focusing especially on events in October, November and December. The findings from both investigations are contained in this volume.

Summary of PHR Survey Findings-March 2000

PHR randomly selected the 1,143 respondents from the Danish Refugee Council (DRC) database that contained 186,100 records of people dis-

³ Findings from the survey and the testimonies begin on page 35.

placed from Chechnya to Ingushetia as of the last week of February 2000. DRC had been registering all the displaced persons from Chechnya in Ingushetia since January 2000.

Trained interviewers located households on a randomly-generated computer listing. Persons in each household with the most knowledge of abuses were asked to respond to the standardized questionnaire. The 1,143 respondents listed 7,807 members in their households. The questionnaire solicited demographic information, circumstances of flight and first hand witness accounts of abuses against household members and the population at large.

The survey was designed to collect evidence of abuses committed by both parties to the conflict. In attributing responsibility for abuses, respondents reported what they saw, naming Russia's federal forces, fighters on the Chechen side, other forces, or unknown people as responsible. For example, 38 out of the 51 respondents who witnessed the use of medical facilities for military purposes attributed responsibility to Russia's federal forces while 12 assigned blame to fighters from the Chechen side. One attributed responsibility to neither side. In contrast, all 362 respondents who witnessed the damage or destruction of medical facilities blamed Russia's federal forces.

Killings

Respondents reported witnessing 197 killings by Russia's federal forces among civilian members of their households. By applying the total observed killings to the total household members (197/7,807) and then applying this ratio to the total population displaced from Chechnya into Ingushetia (186,100), PHR extrapolates that Russia's federal forces killed an estimated 4,696 civilians between August 1999 and February 2000 among this population displaced from Chechnya to Ingushetia. Respondents reported only those killings that they saw first-hand. They noted whether they saw the act of killing of a household member (such as a combatant shooting someone) or if they saw the evidence of the killing, such as the dead body of someone whom they knew had been in the custody of a combatant.

According to those interviewed by PHR, people witnessed Russia's federal forces kill and brutalize civilians in a variety of circumstances, including the burning of corpses and dragging of bodies by wire tied to the ankles.

Forty-six percent of the displaced persons surveyed (517 individuals of the 1,143 respondents) witnessed at least one killing of a civilian by Russia's federal forces. Using these figures, PHR extrapolates that an estimated 84,339 (of the 186,100 displaced) people had personally witnessed civilian killings by Russia's federal forces. A total of 332 respondents witnessed multiple killings (of more than one victim) by Russia's federal forces. This suggests that an estimated 54,055 (of the 186,100 displaced)

witnessed Russia's federal forces killing multiple civilians. The number of people witnessing civilians killed by Russia's federal forces⁴ is another indication of the severe trauma experienced by civilians in Chechnya.

Torture

Witnesses provided PHR with several different types of testimonies that reveal the widespread nature of torture of civilians from Chechnya by Russia's federal forces. Survey respondents reported witnessing 77 incidents of torture among their household members. Numerous survivors testified to torture in the Chernokozovo "filtration" camp. The types of torture reported included beating victims into unconsciousness, kicking, gassing, electric shock and sustained beatings of more than ten minutes. Applying this ratio (77/7807) to the 186,100 persons displaced from Chechnya to Ingushetia suggests that Russia's federal forces inflicted an estimated 1,836 incidents of torture on this population.

Two respondents reported witnessing torture by fighters from the Chechen side.

Forced Flight

Displaced persons blamed their flight on Russia's federal forces, despite repeated Russian federal assurances that civilians are not targets. 1,121 of 1,143 respondents, 99 percent of PHR's survey sample, said Russia's federal forces caused them to flee to Ingushetia. Based on these findings, an estimated 183,320 (99%) of the 186,100 people who fled Chechnya to Ingushetia, fled because of Russia's federal forces.

Of the 1,121 people who fled because of federal forces, 857 blamed Russia's bombing for their flight. Only 3 people reported fleeing because of fighters from the Chechen side.

Violations of Medical Neutrality

Both parties to the conflict have violated medical neutrality, but witnesses reported that the greater volume of abuses were by Russia's federal forces, with many reports of federal forces bombing medical facilities. 362 (32%) of the 1,143 interviewed by PHR witnessed destruction of medical facilities. All (100%) of such incidents were attributed to Russia's federal forces. These reports, combined with testimonies given later in the report, indicate that Russia's federal forces destroyed or damaged at least 24 different medical facilities.

Other Abuses

Witnesses reported extensive levels of several other types of abuses that are detailed in the report. They include beatings, forced separation,

⁴ Some respondents to the PHR survey witnessed the same killings of people outside of their household, therefore this figure does not correspond to total killings.

wounding (serious injuries from a deadly weapon), looting and destruction of homes and cases of sexual assault. About 4% of respondents to the PHR survey (47 of 1,143) witnessed the laying of landmines. All of these landmines were attributed to Russia's federal forces.

Summary of Testimonial Findings, February and March 2000

Massacres at Aldi and Katyr Yurt

Besides gathering survey data, PHR collected extensive testimonies describing some of the worst atrocities that had occurred in the conflict thus far, notably the massacres in the villages of Aldi and Katyr Yurt.

One of the most brutal operations conducted by Russia's federal forces took place on February 5, 2000 in Aldi, a community in the Zavodskoy district of Grozny. Although a definitive death toll continues to be compiled, the four first-hand witnesses PHR interviewed reported killings in excess of 80 people.⁵ Federal soldiers went systematically from house to house on at least three of the main streets of Aldi (Voronezhskaya, Matasha Mazaeva, and Zemlyanskaya). The troops checked the documents of residents and searched houses. One of the groups of soldiers went on a rampage, executing civilians, looting and burning their homes.

PHR also documented Russia's federal forces' artillery and air barrage of Katyr Yurt from February 4-8, 2000. During those few days, civilians were killed and others were trapped in their cellars, unable to flee. Tanzila described to PHR the scene in the village after the bombardment:

“What happened to the village after the fighters left is impossible to see now. More than that, one lacks the words to describe the picture. I saw burned corpses lying on the sides of the road, and exploded and burned down houses [lining] the roads. [There were] carcasses of burned cars, killed cattle, people buried in the basements of houses, people exhausted without food and water in the basements ...people looking for their relatives among the burned dead bodies, fresh dug graves.”

While subsequent reports indicate fighters from the Chechen side remained in the village possibly until February 6, the testimonies demonstrate Russia's federal forces' grossly disproportionate rampage and targeting of civilians (especially those attempting to flee). This resulted in the killing of many civilians and the destruction of much of the housing in the town.

As she was fleeing Katyr Yurt with her family, Alimkhan saw a bomb fall on a car full of people, killing them. When she returned nine days later, she saw Russia's federal soldiers dragging bodies bound by wire at

⁵ Other human rights groups have confirmed the number of deaths at Aldi at similarly high numbers. Human Rights Watch interviewed 35 residents of Aldi, and confirmed a death toll of at least 60 civilians. HRW, “February 5: A Day of Slaughter,” June 2000, Vol. 12 No. 9(D).

their feet to burial. She went to pay condolences to four families who had lost loved ones in the bombing.

Rosa saw many bodies on the sides of the road, when, after two nights of bombing, she fled from their basement with her five children, husband and other extended family. She and her children saw their uncle (her mother-in-law's brother) "exploded into meat." When she returned after the barrage was over, she described vividly the process of the Russian troops collecting the bodies: "*Soldiers made a mound of people... on the ground. It was gruesome... I saw [women] lying like rubbish in piles. Tanks and other vehicles dragged around bodies tied with wire. It was difficult to recognize individuals among the bodies.*"

Torture at the Chernokozovo "filtration" Camp

Testimonies from nine survivors of torture at the Chernokozovo filtration camp, interviewed by PHR, revealed the extent of the torture practices of Russia's federal authorities, including electric shock and gassing. A PHR physician examined one young man three days after his release from a so-called filtration camp, who presented with a broken nose, hematoma on his third and fourth ribs, tenderness in the kidney region and swelling of the soles of his feet, all consistent with the blunt trauma torture he described.

Summary of Findings from the December 2000 Investigation

The violations documented in December took place in the context of widespread violence. Although by the spring of 2000, Russia's federal forces claimed to occupy all of Chechnya, they were unable to stop hit and run attacks against them by fighters on the Chechen side and suffered serious losses when Chechen fighters blew up trucks, armored personnel carriers and other vehicles. In some areas of Chechnya, including Grozny, Russia's federal forces responded to these losses by shooting at and killing civilians in their homes and on the streets; by shelling villages where rebels were suspected of operating; by illegally arresting, detaining, and torturing Chechen men, causing some to disappear; and by extorting money from civilians to permit the release of loved ones or to allow them to cross checkpoints.

Although there was considerable variation in the details provided by witnesses in their accounts to PHR in December 2000 of human rights violations, common elements appeared throughout: The violations committed by Russia's forces came suddenly, often without warning or reason, to people merely trying to survive in a war-devastated country. Individuals were arrested and detained while walking on a road in their villages or towns, standing in their front yards, shopping at a market, driving, crossing a checkpoint that they had navigated hundreds of times before, or just sitting in their homes with their families. One man was arrested because

he could not produce a case of vodka, another because he protested the arrest of his son. Sometimes individuals were arrested en masse, especially during “sweeps” through the villages by Russia’s soldiers.

Arbitrary Arrests and Disappearances

The circumstances and manner of the arrests suggest that they were often executed by units without any pretext of legal authority or regularity. Although some of the men arrested were brought to conventional detention facilities, others were thrown into pits in the ground or held in fuel dumps or cellars. Local military commanders sometimes did not know men had been detained or where; in other cases the commanders helped secure release. Some men simply disappeared after arrest.

Beatings/Torture

Individuals interviewed by PHR who were arrested were always beaten, often repeatedly and severely. Some of the men PHR interviewed were tortured with electricity. One was shot while riding on a truck. Another was mutilated. Their documents were confiscated, creating new risks when they were finally released. While detained they were deprived of food for days at a time and sometimes kept in cells or pits so small that all of the men could not sit down.

Arrests as a Form of Extortion

The men interviewed were released only when families paid a bribe demanded by the unit holding them or when families used whatever political influence they could muster to secure the release.

Shelling / Explosives

Civilians were also victimized by assaults, murders and the shelling of cities and villages. While Physicians for Human Rights was conducting this investigation, Russia’s forces shelled the area around the university in Grozny. At least six were killed. The university had re-opened despite a lack of electricity and books. In other cases, explosive devices, including landmines, injured and killed many people.

Medical Neutrality

No respect is shown by Russia’s forces for the principle of medical neutrality, recognized in the Geneva Conventions, which provides that medical personnel, facilities and conveyances are off-limits to attack by military forces so long as they retain their medical character. Russia’s forces harassed health workers at checkpoints, interfered in the provision of medical care at hospitals, and even sought to arrest individuals at hospitals. They took over one hospital for use as a military barracks—a blatant violation of international humanitarian law.

Abuses by Chechen Fighters and Others

Russia's forces are not the only ones committing human rights violations. PHR received reports that fighters on the Chechen side threatened and sometimes killed civilians, including local administrators, alleged to be collaborating with Russian authorities. In addition, the PHR team received reports that criminals engaged in murder and assaults on civilians. These violations of human rights warrant condemnation.

International Law

Russia's forces and fighters from the Chechen side have obligations under international human rights and humanitarian law, as well as domestic law, to pursue political and military objectives without raining death and brutality on the unarmed population of Chechnya. The Russian Federation has permitted war crimes and violations of human rights to take place with impunity.

Recommendations

Physicians for Human Rights recommends:

To the Russian Federation:

1. The President of the Russian Federation and senior military commanders direct that all of Russia's federal forces and units of the Interior Ministry comply with obligations under treaties and conventions on international human rights and humanitarian law to which Russia is a signatory. These include the International Covenant on Civil and Political Rights, the European Convention on Human Rights, the Convention Against Torture, and the Geneva Conventions. The directive must make clear that local commanders are responsible for assuring such compliance and will be held accountable if they do not. An effective command structure must assure that such directives are carried out.
2. Russia's federal forces and units of the Interior Ministry must stop engaging in arbitrary and illegal arrest and detention in Chechnya and extortion and bribery to release those detained. All arrests and detentions must follow procedures under law, and must include notice of charges, the right to speak to counsel, detention in an authorized facility, notification of families of the fact of arrest and detention, and allowance of visits by families. Identification and other official papers must be returned to individuals arrested upon their release. Allegations of mistreatment, illegal arrest, and extortion or bribery in connection with arrests and detentions should be thoroughly investigated and violators prosecuted. Lists or registers of numbers of individuals arrested or detained should be made available publicly.

3. Russia must completely halt the indiscriminate and disproportionate bombing and shelling of civilian areas as well as shooting into houses, mining of apartment buildings and murders. Commanders of military units should be instructed on the limitations international humanitarian law places on military activities and held accountable for violations.
4. Russia's forces and units of the Interior Ministry must stop the use of torture, including beatings, physical abuse, mutilation and use of psychological terror that accompanies arrests and detention. Allegations of violations must be thoroughly investigated and perpetrators prosecuted.
5. Russia's forces must cease destroying homes and personal property, looting and other theft and destruction of civilian property in connection with sweeps. Allegations of violations must be thoroughly investigated and perpetrators prosecuted.
6. Russia's forces must adhere to the principles of medical neutrality. Commanders of military units should be instructed on the limitations of international humanitarian law as it pertains to medical neutrality and be held accountable for violations.
7. Russia's forces and units of the Interior Ministry must stop practices that deny freedom of movement and other fundamental human rights as people travel in Chechnya. This includes ending beatings, extortion and harassment at checkpoints and on roads. Commanders of local units should be instructed in the limitations that human rights and humanitarian law place on their conduct at checkpoints and on roads. Allegations of violations must be thoroughly investigated and perpetrators prosecuted.
8. Russia must follow through on its pledges to investigate and hold accountable those responsible for war crimes and other human rights abuses documented here and by other organizations. This includes establishing an independent commission of inquiry, in accordance with the April 2001 United Nations Commission on Human Rights resolution, with adequate powers, including the power to subpoena witnesses and documents. Although there have been at least three Russian agencies working on human rights issues in Chechnya, none of these bodies has come close to achieving the standards outlined in the UN resolution of establishing accountability and preventing impunity. In addition, Russia should prosecute crimes committed by its forces in Chechnya thoroughly and transparently.
9. Russia must permit unconditional access by agencies of the United Nations with jurisdiction to examine and investigate human rights violations in Chechnya, including special rapporteurs and representatives with jurisdiction over arbitrary detention, torture, violence against

women, extrajudicial–summary–or arbitrary executions, internally displaced persons, and children in armed conflict. It must also allow complete access to human rights monitors from the UN High Commissioner for Human Rights and other governmental and non-governmental human rights agencies. Russia should also permit access to detainees and detention facilities by the International Committee of the Red Cross.

10. Russia must permit unconditional access to monitors from the Organization for Security and Cooperation in Europe's (OSCE) Assistance Group to all parts of Chechnya, including all places of detention.
11. Russia's Special Representative for Human Rights in Chechnya must continue to collect information on violations of human rights and international humanitarian law in Chechnya and initiate investigations of arbitrary arrest, illegal detention, torture, summary executions, destruction and taking of property (including identification) of non-combatants, and restrictions on freedom of movement, and demand prosecution of perpetrators. This should include regular visits to places of detention, checkpoints, and other locations where violations take place.
12. Russia must end the humanitarian emergency by assuring the provisions of food, shelter, health care, and other basic needs for the hundreds of thousands of displaced persons in both Ingushetia and Chechnya or persons with their homes and livelihoods destroyed by the war. Humanitarian assistance should include psychological services both to assist and rehabilitate victims of torture and to meet the needs of individuals who have suffered psychological trauma. Further, Russia must allow unfettered access to Chechnya for humanitarian organizations for the provision of desperately needed aid in an environment where their security is protected.

To the Fighters on the Chechen Side:

1. Chechen forces, like Russia's federal forces, must respect their obligations under international humanitarian law, including the provisions of Common Article 3 of the Geneva Conventions, and human rights law, and refrain from extrajudicial killings, threats of killing, property destruction of non-combatants, hostage-taking and other violations. Commanders should be instructed in the requirements of international human rights and humanitarian law. Perpetrators should be held accountable.
2. Chechen forces must take measures to ensure that armed actions, such as mines and booby traps, do not endanger the lives of other civilians. Chechen forces must stop the indiscriminate and disproportionate use of force in civilian areas.

3. Chechen forces should state and make public that they abide by international humanitarian law and steps taken by them to respect it.

To the International Community, the United Nations, the Council of Europe, the Organization for Security and Cooperation in Europe, and the United States:

Governments and relevant international organizations must:

1. Publicly identify and condemn Russian violations of human rights and humanitarian law in Chechnya. Where the violations are war crimes, they should publicly state so. This condemnation should be made at the highest level.
2. Demand unconditional access for international investigators and monitors, including the OSCE Assistance Group and relevant agencies of the United Nations, to investigate and monitor violations of human rights and international humanitarian law in Chechnya itself and in the detention facilities in the surrounding region. The demand should include an ongoing presence by the OSCE Assistance Group to monitor human rights in Chechnya.
3. Advocate intensively and at the highest levels for the release of illegally imprisoned and tortured civilians from Chechnya now detained in detention centers, so-called “filtration” camps, and other ad hoc places of detention.
4. Demand unimpeded access to detention sites by the International Committee of the Red Cross.
5. Demand that President Putin address the humanitarian emergency, reminding Russia of its obligation to provide food, shelter, and medical care to people in Chechnya and to displaced people. Assistance should include rehabilitation of victims of torture and psychological services for trauma. Additionally, donor nations, the United States and European nations must immediately address the very grave humanitarian situation in Chechnya and Ingushetia and increase humanitarian aid to the displaced population. Further, the international community should demand unfettered and secure access for humanitarian organizations seeking to provide aid inside Chechnya.
6. Support intergovernmental initiatives to monitor and investigate human rights violations in Chechnya including: the rapporteurs and working groups of the United Nations, the OSCE Assistance Group, and the Council of Europe’s human rights staff.

7. All international agencies should make humanitarian demining, landmine awareness campaigns, and a coordinated survey of landmine incidents an immediate priority to minimize the loss of life and limbs threatening civilians inside Chechnya.
8. At the World Bank and the International Monetary Fund, governments should oppose new general budgetary financing or the release of previously approved unrestricted funds until OSCE monitors are in place in Chechnya and operating with full cooperation of Russian civilian and military authorities. Funding should also await Russia's steps to end human rights violations in Chechnya, including the undertaking of appropriate investigations and the assignment of accountability to the perpetrators. PHR supports extensive Western assistance to Russia, both bilateral and multilateral, for purposes of addressing Russia's vast humanitarian needs, particularly in the health sector. PHR does not believe, however, that structural adjustment or general budgetary support should be provided unconditionally to Russia so long as the government continues its atrocities in Chechnya and thwarts international efforts to place monitors there, which could help end the violations and aid the victims.
9. Demand compliance with all elements of the resolution on Chechnya at the 2001 session of the UN Commission on Human Rights.

To the United Nations:

1. The UN should press Russia to adhere to the April 2001 UN Commission on Human Rights resolution condemning Russia's actions in Chechnya and calling for Russia to conduct an independent commission of inquiry.
2. The UN should carry out the missions and investigations called for in that resolution—and which have not taken place because of obstruction by the Russian Federation—by the various special human rights mechanisms including: U.N. Special Rapporteur on extrajudicial, summary, or arbitrary executions, U.N. Special Rapporteur on torture, U.N. Special Rapporteur on violence against women, Special Representative of the Secretary General for internally displaced persons, and Special Representative of the Secretary General for children and armed conflict.

To the Organization for Security and Cooperation in Europe (OSCE):

1. The OSCE should deploy the Assistance Group from Moscow back to Chechnya. Before this second war, Russian authorities permitted the OSCE independently to monitor human rights violations in Chechnya and, at the Istanbul OSCE Summit in November 1999, pledged to

continue to seek to deploy monitors. The monitoring should be ongoing and should include evidence gathering, reporting, and recommendations for prosecution.

To the Council of Europe:

1. The Council should ensure the independence of its human rights staff now working with Russia's Presidential Representative on Human Rights in Chechnya, and publicly critique or report on the investigations carried out by Russia's authorities where warranted.
2. Given the Parliamentary Assembly's continued calls to keep under review Russia's compliance with its Council obligations, the Council should carry out its own independent investigation of abuses in Chechnya, as part of a special investigation of Russia's compliance with Council obligations.
3. Given that the Parliamentary Assembly has stated that the Russian Federation's response to its call for Russia to internally investigate their own abuses has yet to produce substantial results, the Council should support an independent international Commission of Inquiry.
4. Until Russia investigates and prosecutes those responsible for the numerous credibly documented abuses, the Parliamentary Assembly should again consider the suspension of Russia's participation in the Assembly, even though the Assembly reinstated Russia's voting rights in January 2001.
5. Member states should file interstate complaints against the Russian Federation with the European Court of Human Rights for massacres, torture and other violations of the European Convention on Human Rights.

To the United States Government:

In addition to participating in and supporting the actions sought of the entire international community,

1. President George W. Bush should make the protection of human rights in Chechnya a high priority in his bilateral relations with Russian President Putin.
2. The United States should publicly and privately identify and condemn Russian violations in Chechnya and in circumstances where the violations are war crimes, publicly so state. President Bush should demand that President Putin establish accountability for human rights violations committed by Russian forces in Chechnya. President Bush should also demand that President Putin instruct Russian forces in Chechnya to comply with international human rights and international humanitarian law.

3. President Bush should demand that President Putin permit access to human rights monitoring as specified above. President Bush should reiterate United States support for the presence of independent monitors in Chechnya under the auspices of the OSCE.
4. The United States should immediately deploy staff from the U.S. diplomatic mission in the Russian Federation to Ingushetia to collect testimonies from the displaced Chechen population to document war crimes. The State Department should reevaluate its prohibition preventing officers from collecting human rights data.
5. President Bush should enlist the U.S. Department of State, in cooperation with the U.S. intelligence community, to begin a vigorous data collection effort to document war crimes in Chechnya. All available intelligence information sources should be collected and evaluated, including relevant U.S. knowledge of military and security command control, satellite photographs, and radio and telephone intercepts to identify the perpetrators of war crimes and their commanders.
6. At the World Bank and the International Monetary Fund, the United States should oppose new general budgetary financing or the release of previously approved unrestricted funds until OSCE monitors are in place in Chechnya and operating with full cooperation of Russian civilian and military authorities and Russia takes other necessary steps to end human rights violations in Chechnya, undertakes appropriate investigations and holds perpetrators accountable. PHR supports extensive Western assistance to Russia, both bilateral and multilateral, for purposes of addressing Russia's vast humanitarian needs, particularly in the health sector. PHR does not believe, however, that structural adjustment or general budgetary support should be provided unconditionally to Russia so long as the government continues its atrocities in Chechnya and thwarts international efforts to place monitors there which could help end the violations and aid the victims.

II. HISTORICAL BACKGROUND

Land and People

Chechnya, an autonomous republic of the Russian Federation, is situated in the North Caucasus region. The small, landlocked region has an area of approximately 15,000 km² (about the size of the state of Connecticut) and is bordered on the north, east, and west by the Russian Federation. To the north is the Stavropol Region, to the east and southeast the Dagestan republic, to the northwest is North Ossetia, to the west is the Ingushetia republic, and to the southwest is the Republic of Georgia (independent since the breakup of the Soviet Union in the early 1990s). The economy of Chechnya has relied heavily on its petroleum refining, and by 1994 the capital city of Grozny was producing about 3.5 million tons of petroleum annually.⁶ While Grozny contains the most important Chechen refineries, it is also considered a major junction of the oil pipelines running between the Caspian Sea and Black Sea ports and the pipeline system of the Russian Federation. Chechnya is also known for its petrochemical industry, furniture manufacturing, and food production.⁷

In 1993 the population of Chechnya was just over 1 million.⁸ By the end of the first war in 1996, the population decreased to 950,000.⁹ The Chechen and Ingush people, who make up the ethnic majority of the republic, are Sunni Muslims and speak a dialect belonging to the Nakh group of Caucasian languages.¹⁰ Ethnic Russians made up a minority of the population of Chechnya, about 25% in 1993.¹¹

History

The Chechens have occupied their present territory for at least 6,000 years.¹²

⁶ O'balance, E. *Wars in the Caucasus, 1990-1995*. New York University Press, 1997, p. 162.

⁷ "Chechnya." *Encyclopedia Britannica*. Chicago, 1998 Vol. 3, p. 145.

⁸ *Id.*

⁹ Philippe Biberson, President of Médecins Sans Frontières, "Open Letter regarding Chechnya," November 17, 1999.

¹⁰ *Id.*

¹¹ "Key Facts and Figures About Chechnya," The Reuters Foundation, March 1999, retrieved from <http://www.alertnet.org>.

¹² Dunlop, J.B. *Russia Confronts Chechnya*. Cambridge University Press, 1998, p. 1.

Sunni Islam was first introduced to the Caucasus region in the seventh century, and by the eighth century Arabs were actively converting the Caucasian people. The religion spread among the mountain regions, where the ancestors of present day Chechens lived. A second penetration of Islam occurred between the thirteenth and fourteenth centuries, frustrating the crusades of Orthodox Christians in the North Caucasus region. By the seventeenth century, Islam was deeply rooted throughout most of North Caucasia.¹³

Confrontations between Russia and Chechnya began as early as the sixteenth century, but Russia's first imperial ambitions against the region began in the late eighteenth century. The first organized Chechen resistance to Christian Russia was from 1785-1794. It was only two decades before Chechen resistance was once again mounted.¹⁴ The Chechens fought for over forty years until their warrior leader Imam Shamil surrendered to the Russians in 1859. Soon after, the Circassians in the western regions were defeated, and by 1864 the entire Caucasus region was again under Russian rule.¹⁵

The Bolshevik Era

The Chechens suffered under Russian czarist rule until the Bolshevik Revolution of 1917. The resulting civil war between the White¹⁶ and Red (Bolshevik) armies sparked a new rebellion in the Caucasus. On May 11, 1918, the North Caucasus state declared full independence from the Russian Federation, but soon fell under the attack of both the White and Red armies. In 1919, General Denikin of the White army invaded Chechnya in an attempt to prevent a Caucasian alliance with the Bolsheviks. The Bolshevik Red army soon stepped in and by the beginning of 1920, much of the North Caucasus region was under its control.¹⁷

Rebellion against the Red army broke out in August of 1920. In January 1921, Joseph Stalin agreed to the establishment of the Mountainous Autonomous Republic (which included present day Ingushetia and Chechnya), provided it recognize Soviet power. Chechnya detached itself from the Republic in 1922, forming the Chechen Autonomous *Oblast'* (district), and the rebellions against the Soviets continued for the next decade. In 1934 the Chechen Autonomous Oblast' and Ingush Autonomous Oblast' were combined and in 1936 became the Chechen-Ingush Autonomous Republic. In

¹³ *Id.*, p. 3.

¹⁴ Colarusso, J. "Chechnya: The War Without Winners," *Current History*. October, 1995 Vol. 94, No. 594, p. 329.

¹⁵ Dunlop, J.B. *Russia Confronts Chechnya*, pp. 24-27.

¹⁶ The White army or the "Whites" are the collective names for disparate factions of Tzarist officers, anarchists, liberals, peasant rebels, members of the Party of Social Revolutionaries, all of whom fought against the Bolshevik Red Army.

¹⁷ *Id.*, pp. 37-39.; Gall, C. and T. de Waal. *Chechnya; Calamity in the Caucasus*. New York University Press, 1998, pp. 51-53. O'balance, E. *Wars in the Caucasus, 1990-1995*, p. 164.

1937, Stalin launched a campaign of terror against anti-Sovietism throughout the Republic, arresting thousands and sending them to concentration camps or to be executed. By 1939, the Chechen population had diminished by over 35,000.¹⁸

The Deportations and Rebuilding of the Republic

Stalin's terror against Chechens reached its peak in 1944, at the height of the war against Nazi Germany. Attempting to capitalize on Chechen antagonism toward the Soviet regime, Germany offered the Republic promises of religious freedom, the opening of new mosques and schools, and other incentives. While the Chechens, for the most part, disregarded Nazi advances, Stalin immediately accused the Chechens of supporting the Nazi regime.¹⁹

On February 23, 1944, Stalin commenced the legendary mass deportation of Chechen and Ingush people to the Soviet Republic of Kazakhstan. Approximately 80,000 people a day were shipped out by freight trains and within a week almost no one was left.²⁰ Approximately half a million Chechen and Ingush were expelled from their homes and resettled. Thousands died from the journey alone, and the death tolls increased with the harsh Kazakhstan winters and appalling settlement conditions.²¹ The Chechen-Ingush Republic was dissolved and the region was divided among surrounding republics. The Soviets continued to defend their actions, alleging mass collaboration between the Chechens and the Germans, and in 1948 the Supreme Soviet of the USSR decreed that the deportation would be permanent.²² An estimated 144,000 of the deported died between 1944-48, almost 24% of their population.²³

Stalin's death in 1953 marked the beginning of a slow journey of recovery for the Chechen and Ingush people. Restrictions on the settlements in Kazakhstan were lifted and for the next three years more freedom and mobility was granted. While Nikita Krushchev and other party officials debated over what to do with them, some Chechen and Ingush began forcing their way back to their former republic. Soviet party leadership attempted to stop their return and proposed creating a new autonomous republic in several areas such as southern Kazakhstan, Uzbekistan, and Dagestan. The determined Chechens refused one proposal after another and continued to demand the

¹⁸ "Chechnya." *Encyclopedia Britannica*, p. 145; Dunlop, J.B. *Russia Confronts Chechnya*, pp. 40-44, 46, 55-56.; Gall, C. *Chechnya: Calamity in the Caucasus*, pp. 53-55.

¹⁹ Dunlop, J.B. *Russia Confronts Chechnya*, pp. 58.

²⁰ Gall, C. *Chechnya: Calamity in the Caucasus*, p. 60.

²¹ Id, pp. 61, 71. Dunlop, J.B. *Russia Confronts Chechnya*, pp. 68-71.

²² Gall, C. *Chechnya: Calamity in the Caucasus*, p. 61.

²³ Dunlop, J.B. *Russia Confronts Chechnya*, p. 70.

freedom to return to their original territory. Krushchev finally agreed and in January 1957 Chechen-Ingushetia was re-established as a Republic.

Rebuilding the republic was a long and difficult process for the Chechen Ingush Autonomous Soviet Socialist Republic (ASSR). The relocation of some Russian and Cossack populations to make room for the Chechens and Ingush caused ill relations between the ethnic groups. Land disputes and legal claims were abundant and led to great instability in the North Caucasus. With the territorial mergers, Chechen and Ingush people only made up about 41% of the new republic, making them a minority in their own homeland. Discussion of the deportations was forbidden but the anger and resentment of the Chechen people remained and continued to escalate for almost three decades.²⁴

The Chechen Revolution

Nationalism in the Chechen-Ingush ASSR intensified and by the late 1980s protests became more frequent. In 1989, Doku Zavgayev became the Chechen First Secretary of the autonomous republic and filled most of the Republic's Soviet parliament and other official positions with members of his Communist faction.²⁵ Protests in Chechnya continued and movements arose to make Chechnya an independent republic outside the Russian Federation but still within the Soviet Union. Around this time General Dzhokhar Dudayev, a former Soviet Air Force commander, was elected chief of the Chechen National Congress (CNC). Dudayev was seen as a captivating and energetic leader with great political ambitions, and under his guidance the CNC became a highly influential political group.²⁶ In November 1990 Zavgayev adopted a "Declaration of State Sovereignty of the Chechen-Ingush Republic" proposed by the CNC. The CNC agreed to sign a treaty with the USSR on the condition that its independence be recognized.

In August 1991 in the midst of Soviet leader Mikhail Gorbachev's restructuring of the former Soviet Union, while Zavgayev was in Moscow to sign the proposed Union treaty, a conservative clique attempted a coup of Gorbachev. Zavgayev remained silent. Back in Grozny, Dudayev had already organized protests in favor of Boris Yeltsin and his opposition to the coup and called for a strike. Dudayev condemned Zavgayev for his cowardice and called for the disbanding of the USSR's Supreme Soviet. The coup failed and Zavgayev returned too late to regain control. In September, he resigned.²⁷

Meanwhile, Dudayev called for elections to take place in late October. In those elections Dudayev himself was elected president. Following his vic-

²⁴ Colarusso, J. *Chechnya: The War Without Winners*, p. 330.; Dunlop, J.B. *Russia Confronts Chechnya*, pp. 75-76, 79-80.; Gall, C. *Chechnya: Calamity in the Caucasus*, pp. 72-74.

²⁵ Lieven, A. *Chechnya: Tombstone of Russian Power*. Yale University Press, 1998, pp. 56-58.

²⁶ Gall, C. *Chechnya: Calamity in the Caucasus*, p. 76; O'balance, E. *Wars in the Caucasus, 1990-1995*, p. 166.

tory, on November 1, 1991, Dudayev declared independence for Chechen-Ingushetia.²⁸ Shortly after, Ingushetia voted to leave the Chechen-Ingushetia autonomous republic and instead remain within the Russian federation.²⁹

Yeltsin, the President of Russia emerging from the break up of the Soviet Union, immediately determined that Chechnya was in a state of emergency. He attempted to arrest Dudayev and ordered an invasion into Chechnya. The Chechens occupied the airports as Russian troops were arriving. When the planes landed, Chechen troops surrounded them with trucks carrying great quantities of oil. The Russians were then told that they had to surrender their arms and leave if they did not want to be burned alive. They subsequently withdrew, and the emergency decree was removed in order to alleviate the tense situation in Chechnya.³⁰

Thus, Chechnya considered itself to be independent, while Russia still considered the area as part of the Russian Federation. An uneasy peace existed between the two until the spring of 1994. In February 1994, the Republic of Tatarstan, another region which, like Chechnya, had not wanted to be part of the Russian federation after the breakup of the Soviet Union, agreed to Russian sovereignty. Chechnya was therefore alone in its desire for complete independence. This caused many Russians to want to ensure that the republic stayed under Russian control. These feelings were strengthened by stereotypes of the Chechens as being involved in mafia and criminal activities.³¹

The First War 1994-1996

On December 11, 1994, approximately 40,000 troops from the Russian army and the Interior Ministry (MVD) entered Chechnya from North Ossetia, Dagestan and the Stavropol region.³² On New Year's Day, Russian forces launched a large scale, but strategically disastrous attack on the center of Grozny. Several thousand Russian troops died in this assault.³³ Following this setback, the Russian command changed their military tactics. A

²⁷ Kline, E. "History: Perestroika and the breakup of Soviet Empire," ASF Chechnya Brief. Andrei Sakharov Foundation, June 1998, retrieved from <http://www.wdn.com/asf/>; Lieven, A. *Chechnya: Tombstone of Russian Power*, pp. 56-58.; O'balance, E. *Wars in the Caucasus, 1990-1995*, p. 166-167.

²⁸ Colarusso, *Chechnya: The War Without Winners*, p. 331; O'balance, E. *Wars in the Caucasus, 1990-1995*, p. 168.

²⁹ Colarusso, J. *Chechnya: The War Without Winners*, p. 331; O'balance, E. *Wars in the Caucasus, 1990-1995*, p. 169.

³⁰ Colarusso, J. *Chechnya: The War Without Winners*, p. 331; O'balance, E. *Wars in the Caucasus, 1990-1995*, p. 168.

³¹ Kline, E. "Independence," ASF Chechnya Brief.

³² BBC news/Europe/The first bloody war, <http://news2.thls.bbc.co.uk/hi/English/world/Europe/>; O'balance, E. *Wars in the Caucasus, 1990-1995*, p. 180.

massive bombardment of the capital was initiated, killing thousands of civilians and leaving much of the city in ruins. Within weeks, a large percentage of the civilian population had fled Grozny.³⁴

The Russian troops proceeded to take control over lowland Chechnya. In late March, they took the towns of Argun, Gudermes and Shali. At this point, an estimated one third of the population had become refugees.³⁵ The manner in which the war had been fought was seriously questioned. From the outbreak of the war, numerous accounts reported torture in custody, deliberate killings of civilians (including women and children), looting, and establishment of 'filtration camps' for Chechen men and summary executions.³⁶

Fred Cuny, an American disaster relief specialist working in Chechnya, together with two Russian doctors and an interpreter, disappeared on March 31, 1995. It has been reported that they were in Grozny attempting to convince both the Chechen and Russian sides to negotiate a ceasefire. Cuny and his three companions were never heard from again after that date and their bodies were never found. Some speculate that they were executed by Chechen intelligence while others lay the blame on Russia.³⁷

An important development in the conflict occurred in mid-June 1995, when Chechen fighters, on a raid led by Shamil Basayev, entered the town of Budyonovsk. The fighters attacked various buildings and took hundreds of hostages to a hospital, where staff and patients were also held in blatant violation of medical neutrality, among other abuses.³⁸ The situation turned tragic when Russian troops fired on the hospital, killing hundreds of hostages.³⁹ Still, Basayev, negotiated his escape back to Chechnya. He remains at large and is a leading commander of fighters on the Chechen side in the current conflict.⁴⁰

In July 1995, Moscow and the Chechen leadership signed a peace agreement calling for a halt to all hostilities, an exchange of prisoners, and the gradual withdrawal of Russian troops from Chechnya in return for the disarming of the Chechen rebels. The issue of Chechen independence was excluded from the agreement. In October, fighting intensified again. General Romanov, commander of the Russian forces, was critically wounded in a bomb attack in Grozny. Moscow responded by announcing a temporary suspension of the peace talks.⁴¹

³³ BBC news/Europe/The first bloody war; <http://news2.thls.bbc.co.uk/hi/English/world/Europe>.

³⁴ The Center for Defense Information, <http://www.cdi.org/issues/Europe/caucasus.html>.

³⁵ *Id.*

³⁶ Amnesty International, "Chechnya: Only an International Investigation will Ensure Justice for the Victims," March 28, 2000.

³⁷ Online Ethics Center: The Online Ethics Center for Engineering and Science. <http://onlineethics.org/moral/cuny/intro.html>.

³⁸ Centre for Russian Studies database, <http://www.nupi.no/cgi-win/Russland/Krono-exe/4312>.

³⁹ The Center for Defense Information, <http://www.cdi.org/issues/Europe/caucasus.html>.

⁴⁰ Bagrov, Yuri. "Russians Arrest Top Chechen Rebel," *Washington Post*, September 28, 2000.

In turn, the Chechen side suspended entirely the July accord.⁴²

The beginning of the year 1996 brought new hostility and new hopes. In mid-January, a new hostage crisis took place. A group of Chechens took over a hospital in Kizlyra in Dagestan and held hostage three thousand people. They released most of them the next day and headed for Chechnya. The Russian forces stopped them in Pervomayskaya, near the Chechnya border. After seven days of stand-off, Russian troops ordered a full-scale attack on Pervomayskaya, killing hostages and rebels.⁴³

On March 31, Yeltsin announced his plan for a peace settlement. The proposal included an immediate, bilateral cease-fire, elections to the Chechen Parliament, and talks with Dudayev. The Chechen demands for full independence and Russian withdrawal were not resolved and hostilities between Russian forces and Chechens continued. On April 21, a Russian rocket near the village of Gekhi Chu reportedly killed President Dzhokhar Dudayev.⁴⁴ The Chechen side did not collapse as a result of Dudayev's death. On April 25, renowned Chechen leader Zelimkhan Yandarbiyev was elected Dudayev's successor as President.

By the end of May 1996, Yeltsin and Yandarbiyev agreed on a cessation of hostilities and an exchange of prisoners. Further negotiations were to follow leading to a peace deal giving Chechnya broad autonomy as a "sovereign state" within the Russian federation. However the war intensified once more after Yeltsin's reelection. By August, hundreds more had been added to the death toll. Civilians were fleeing Grozny once again. On August 22, General Aleksandr Lebed, newly appointed Secretary of the Russian Security Council and Aslan Maskhadov, Chechen Chief of Staff, agreed to a new cease-fire. On August 31, 1996 in Khasavyurt, Dagestan, they signed a wide-ranging peace agreement. However the terms of the agreement were indefinite. The parties chose to postpone the issue of Chechnya's formal status until 2001.

The Inter-War Period, 1996-1999

On December 16, 1996, six International Committee of the Red Cross (ICRC) workers were brutally murdered in the middle of the night at the ICRC hospital in Novy Atagi, by a group of armed and masked men.⁴⁵ The ICRC and other international humanitarian aid organizations evacuated their staffs from the region.

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Associated Press*, Yeltsin: Hostage Crisis in Chechnya over, January 18, 1996.

⁴⁴ Astigarra, I. *Le Monde Diplomatique*, March 2000.

⁴⁵ International Committee of the Red Cross Press Release, "ICRC in Shock: six delegates assassinated in Chechnya," December 17, 1996.

In 1997, Chechnya held internationally monitored democratic elections in which Maskhadov won the presidency over Basayev.⁴⁶ Pro-independence leader Maskhadov served as Prime Minister of the Chechen Coalition Government from October 1997 through January 1997. The name of the capital was changed from Grozny, a Russian name, to Djozhar, a Chechen one. In October 1998, President Aslan Maskhadov dismissed the entire government of the Chechen Republic. In December, a new government was approved and the Supreme *Shari'a* court suspended the Parliament on the ground that it contravened Islamic law.⁴⁷

Political turmoil, human rights abuses and criminal activity contributed to a growing reputation of lawlessness in the Chechen Republic between the two wars. Kidnapping and threats became common enough that nearly all international aid agencies pulled out of Chechnya, despite the needs in the Republic. For example, the OSCE pulled its mission out of Chechnya in December 1998, due to the deteriorating security situation. The international staff of the OSCE has yet to return at the time of this writing.

The Second War, 1999–Present

On August 7, 1999, over 1,000—armed troops reportedly led by Basayev—Dagestanis, Chechen and mercenaries from Arab countries—entered Dagestan through Chechnya.⁴⁸ They occupied numerous villages and strategic points in the Botlikh region of Dagestan. After three weeks of fighting, Russia's federal forces and local troops dislodged the combatants, who announced their withdrawal on August 24.

Following the withdrawal, Russia's forces fought with the population of the fundamentalist Islamic villages in the Buynask region of Dagestan. Since 1998, the villagers had renounced the secular governments of Russia and Dagestan and had enjoyed a de-facto autonomy from central authority. With Russia bombarding the Islamic strongholds in Dagestan, combatants from Chechnya invaded for the second time on September 5, 1999.⁴⁹ As during the first attack, Russia's forces and local troops stopped the invasion.

Russia's federal forces shifted their focus towards Chechnya and began a large-scale ground assault and air campaign to contain Islamic forces based in the separatist republic and to punish fighters from Chechnya whom Moscow blamed for five terrorist bombings in August and September 1999 in Moscow, Volgodonsk (southern Russia) and Buisnak (Dagestan), that killed approximately 400 and injured thousands.⁵⁰ On September 14, 1999,

⁴⁶ Centre for Russian Studies Database, <http://www.nupi.no/cgi-win/Russland/Krono-exe/4312>.

⁴⁷ Amnesty International, Report 1999, the Russian Federation.

⁴⁸ Centre for Russian Studies Database, <http://www.nupi.no/cgi-win/Russland/Krono-exe/4132>.

⁴⁹ The Center for Defense Information, <http://www.cdi.org/issue/Europe/caucasus.html>.

then-Russian Prime Minister Vladimir Putin, announced the deployment of troops along Chechnya's borders to create a security corridor around the Republic. By the end of October 1999, troop deployment in the region totaled as many as 100,000.⁵¹

Russia's federal forces included draftees who are serving their compulsory military service and *kontraktniki* or contract soldiers, who are paid wages well above those of the national average. These contract soldiers are mainly composed of two pools – those who “volunteered” to continue fighting in Chechnya after their term of compulsory military service ended and those who already had served in the Russian Army in, for example, the first Chechen war or in Afghanistan in the 1950s. Bonuses paid to *kontraktniki*, which were approximately the equivalent of \$30 per month as of September 2000, have reportedly been recently reduced.⁵² In addition to the regular military units, several militarized police units of Russia's Interior Ministry, including OMON, a special forces unit also referred to as riot police, operated and continue to operate in Chechnya. Also, the FSB (Federal Security Service), the Russian Federation's successor to the Soviet Union's intelligence and security agency, the KGB, has held major responsibility for different aspects of the Federation's operations. From the beginning of the second conflict, federal forces have also included Chechen militia units, one led by Bislan Gantamirov, a former mayor of Grozny implicated in the past in corruption. Police reporting to the Chechen civilian administration, recently appointed by Moscow, are also present.

On September 22, 1999, Prime Minister Putin publicly denounced the Khasavyurt accords signed in 1996 and met with the Chechen parliament-in-exile, which had been elected before 1996. On September 23, 1999, Russia's federal forces launched a massive air attack against the Grozny airport, radar stations, oil refineries, power installations and fuel storage locations. On September 30, 1999, Aslan Maskhadov asked Eduard Shavarnadze, President of Georgia, to be a mediator in the conflict. Thousands of civilians had fled Chechnya largely to the province of Ingushetia and the numbers of displaced persons continued to grow through the year.⁵³

In early October, Maskhadov, declared martial law and called for jihad or holy war against the Russian forces.⁵⁴ On October 7, 1999, the European Union Commissioner for external affairs, Chris Patten, visited Moscow and expressed his concern over the humanitarian consequences of the conflict and

⁵⁰ BBC news online, www.bbc.co.uk/.

⁵¹ The Center for Defense Information, <http://www.cdi.org/issue/Europe/caucasus.html>.

⁵² Maura Reynolds, “Russia Repeating Old Mistakes with Chechen Separatists, Experts Predict Continued Insurgency,” *Los Angeles Times*, January 1, 2001.

⁵³ US Committee for Refugees, Worldwide Refugee Information, “Russia retaliates against armed insurgents in Dagestan. More than 10,000 newly uprooted in August,” September 1999.

⁵⁴ Miller, S. *Crisis in the Caucasus, History of the Conflict*, <http://www.infolplease.com>.

insisted on the necessity of a meeting between Russian and Chechen officials.⁵⁵

On October 22, 1999, a Russian missile struck an open market, killing more than a hundred people. Bombings of Grozny continued. Russia rejected foreign intervention and continued its bombing of Chechnya. The towns of Bamut, Gerzel, Goragorsky, Nozhay-Yurt, Serzhen-Yurt and Zandak were bombed. On October 25, 1999, the UN High Commissioner for Refugees, Sadako Ogata, expressed concern over the civilian casualties in Chechnya and the closure of the borders to Ingushetia, which had already received thousands of refugees.⁵⁶ Shortly after, Russia announced its plan to establish “humanitarian corridors” to allow civilians to leave Chechnya. Russian and Western leaders met in Oslo in early November. Two days of dialogue failed to produce any resolution on the conflict in Chechnya. The first column of Chechen refugees –who had fled to Ingushetia- returned to the Russian-occupied Western region of the republic of Chechnya at the beginning of November 1999.⁵⁷ On November 15, Russia’s federal forces launched the largest bombing campaign yet against Grozny.⁵⁸ Mayor Lecha Dudayev affirmed that between 250 and 500 people were killed in the attack.⁵⁹ A month later, European Union leaders, at a summit in Helsinki, deplored Russian actions in Chechnya and recommended that Russian leaders negotiate a peace settlement with the “elected Chechen authorities.” On December 15, the Organization for Security and Cooperation in Europe, meeting in Vienna, called for an immediate cease-fire.⁶⁰ Maskhadov was reportedly in hiding in the southern mountains of Chechnya.

The year 2000 began with the resignation of Russia’s President Boris Yeltsin. Prime Minister Vladimir Putin was declared acting president until the new elections were held. On January 10, he signed a new decree modifying Russian security guidelines.⁶¹ Fighting against “terrorism” and organized crime became the highest priorities. General Kazantsev, Commander of Russia’s forces in North Caucasus, announced that all Chechen males between the age of 10 and 60 would be detained in holding camps to verify if they were associated with Chechen guerrilla groups.⁶² Fighting in Grozny and in the south of Chechnya continued. On January 23, Andrei Babitsky, correspondent for Radio-Liberty, was arrested in Grozny. Five days later, the

⁵⁵ Radio Free Europe/EL. “Russia: EU expresses concern over Chechen Refugees,” October 7, 1999.

⁵⁶ UN Press Release, SG/SM/7232, November 24, 1999.

⁵⁷ UNHCR Briefing Note. November 9, 1999.

⁵⁸ The Center for Defense Information, <http://www.cdi.org/issues/Europe/caucasus.html>.

⁵⁹ *Id.*

⁶⁰ CNN, December 17, 1999.

⁶¹ Centre for Russian Studies database, <http://www.nupi.no/cgi-win/Russland/Kronoexe/4312>.

⁶² “Russians to Detain Chechen Males,” *The Washington Post*, January 12, 2000.

Russian authorities admitted they were holding Babitsky on charges that he failed to obtain proper accreditation.⁶³

Chechen Generals Aslambek Ismailov and⁶⁴ Khunkarpasha Israpilov were reported killed in the fighting and retreat from Grozny on January 29, 2000.⁶⁵ Grozny Mayor Lecha Dudayev, a nephew of Chechnya's former dictator General Djohar Dudayev, was killed while trying to escape from Grozny on the night of January 31. On February 6, Russia's forces raised their flag over Grozny. Human Rights Watch accused Russian troops of summarily executing at least 38 civilians in Grozny in the clean-up operations after the fall of the city.⁶⁶ One of the most brutal operations conducted by Russia's federal forces took place on February 5, 2000 in Aldi, a community in the Zavodskoy district of Grozny. Although a definitive death toll continues to be compiled, reported killings were in excess of 80 people. Also at that time, Russia's federal forces barraged Katyr Yurt, killing civilians. By the end of February, Andrei Babitsky re-appeared in Makhachkala in Dagestan. Immediately, Russia's security forces arrested him for carrying a forged passport. He was later flown to Moscow where he was released on the condition that he remain in Moscow.⁶⁷

While Russian officials had Grozny surrounded for weeks and made pronouncements about the demise of the Chechen fighters, thousands escaped Grozny.⁶⁸ Reportedly, three thousand continued to fight.⁶⁹ Fierce battles raged in the mountainous southern region during February and March 2000.

On March 27, Vladimir Putin was elected President. At a news conference, Putin was quoted saying; "The very fact that most Chechens in this republic voted in the presidential election shows that they recognized that they and their republic are part of the Russian Federation."⁷⁰ Observers disputed the fairness, turnout, and organization of this election in Chechnya.⁷¹

Despite their ostensible control of all Chechen territory, Russia's troops have been continually subject to hit-and-run attacks by Chechen fighters at

⁶³ Radio Free Europe/Radio Liberty, "A Chronology of Events Surrounding the Disappearance of RFE/RL Correspondent Andrei Babitsky," RFE/RL 2000.

⁶⁴ Harrigan, S., "Grozny, after Chechen Pullback," CNN, February 2, 2000.

⁶⁵ *Id.*

⁶⁶ Human Rights Watch, *Civilian Killings in Staropromyslovskii, District of Grozny*, February 2000, Vol. 12, No. 2(D).

⁶⁷ Amnesty International USA, Press Release, "Chechnya: Andrei Babitsky tells Amnesty International of torture in 'filtration camp,'" February 29, 2000.

⁶⁸ UNHCR, Refugees daily, February 1, 2000, "Russia: Albright criticizes treatment of Chechens."

⁶⁹ Collet-White, M., "Chechen Rebels Attack Column, Inflict Casualties," *Reuters*, March 29, 2000.

⁷⁰ Shukshin, A., "Putin Hails Chechnya Vote, Rebels Defiant," *Reuters*, March 27, 2000.

⁷¹ BBC News, "Security tightened in Chechnya" March 25, 2000.

Russian checkpoints and other locations of troops. Russian armed personnel carriers, jeeps, and trucks have been blown up as well. Sometimes Chechen fighters combine tactics, blowing up a vehicle as a prelude to attacks on convoys or posts. While PHR was conducting its investigation in December, Chechen fighters attacked convoys, checkpoints, and Russian military vehicles, killing dozens of soldiers.⁷² Russian troops often respond with shelling areas of suspected activity by fighters on the Chechen side, including areas heavily populated by civilians.

During the second half of 2000, the Russian human rights group, Human Rights Centre Memorial, issued numerous reports of arbitrary detentions and disappearances. In July, it reported that Russia's federal forces arbitrarily arrest individuals at checkpoints and place them in unofficial detention cells at checkpoints and detention facilities; that relatives are denied any information about the whereabouts of their detained loved ones; and that in many cases families are forced to pay considerable amounts of money in order to secure their loved one's release.⁷³

In November, Memorial received reports of abuses on 23 different days that included: seven killings allegedly by Russia's federal forces, in six incidents in six different places; four people disappeared allegedly at the hands of Russia's federal forces, in three incidents in three different places; two mass detentions of about twenty people in two different places, allegedly by federal forces; four sweep operations in different communities resulting in dozens of people allegedly detained by federal forces; three shellings of three populated communities allegedly by federal forces; and five landmine explosions that killed seven people.

In December 2000, Memorial reported additional arrests, disappearances, shelling, killings, and detention. Statement of Oleg Orlov, Representative of the HRC 'Memorial' at the Meeting of the Committee for Legal Affairs and Human Rights of the Council of Europe in Paris, December 2000.

The atrocities in Chechnya have continued through 2001 with mass

⁷² On December 16, *Associated Press* reported that in a 24-hour period, fighters on the Chechen side attacked 27 locations of Russian troops, including twelve military checkpoints and offices in Grozny, killing six Russian soldiers and wounding many more. Ruslan Muchayev, "Russian Soldiers Killed in Chechnya," *Associated Press*, http://dailynews.yahoo.com/h/ap/20001216/wl/russia_chechnya_1.html. On December 18, pro-Russian Chechen officials reported that nineteen soldiers had died in the preceding 24 hours—sixteen in attacks on checkpoints and installations and three when fighters on the Chechen side blew up an armored personnel carrier in the mountainous Vedeno region in the south. Yuri Bagrov, "Chechen Rebels Step up Attacks," *Associated Press* http://dailynews.yahoo.com/h/ap/20001219/wl/russia_chechnya_5.html. On December 23, AP reported that 25 attacks by fighters on the Chechen side in a 24-hour period killed eleven Russian soldiers. Yuri Bagrov, "Eleven Russian Soldiers Die in Attacks," *Associated Press* http://dailynews.yahoo.com/h/ap/20001223/wl/russia_chechnya_2.html.

⁷³ Human Rights Centre Memorial, "Situation with Violations of Human Rights in Chechnya June-July 2000," August 6, 2000. <http://www.memo.ru/eng/hr/ch000607.htm>.

graves being discovered and frequent killings of civilians. On February 24, 2001, a mass grave was found in the village of Dachny. Located in very close proximity to the major Russian military base in Chechnya, the bodies of 51 people were found there, many of whom had been last seen alive in the custody of Russia's forces. The bodies found had gunshot and knife wounds, and their hands or feet were bound. Russian officials denied responsibility for the mass grave and asserted that most of the bodies were Chechen rebels, declaring that they would conduct their own internal investigation to determine how the bodies got there. This claim was refuted by many, including families who came to identify the bodies and found that many were civilians who disappeared in the last year.⁷⁴ Internal investigations by the Russian authorities have not been viewed as credible: in the case of the Dachny grave, there was no adequate identification of the bodies and the government's premature burial of the bodies led to the destruction of important evidence.⁷⁵ Indeed, the two forensic pathologists assigned to the team of Russian prosecutors to investigate the mass grave said that "they were so ill-equipped to conduct professional examinations that in all but one case they could not state a clear cause of death...we only had rubber gloves."⁷⁶

On April 18, 2001 evidence of more killings was found when the bodies of a herdsman and three children (aged 10, 13, and 14) were discovered in the village of Alleroi having been shot at close range while they were tending cows. While Russian authorities were quick to blame the killing on the Chechen rebels, residents of the village refute this, saying that the village was surrounded by Russia's forces.⁷⁷

International Demands for Accountability for Human Rights Violations in Chechnya

During the period from September 1999 to March 2000, when the war in Chechnya was most intense, human rights organizations reported killings, torture, illegal detention and other gross abuses of human rights at appalling levels. They exposed torture, rape, beatings and assaults in "filtration" camps (detention centers where Russia's forces supposedly sought to filter out fighters) and other detention facilities.⁷⁸ On April 25, 2000, the United Nations Commission on Human Rights passed a resolution express-

⁷⁴ Patrick Tyler, "Families of Chechnya's Disappeared Seek Answers," *The New York Times*, May 10, 2001.

⁷⁵ Human Rights Watch, "Russian Investigation of Mass Grave Not Credible Effort: International Investigation Only Hope for Determining Truth," April 16, 2001.

⁷⁶ Patrick Tyler, "Families of Chechnya's Disappeared Seek Answers," *The New York Times*, May 10, 2001.

⁷⁷ Maura Reynolds, "Chechen Fighting Ebbs, but Information War Rages On," *The Los Angeles Times*, April 24, 2001.

ing grave concern about Russia's conduct in the war in Chechnya. The resolution called for "the Government of the Russian Federation to establish urgently, according to recognized international standards, a national, broad-based and independent commission of inquiry," to establish the truth, bring justice, and prevent impunity.⁷⁹ The Commission did not vote on a proposed stronger resolution calling for an investigation of human rights by international entities.

The April 2000 resolution also called for special rapporteurs and representatives from five U.N. human rights monitoring bodies to be invited to the Russian Federation. To date, Russia has refused to abide by the Commission's resolution to conduct an independent investigation. However, it has appointed a Special Representative on Human Rights, Vladimir Kalamanov, "to secure the constitutional rights of citizens in the Chechen Republic."⁸⁰ Mr. Kalamanov's office regularly received complaints about arrests, disappearances, torture, killing, taking of identity papers, and destruction of property. More than 12,000 complaints of human rights abuses were submitted to Mr. Kalamanov's office through the end of 2000.⁸¹ The Council of Europe provides technical assistance, including staff resources, to the work of Mr. Kalamanov's office. The office has no power to resolve complaints, though it has on occasion assisted families in locating people who disappeared and in securing the release of individuals detained. Despite the referral of cases, Russian prosecutors have brought only a small handful of cases against soldiers who commit human rights abuses, including war crimes.

In mid-June 2000, President Putin decreed that Russia assumes responsibility for "maintaining the legal system, protecting human rights and freedoms..." in Chechnya and appointed a Muslim *imam*, Mufti Akhmad Kadyrov, to serve as the leader of the civil administration in Chechnya, under the control of the Russian government.⁸² Many have referred to Kadyrov's appointment as a Russian attempt to undermine the rebel opposition: he is loyal to Moscow while also being viewed as acceptable

⁷⁸ See especially, Human Rights Watch, "Welcome to Hell: Arbitrary Detention, Torture, and Extortion in Chechnya" (October 2000), www.hrw.org/campaigns/russia/chechnya/. This report documents arbitrary arrests and torture in detention, including practices at the filtration camp Chernokozovo. Human Rights Watch has also documented massacres at Katyr Yurt and Aldi.

⁷⁹ United Nations Commission on Human Rights, Economic and Social Council, Fifth Session, Agenda item 9, "Situation in the Republic of Chechnya of the Russian Federation," Doc #E/CN.4/2000/L.32, April 12, 2000.

⁸⁰ Report on the Work of the Special Representative of the President of the Russian Federation for the Observance of Human Rights and Freedoms in the Chechen Republic During the First Half of 2000, July 2000.

⁸¹ *Agence France Presse*, "More than 12,000 Human Rights Complaints in Chechnya in 2000," January 4, www.russiatoday.com/news.

to many Chechens. Kadyrov has been largely silent on human rights abuses, with the exception of a September statement in which he called on the Russian army and police to stop “mass atrocities.” Russian authorities have made a few other appointments in an attempt to address international demands. Other Russian appointments include a State Duma Commission, led by Alexander Tkachev, to address the social and economic issues in Chechnya as well as human rights issues; a national public commission, led by Mr. Krasheninnikov (Chairman of the Duma Committee on Legislation) to “enquire into crimes and ensure respect for human rights;” and a Russian Minister of Justice program to place lawyers in the Chechnya.⁸³ While these developments are encouraging, none of these Russian appointments has produced any substantial results and cannot be viewed as an adequate response to international demands for Russian accountability.

The way that the Presidential Representative’s office addressed the massacre at Aldi illuminates the deficiencies of an abusive government investigating its own forces’ conduct. There is no question that Russia’s federal forces engaged in unspeakable behavior in Aldi, summarily executing unarmed people, burning homes, extorting money from civilians whom they later executed, and firing on civilian structures. Clearly, evidence of that rampage by Russian federal forces was easily available. However, Human Rights Watch reported that Mr. Dyomin opened an investigation but, closed it within a week, dismissing the allegations of human rights organizations and stating that he “regretted the time he wasted” running inquiries “based on disinformation.”⁸⁴ The investigation of Aldi was later transferred to the civilian procuracy.⁸⁵

Throughout 2000, Russia has prevented internationally authorized human rights investigators and monitors from entering Chechnya. United Nations High Commissioner for Human Rights Mary Robinson came to Chechnya in April 2000, but was denied access to many sites she requested to see. In addition, since hostilities broke out in September 1999, Russia has not permitted the Organization for Security and Cooperation in Europe’s Assistance Group, which is authorized to monitor human rights in Chechnya, to send monitors into the area.

⁸² Council of Europe (COE), “Conflict in the Chechen Republic: recent developments (follow-up to Recommendations 1444 (2000) and 1456 (2000) of the Parliamentary Assembly),” September 26, 2000.

⁸³ Council of Europe (COE), “in the Chechen Republic: recent developments (follow-up to Recommendations 1444 (2000) and 1456 (2000) of the Parliamentary Assembly),” September 26, 2000.

⁸⁴ Human Rights Watch, “Russia/Chechnya: February 5, A Day of Slaughter in Novye Aldi,” June 2000.

⁸⁵ Human Rights Watch, “Memorandum on Accountability for Humanitarian Law Violations in Chechnya,” September 13, 2000.

Meanwhile in April 2000, after continued negotiations and following a visit of the Organization for Security and Cooperation in Europe's Chairperson-in-Office, Benita Ferrero-Waldner, Moscow "agreed to cooperate on the planned return of the OSCE Assistance Group to Chechnya, which was temporarily withdrawn to Moscow in December 1998 because of the security situation"⁸⁶ in Chechnya. Although Ms. Ferrero-Waldner was allowed to visit several parts of Chechnya, including Grozny, the Russian authorities continued to delay the permanent return of the Assistance Group. OSCE expected a redeployment of the Group to Znamenskoye, Northern Chechnya in early May but at the end of June it was still negotiating with Moscow, seeking further security guarantees.⁸⁷

OSCE established the Assistance Group during the last war and its mandate, which includes promoting human rights, was reaffirmed by OSCE members, including Russia, at its November 1999 summit meeting in Istanbul. At the time of this writing, the redeployment of the OSCE Assistance Group to Chechnya has not occurred, despite repeated calls on the Russian Federation to create the necessary prerequisites for the return of the Group.

The investigators from United Nations bodies have also been denied access. The Special Rapporteur on Children in Armed Conflict has received an invitation but was told that his trip cannot take place within the framework of the Human Rights Commission resolution. The Special Rapporteur on Violence against Women was also invited, but after she requested a joint trip with the Special Rapporteur on Torture, was refused. The Special Rapporteur on Torture has not been issued an invitation to visit the North Caucasus, despite repeated requests. No invitation has been issued to the Special Rapporteur on Extrajudicial Executions or to the Special Rapporteur on Internally Displaced Persons.

The Parliamentary Assembly of the Council of Europe has criticized Russia for human rights violations in Chechnya. Following the January 2000, Council of Europe (COE) Resolution 1444 (2000) which called on the Russian Federation to meet a number of requirements to "reinstat[e] the rule of law and respect for human rights in Chechnya,"⁸⁸ the Council's Parliamentary Assembly began suspension proceedings against Russia for its poor record on human rights in Chechnya in April 2000. The Assembly voted at the April session to suspend Russia's voting rights in the Parliamentary Assembly. In response, Russian Foreign Minister Igor Ivanov stated: "This decision will complicate dialogue but Russia will firmly pursue its policy of eradicating terrorism and re-establishing the rule of law and human rights in Chechnya."⁸⁹ The Assembly also recommended that the Committee of Ministers take the next steps and suspend Russia from the Council of Europe. In May 2000,

⁸⁶ OSCE, "OSCE set to return to Chechnya," Newsletter, Vol. VII No.5, May 2000, OSCE.

⁸⁷ Musayev, R. "Rebels Shun Pro-Moscow Chechen Boss," *Associated Press*, June 27, 2000.

⁸⁸ COE, "Conflict in the Chechen Republic," September 26, 2000.

the Council's Committee of Ministers overruled the recommendation.

On September 27, 2000, during the Autumn session of the COE Parliamentary Assembly, the Political Affairs Committee and the Committee on Legal Affairs asserted in a follow-up statement to the previous resolutions and recommendations, "The Assembly reiterates its conviction that Russia's conduct of its military campaign and the resulting human rights violations have been unacceptable in terms of the Council of Europe's principles and objectives" and called on the Russian government to "take prompt and effective action..."⁹⁰

In response to continuing reports of human rights violations, the Assembly sent a delegation to Chechnya in January 2001 to examine human rights violations. The delegation found continued abuses, but also found Russia had taken steps to improve the situation. At its meeting in January, the Assembly strongly criticized continuing human rights violations but voted to restore Russia's voting rights.

In late August 2000, parliamentary elections were held in Chechnya to elect a representative to the Russian Duma. Aslambek Aslakhonov was elected as the Chechen representative to the Duma with close to a third of the vote. Chechen President Maskhadov declared the vote unconstitutional and called for all thirteen candidates which participated in the election to be tried by a tribunal in Chechnya.

Russia has conducted no credible investigation into any abuses, despite giving several bureaucrats authority to investigate. Furthermore, no internal investigation by the Russian authorities is a substitute for a full-fledged independent international inquiry. Physicians for Human Rights believes that Russia's forces' consistent and pervasive commission of war crimes, including violations of medical neutrality, summary executions, forcible expulsion, and torture, warrant a response that is proportionate to the crimes committed.

In April 2001, the U.N. Human Rights Commission revisited the conduct of Russia's troops in Chechnya.⁹¹ It strongly condemned the continued use of disproportionate and indiscriminate force by Russian military forces, federal servicemen and State agents, including attacks against civilians and other breaches of international law as well as serious violations of human rights, such as forced disappearances, extrajudicial, summary and arbitrary executions, torture and other inhuman and degrading treatment, and calls upon the Government of the Russian Federation to comply with its international human rights and humanitarian law obligations in its operations against Chechen fighters and to take all measures to protect the civilian population. It also condemned "all terrorist activities and attacks as well as

⁸⁹ AFP, "Moscow vows to pursue Chechen offensive, rebels claim 70 Russian dead" April 7, 2000.

⁹⁰ COE "Assembly Urges Russia to Act Without Delay on Chechnya," September 28, 2000.

⁹¹ Resolution 2001/24, April 20, 2001.

breaches of international humanitarian law perpetrated by Chechen fighters such as hostage-taking, torture and the indiscriminate use of landmines, booby-traps, and other explosive devices aimed at causing widespread civilian casualties, and call[ed] for the immediate release of all hostages.”

Russia had not conducted the independent investigations called for by the 2000 resolution. The Commission expressed “serious concern” over “the slow pace of investigating alleged serious violations of human rights and international humanitarian law committed by federal forces, federal servicemen, and the personnel of law enforcement agencies against civilians,” and also the lack of access by UN thematic rapporteurs to conduct authorized investigations. But it took no significant actions beyond that it had called for in 2000: for the Russian Federation to engage in credible investigations of violations, hold perpetrators accountable, and solve cases of forced disappearances, to allow thematic rapporteurs to enter the region and to permit the OSCE Assistance Group to return. It also called for the Russian Federation to allow unimpeded access to the International Committee of the Red Cross and national and international human rights NGO’s. The Russian Federation has not provided any greater indication that it will comply with the Resolution than it did in 2000.

US Policy Toward Chechnya

At the UN Human Rights Commission meeting in March 2000, Secretary of State Madeleine Albright urged the Russian government to conduct a prompt and transparent investigation of all credible charges but stated: “We are encouraged by the Russian Government’s decision to name a human rights ombudsman, accept international experts on his investigative team, and invite High Commissioner Robinson to visit Chechnya.”⁹²

The US Administration has not deployed its own human rights monitors, has refused to call the abuses in Chechnya “war crimes” and has been silent with respect to a formal commission of inquiry by the United Nations. At a Senate hearing in March 2000, PHR presented its findings (See Appendix B) and Deputy Secretary of State Strobe Talbott acknowledged the “overkill” evident in Russia’s devastation of Grozny. Yet, Talbott refused to call Russia’s actions “war crimes.”

In the June 4, 2000 press conference following the Clinton/Putin summit at the Kremlin in Moscow, President Clinton referred to the situation in Chechnya as “another area where we disagree.” He stated, “Essentially, I believe, a policy that causes so many civilian casualties without a political solution ultimately cannot succeed. I also urge President Putin to move forward with transparent and impartial investigations of the

⁹² Secretary Albright’s March 23, 2000 speech before the United Nations Human Rights Commission in Geneva.

stories of human rights violations, and to authorize a speedy return of the OSCE to the region.”⁹³ He declined to call the violations war crimes.

During the 2000 U.S. presidential campaign, Candidate George W. Bush’s Republican platform stated: “The rule of law is not consistent with state-sponsored brutality. When the Russian government attacks civilians in Chechnya – killing innocents without discrimination or accountability, neglecting orphans and refugees – it can no longer expect aid from international lending institutions...” In a foreign policy address during the presidential campaign, George W. Bush stated: “The Russian government will discover that it cannot build a stable and unified nation on the ruins of human rights. That it cannot learn the lessons of democracy from the textbook of tyranny....”⁹⁴ After the election of President Bush, his newly appointed Secretary of State, Colin Powell, echoed the statement on January 17, 2000, “the Administration would hold it [Russia] accountable in Chechnya “for internationally recognized norms, such as those of the Geneva Conventions, and they must allow humanitarian assistance organizations to have access to the civilians who are suffering in the region.”⁹⁵ The United States voted for the April 2001 resolution on Chechnya at the U.N. Commission on Human Rights.

⁹³ “Full Text of Clinton, Putin Press Conference,” *Washington Post*, June 4, 2000.

⁹⁴ Excerpt of George W. Bush’s Foreign Policy Address at the Reagan Library, “A Distinctly American Internationalism,” Simi Valley California, November 19, 1999. <http://www.georgewbush.com/issues/foreignpolicy.html>.

⁹⁵ “Powell Sees Big, But Cautious, US Role,” *Boston Globe*, January 18, 2001.

III. THE SURVEY OF DISPLACED PERSONS—FEBRUARY AND MARCH 2000

A random survey of 1,143 persons displaced from Chechnya that Physicians for Human Rights (PHR) conducted in Ingushetia in February-March 2000, documented extensive evidence of widespread abuses committed by Russia's federal forces in Chechnya. The abuses include summary executions and other killings, torture, forcible expulsion and violations of medical neutrality. The survey revealed that, in nearly all cases, displaced persons fled because of Russia's federal forces, not because of fighters from the Chechen side or other reasons.

In addition, the PHR team corroborated the war crimes committed in Aldi, Katyr Yurt and the Chernokozovo detention camp. The PHR team conducted dozens of in-depth interviews concerning a number of specific abuses, such as torture in the so-called Chernokozovo "filtration" camp, killings in the villages of Aldi and Katyr Yurt, and widespread destruction of medical facilities by Russia's federal forces.

An estimated 4,696 killings of civilians by Russia's federal forces occurred between August 1999 and February 2000, if the PHR findings are extrapolated to the entire displaced population in Ingushetia (186,100).⁹⁶ No respondent to this survey reported witnessing a killing of a civilian by fighters from the Chechen side. Killings of civilians included intentional executions of civilians in their front yards, targeting of refugee columns, and indiscriminate and disproportionate bombing of population centers.

Purpose

The second Chechen war quickly escalated after its inception in August 1999 and drove hundreds of thousands of civilians to flee from their homes. In the fall of 1999, displaced persons began to relate stories of terror and abuse.

Reports by the expanding population of displaced persons suggested a scope and pattern of abuses that had not been captured from the documentation of individual cases recorded by human rights groups, humanitarian agencies, and journalists.

⁹⁶ At the time of the PHR survey, the number of displaced persons registered in the database of the Danish Refugee Council was 186,100.

Survey Methods

The survey was conducted in Ingushetia, a part of the Russian Federation that borders Chechnya, between February 11 and March 4, 2000. The presence of more than 180,000 displaced persons from Chechnya in Ingushetia, and their listing in a database created by the Danish Refugee Council (DRC) (who had registered the displaced persons) enabled the PHR team to obtain a random sample of the population.

Subjects

The subjects of the survey were persons displaced from Chechnya to the Ingushetia Republic from August 1999 to February 2000 in the wake of the conflict between Russia's federal forces and fighters from the Chechen side. The subjects were scattered across the northern, populated part of Ingushetia in shelters ranging from organized tent camps, to spontaneous settlements, to empty farms and factories, to apartments and spare rooms in private residences.

According to DRC's registration statistics database on February 22, 2000, approximately 186,100 people (26,810 households) were displaced from Chechnya to Ingushetia since the war began the previous August. The PHR team selected 2,000 households using a simple random sample of the DRC database. 1,800 remained after 200 households were excluded on the basis of being displaced from places other than Chechnya or were excluded for logistical reasons, i.e. subjects grouped by towns or locations having less than 10 names randomly selected. Of the 1,800 eligible households, we were able to sample only 1,349 households due to time constraints. Overall, 1,143 participated in the study (response rate = 85%); 15 refused to participate and 191 could not be interviewed because of improper address or inability to locate the household or an appropriate respondent at home.⁹⁷

PHR interviewers asked household members if they were willing to be interviewed. If they agreed, they were asked to nominate a household representative who witnessed any abuses or otherwise could provide the most accurate account of the experiences of the entire household since the war began in August 1999. One person per household was interviewed. Due to the crowded conditions, interviewers seldom met alone with the respondents. Although adults were preferred, a small proportion of individuals under 18 participated. Interviews with minors were conducted with the permission of their parents. In addition, the PHR team actively encouraged participation by women to try to balance the tendency of men

⁹⁷ If a person could not complete the key portions of the survey on abuses among the households or witnessing abuses, it was recorded as a refusal. As the denominators in some of the statistics show, a handful of the included questionnaires were not 100% complete, either because the subject did not give responses to all questions or because of interviewer oversight.

to speak for the household due to the patriarchal nature of Chechen society. Also, PHR believed that women, even though they may have had the most accurate account of abuses, might not get nominated by the household to be interviewed. If the household was found, but a representative was not available during our first attempt, the household was visited a second time, if logistical constraints allowed.

Respondents were informed of the sensitive nature of the interview content and assured that refusing to participate was not connected to their access to aid or safety. They were informed that they could stop the interview at any time. Respondents' names were not recorded except in cases where they affirmatively asked to provide their names.

The comprehensive nature of the database list of internally displaced in Ingushetia that was used in this study and selection of participants by simple randomization of all households, provides a firm foundation for the extrapolation of abuses among household members to the population of those displaced from Chechnya to Ingushetia. The database contained people who had fled from all of the regions of Chechnya, with a majority from Grozny.

PHR believes that the abuses recorded in the study are emblematic of the suffering of the entire population of Chechnya. However, because security and logistics prevented sampling from groups other than those displaced to Ingushetia, PHR extrapolates its findings only to the 186,100 displaced from Chechnya to Ingushetia at the time of the study.

Survey Instrument

The questionnaire (see Appendix A) was developed from PHR's earlier survey conducted in Albania and Macedonia on Kosovar refugees in 1999.⁹⁸ The survey contained questions that assessed human rights abuses either experienced by the respondent, or witnessed first hand among members of the respondent's household. Other questions covered abuses experienced by victims who were not members of the respondent's household that the respondent had witnessed firsthand. The survey instrument also contained questions designed to assess patterns of forced migration. The survey was written in English and translated into Russian. It was pilot-tested among 10 refugees in Ingushetia and modified to improve clarity and response options.

The survey was composed of the following sections: 1) Demographic characteristics, 2) Time frame and reason(s) for flight-leaving home (and other interim locations) and travelling to Ingushetia, 3) Experience(s) of human rights abuses among respondents and their household members,

⁹⁸ Appendix B in: Physicians for Human Rights, *War Crimes in Kosovo: A Population-Based Assessment of Human Rights Violations Against Kosovar Albanians*. Boston, MA: Physicians for Human Rights; August, 1999.

and 4) Witnessing of human rights abuses. Abuses included killing, torture, forced separation (including detention and disappearance), beating, wounding (serious injuries from deadly weapons such as firearms, grenades, other explosives and knives) and sexual assault, including rape. The survey also included sections on 5) Property destruction or damage, 6) Violations of medical neutrality, and 7) Landmines use.

For each abuse, respondents were asked to identify the perpetrators of the abuses reported, i.e. Russia's federal forces, fighters from the Chechen side, unknown, or other. For all abuses reported, the participants either witnessed the commission of the act (for example, seeing the soldier fire the gun or the bomb fall) or witnessed the results or after-effects (for example, the dead body of a man the respondent knew had been detained by one side or the other).

Interviewer Training and Quality Control

The PHR team recruited 25 local interviewers, most of whom had successful prior experience in survey data collection, working with Danish Refugee Council to register displaced persons. Interviewers were subjected to an intensive two-day training. Most were ethnic Chechen (and themselves displaced), several others were Ingush. All interviewers spoke Russian and local dialect,⁹⁹ and were familiar with local geography. Out of 25 interviewers, 17 (68%) had some university education. Six (24%) were women. Training included a review of basic human rights principles and methods of implementation of a standardized survey. Instruction was provided on approach to the family, anonymity, confidentiality, interview setting and techniques. Mock interviews were conducted among the interviewers where half served as interviewer and the other half served as interviewee. All surveys were reviewed for completeness and accuracy of recording after the interview. In addition, PHR team members spot-checked a handful of the interviewers' questionnaires by returning to an interviewed household and reviewing their story.

Interviewers were trained extensively in interview techniques and in the definitions of various abuses. The interviewers carried with them a written summary of the definitions of abuse used in this study. For example: Torture was defined according to the United Nations Convention Against Torture¹⁰⁰ and beatings were considered single episodes of beating of limited duration and intensity, with the added guideline that a beating needed to last more than ten minutes to constitute torture, to avoid over-

⁹⁹ Although many local people said Ingush and Chechen were separate languages, the PHR team was told that people who spoke one generally understood the other.

¹⁰⁰ *Twenty-five human rights documents*. Columbia University Press: New York, NY: Convention Against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment. 1994.

reporting of torture. Forced separation was defined as a situation when a fighter or official separated or detained a civilian without formal charges. Sexual assault, including rape, was also included in the survey. However, due to the intense social and cultural stigma associated with rape and the lack of privacy during the interview process, such assaults are likely underreported in survey responses.

Interviews

A total of 1,143 interviews were completed during ten days from February 19 through February 28, 2000. The most interviews completed by any one interviewer in a single day were 12. The greatest number of total interviews gathered on a single day was 172 and fewest interviews completed on a single day were 11. The most interviews collected by one interviewer were 59 and the fewest by one interviewer were 41. Interviews with participants were conducted in or near their tents or other place of residence. Usually, other household members, relatives, and/or friends were present. An interview typically lasted approximately thirty minutes, but some were considerably longer. Participants did not receive material compensation.

Data Analysis

The raw data were entered into Microsoft Excel and then analyzed using PC SAS.¹⁰¹ Bivariate analysis was performed with the chi-square test. Differences in continuous variables were assessed with the student t-test. Difference in before and after continuous variables was generated using paired t-tests. Paired t-tests were used to see whether there was any difference between the family size reported by subjects before and after leaving Chechnya. A two-sided alpha of 0.05 was used for all analyses. To generate population estimates of human rights abuses among the 186,100 persons displaced from Chechnya to Ingushetia, proportions were calculated using the inverse of the sampling fraction. The 1,143 survey respondents reported that they had 7,807 household members.¹⁰² Thus, the sampling fraction for abuses reported among household members was 7,807/186,100. To estimate the proportion of subjects who witnessed a particular type of abuse among non-household members, the total number of respondents who reported seeing at least one abuse was multiplied by the inverse of the sampling fraction, in this case, 1,143/186,100.

The prevalence of abuses may be either overestimated or underesti-

¹⁰¹ Statistical Analysis System, version 6.12, SAS institute, Carey, NC.

¹⁰² All of the 1,143 displaced persons who were interviewed gave the number of people in their household. Adding up the members of the household of each of the 1,143 respondents totaled 7,807 for an average of 6.83 members in each household. This was very close to the figure DRC reported at the time for household size for the entire database of 26,810 households having 186,100 members.

mated. An example of a potential for overestimation would be participants who may exaggerate their suffering. Hatred of Russians could have biased reports and led to overestimations. In other cases, the prevalence of abuses may be underestimated. For example, abuses that individuals have experienced (i.e. torture, killing, sexual assault, etc.) may have prevented them from fleeing Chechnya. Also, accounts of abuse may have been underestimated by a lack of privacy in the interview setting, i.e. in the case of rape or other forms of sexual assault. However, questionnaire design and interviewer training were conducted to minimize bias and overestimation.

Sexual assault may have occurred with such low frequency that the sample size of this study was not adequate to detect such abuses among household members. However, it is likely that the prevalence of sexual assault was underestimated in this study for the following reasons: 1) the social and cultural stigma associated with sexual abuse, 2) the interview process did not provide adequate privacy to reveal such information, 3) an inadequate sense of trust on behalf of the respondents due to the fact that the interviewers typically met only once with each household and 4) the nature of the abuse precluded successful migration to Ingushetia, for example, injuries prevented the person from traveling.

IV. SURVEY FINDINGS

Demographic Characteristics of Respondents:

The ages of the survey respondents ranged from 12 to 84 years, with a mean of 39.8 years as illustrated in Table 1. Of the 1,138 respondents for whom information on gender was available 695(61%) were women. The mean age of female respondents did not differ significantly from males (females 39.4, range 13-80; males 40.3 range 12-84). The most prevalent occupation reported was a homemaker followed by unemployed.

Respondents reported to PHR a total of 7,807 household members before leaving Chechnya. The average number of women, men, girls and boys per household was 2.25, 1.9, 2, and 2 respectively (See Table 2). The average household size in Chechnya was 6.8 persons and was not significantly different from that reported in Ingushetia (6.7). Also, these figures are similar to the average household size of 6.9 reported by the DRC at the time they registered the 186,100 displaced persons in Ingushetia. Although the overall household size in Chechnya did not change in Ingushetia, there was a slight drop in the average number of men (-0.07, $p=0.007$). The average number of boys and women was not significantly different before and after fleeing. In addition, most respondents reported being in Ingushetia for 16 weeks or more, with the breakdown in Table 2.

Human Rights Abuses among Household Members

The PHR team gathered information on physical abuses and forced displacement. Respondents' reports of physical abuse and forced displacement are reported below and include estimates of these abuses among the 186,100 people displaced from Chechnya to Ingushetia. In all reported cases of abuse, respondents were first-hand witnesses, observing the act of abuse or direct evidence of it.¹⁰³

¹⁰³ For example, observing the act could be seeing the soldier fire the shot that hit someone or seeing the soldier kick somebody. Direct evidence could consist of seeing the dead body of a person the witness knew was last seen in the custody of one side or the other, or seeing the bruises of a person the witness knew had been detained, or seeing the damaged house upon return home when the witness knew the neighborhood had been bombed earlier.

TABLE 1.
Demographic Characteristics of Survey Respondents

Respondent Characteristics	Respondents*
Age, mean (1,131 respondents)	39.8 (100)
Men	40.3 (39)
Women	39.4 (61)
Gender (1,138 respondents)	
Men	443(39)
Women	695(61)
Occupation (1134 respondents)	
Farming	23(2)
Work at home (including homemakers)	322(28)
Service sector	137(12)
Government and clerical work	154(14)
Factory worker	140(12)
Professional	149(13)
Unemployed	209(18)
Ethnicity † (1,140 respondents)	
Chechen	1066 (92)
Russian	13(1)
Ingush	74(6)
Other Russian‡	2(0.1)
Others	7(0.7)
Religion (1136 respondents)	
Muslim	1126(99)
Orthodox Christian	8(0.07)
Non-orthodox Christians	2(0.01)

* Values are number and (percent), unless otherwise indicated

† Some subjects identified themselves belonging to multiple ethnicities, most commonly Chechen & Ingush (16) or Chechen and Russian (6).

‡ Ethnicities other than Russian that form part of the nation known as the Russian Federation.

Physical Abuses Among Household Members

To assess patterns of human rights abuses, participants were asked whether they or household members experienced abuses by Russia's federal forces, fighters on the Chechen side, or other/unknown forces, since August 1999. The various abuses suffered by individual survey respondents and their household members are detailed in Table 3. The survey respondents reported on the experiences of 7,807 household members who lived with them prior to their displacement

Overall, 213 (19%) participant households reported at least one abuse among their household members. A total of 649 abuses of household

members were reported. Of these abuses, in 639 cases (98%) the victim was a civilian and 620 (97%) of these abuses were attributed to Russia's federal forces (see Table 3). This suggests that Russia's federal forces may have been responsible for committing 79 abuses for every 1,000 civilians from Chechnya who fled to Ingushetia. In contrast, respondents attributed 5 cases (1%) – all civilians - of abuse in their households to fighters on the Chechen side and 14 incidents (1%) – all against civilians - were attributed to other or unknown forces.

TABLE 2.
Displacement Characteristics of Respondents

Displacement Characteristics	Respondents*
Time since arrival in the camp (1,133 respondents)	
One week or less	15(1.3)
Two weeks	13(1.1)
4 weeks	28(2.5)
8 weeks	101(10)
16 weeks	677(60)
6 months	297(26)
>6 months	1(0.1)
Number of times displaced (1,030 respondents)	
None	4(0.4)
1 time	691(67)
2-3 times	304(30)
4-5 times	22(2)
>5 times	9(0.9)
Mean number of times	1.56
Earlier attempts to flee (1,138 respondents)	
Yes	165(15)
No	970(85)

While the internally displaced participants suffered a variety of abuses, the greatest number of respondents experienced or had a household member who experienced woundings (233), killing (210), torture (83), forced separation (78), and beating (45). See Table 3. There were no reports of sexual assault among the household members. In virtually all of the abuses among household members, victims were reported to be civilians. In each category of abuse, the victims were civilians and Russia's federal forces were identified as the perpetrators in 93% of the cases reported.

Killings and torture are two of the gravest violations of human rights and reports of these abuses in this study illustrate well the patterns of perpetrator responsibility. Respondents reported a total of 203 civilians killed among their household members, with 197 of these attributed to Russia's federal forces (see Table 3). The remaining 6 were killed by

TABLE 3.
Reported Abuses of Household Members, by Offender

Type of Abuse Reported, by Offender	Abuses Among All Household Members N=7,807 #	Abuses Among Civilian Household Members N=7,807 # (% of abuses reported)	Abuses Among Displaced Civilians in Ingushetia N=186,100* # (Confidence Interval)†
Killings by:			
Russian forces	204	197 (97)	4696 ±133
Chechen fighters	0	0	0
Others/unknown	6	6(100)	143 ± 24
Total	210	203(97)	4839 ± 135
Torture by:			
Russian forces	77	78(99)	1836±33
Chechen fighters	1	1(100)	24±9
Others/unknown	4	4(100)	95 ± 20
Total	83	82(99)	1955 ± 86
Beatings by:			
Russian forces	42	42(100)	1001±62
Chechen fighters	2	2(100)	48 ± 13
Others/unknown	1	1(100)	24 ± 9
Total	45	45(100)	1073 ± 64
Forced Separation by:			
Russian forces	76	75(99)	1700±02
Chechen fighters	1	1(100)	24±9
Others/unknown	1	1(100)	24±9
Total	78	77(100)	1836±03
Woundings by:			
Russian forces	230	229(99)	5459±143
Chechen fighters	1	1(100)	24±9
Others/unknown	2	2(100)	48±13
Total	233	232(99.6)	5530±144
Total Abuses			
Russian forces	630	620 (98)	14799±457
Chechen fighters	5	5(100)	119±43
Others/unknown	14	14(100)	334±72
Total	649	639(98)	15,232±464

unknown forces or forces other than Russian or Chechen. In addition, respondents reported the killings of seven military household members for a total of 210 killings of household members. None of the killings was attributed to Chechen fighters.

Twenty-six respondents reported a total of 83 incidents of torture among

household members. Nearly all of these torture incidents were of civilians, attributed to Russia's federal forces (77, 93%). One respondent reported witnessing a civilian household member tortured by Chechen fighters. Four incidents of torture were reportedly perpetrated by other or unknown forces and one respondent witnessed federal forces torturing a non-civilian.

Table 3 estimates the frequency of abuses among the population of 186,100 Chechens internally displaced to Ingushetia.

Given the frequency of killings and torture of civilians reported among household members in this study, PHR estimates that among the population of 186,100 Chechens displaced to Ingushetia, as many as 4,696 (25/1,000) civilians may have been killed and 1,836 (10/1,000) may have been tortured by Russia's federal forces. See Table 3. Similarly, PHR estimates that 5,459 sustained woundings, 1,788 experienced forced separation, and 1,001 were beaten by Russia's federal forces. Overall, based on the frequency of abuses reported among household members, PHR estimates a total of 14,779 cases of abuse of civilians by Russia's federal forces among the 186,100 people who fled Chechnya to Ingushetia. PHR estimates a total of 120 abuses of civilians by Chechen fighters.

Forced Expulsion

Of the 1,138 survey respondents for whom information on forced expulsion was available, 1,121 (99%) reported fleeing their homes because of Russia's federal forces (see Table 4). Out of these, 852 (75%) fled Chechnya because of the federal bombing, while 251 fled because of the fear of federal bombing. Eighteen respondents cited harm from federal soldiers as a reason for fleeing. Based on these findings, an estimated 183,320 (CI + 205) or 99% of the 186,100 people who fled Chechnya to Ingushetia, fled because of federal forces.

Three respondents fled because of fighters from the Chechen side (see Table 4). In addition, though given the option of "harm from both sides" as the reason for their flight—only 12 respondents gave this answer.

About one-third of respondents (335, 33%) were displaced more than once from home or from somewhere else where they had spent at least four nights in the same place. On average, survey respondents reported being displaced 1.56 times with a range of 0-11 times.

Most subjects had been present in Ingushetia for at least 16 weeks while many others had been there for 6 months.¹⁰⁴ One hundred and sixty-six, or 15%, had made earlier attempts to flee Chechnya before they successfully fled to Ingushetia. Of the 166 who reported earlier attempts, the most common reason for failure of earlier attempts at flight was the 'Russian or allied bombing' (see Table 4).

¹⁰⁴ Many people displaced from Chechnya and temporarily settled in Ingushetia reported several trips back to Chechnya, most often to their home or village of relatives. However, the survey did not systematically track this information. Often the people who made these visits observed abuses.

TABLE 4.
Forced Displacement of Respondents

Forced Displacement Characteristics	Respondents #(%)
Reason for leaving home (N=1138)*	
Russian or allied fighters harmed person	18(2)
Russian or allied bombing	852(75)
Fear of Russian or allied bombing or fighters	251(22)
Total where Russian or allied military was reason	1121(99)
Chechen and allied fighters harmed person	2(0.2)
Chechen and allied bombing	0(0)
Fear of Chechen and allied bombing or fighters	1(0.1)
Total where Chechen or allied military was reason	3(0.3)
Harm from both sides	12(1)
Other	2(0.2)
Earlier attempts to flee (N=1138)*	
Yes	165(15)
No	970(85)
Reasons for failure of earlier attempts at flight N=165†	
Russian or allied fighters harmed person	7(4)
Russian or allied bombing	72(44)
Fear of Russian or allied bombing or fighters	33(20)
Chechen and allied fighters harmed person	0(0)
Chechen and allied bombing	2(1.2)
Fear of Chechen and allied bombing or fighters	0(0)
Harm from both sides	0(0)
Other	49(30)

*Responses are based on 1138 survey respondents for whom information on forced expulsion was available.

†Responses are based on the 165 survey respondents who indicated earlier attempts to flee Chechnya.

Human Rights Abuses Witnessed by Respondents

In addition to gathering information on abuses experienced by respondents and their household members, the PHR team solicited information on abuses against non-household members (other people, usually civilians, that witnesses saw abused). Respondents' observations of these abuses are reported below and include estimates of the number of people among the 186,100 Chechens internally displaced to Ingushetia who witnessed abuses and therefore were themselves directly impacted by the abuse. In all reported cases of abuse, respondents either observed the act of abuse or direct evidence of it.

The Witnessing of Physical Abuses Against Non-Household Members

Overall, 670 respondents (59% of 1143 respondents) reported witnessing one or more incidents of abuse against non-household members (see Table 5). The abuses observed by survey participants among non-household members included killing (529), woundings (301), separation and disappearance (92), torture (63), beating (51), and sexual assault (5). A total of 651 respondents (57%) witnessed at least one abuse of civilian, non-household members by Russia's federal forces. This suggests that among the population of 186,100 Chechens displaced to Ingushetia, as many as 105,994 (597 per 1,000) individuals may have witnessed abuses. Three of the 1,143 respondents, or 0.3%, witnessed abuses by fighters on the Chechen side.

In some cases of abuses observed among non-household members, more than one of the survey respondents witnessed the same abuse, i.e., a killing that occurred in a public setting. Therefore the number of such observations does not equate to a count of separate incidents of abuse. Rather, these data provide some insight into the pattern and extent of abuses in Chechnya and their impact on the population, specifically those displaced to Ingushetia. Perhaps more importantly, population estimates of those who saw abuses of non-household members indicate the extent to which the population displaced from Chechnya may have been exposed to the trauma of witnessing grave abuses such as killing and torture.

Out of the 1,143 total respondents, 518 (45%) reported witnessing at least one civilian killing at the hands of Russia's federal forces. Respondents reported 4 killings of military, other or unknown persons by fighters on the Chechen side and 6 killings of civilians by other or unknown forces. The estimated number of persons who personally witnessed the death of another civilian, at the hands of Russia's federal forces is 84,339, or 45%, of the 186,100 people from Chechnya displaced to Ingushetia (see Table 5). A total of 332 respondents reported witnessing multiple killings (more than one) by Russia's federal forces. This indicates that an estimated 54,055 (of the 186,100) witnessed multiple killings by Russia's federal forces.

Sixty respondents reported witnessing federal forces torturing civilian, non-household members. One respondent reported witnessing torture by fighters from the Chechen side. Three respondents reported cases of torture of non-civilians by Russia's federal forces. Thus, an estimated 9,769, or 5%, of the 186,100 people displaced from Chechnya to Ingushetia witnessed an incident of torture of a civilian at the hands of Russian federal forces.

In addition to the considerable trauma of witnessing killings and torture, respondents reported witnessing Russia's federal forces inflict other physical abuses on civilian, non-household members including, woundings (299, 26%), forced separation (88, 8%), beatings (59, 5%), and sexual assault (5, 0.4%). Five respondents reported witnessing six cases of sexual abuse of civilians outside their households committed by federal

forces. Respondents witnessed the evidence, not the act of abuse. There were no reports of sexual assault by fighters from the Chechen side.

Damage to Own Property¹⁰⁵

542 respondents (47% of 1143) reported destruction or damage to their home in the war. None had witnessed the destruction or damage of their homes by fighters from the Chechen side. These data suggest that federal forces destroyed or damaged the homes of an estimated 88,247 (48%) of the 186,100 displaced persons from Chechnya to Ingushetia.

415 respondents (35%) reported damage to their personal property (other than their homes). In the overwhelming majority of these cases (403, 97%), Russia's federal forces were blamed for the damage. This data suggests an estimated 65,616 (35%) of the 186,100 people displaced from Chechnya to Ingushetia experienced significant property damage (other than to their homes) by federal forces.

In addition, 181 survey respondents reported having money or other valuables taken or looted during the war, most, 177 (98%), by Russia's federal forces. The overwhelming majority of these incidents occurred while in-flight from Chechnya (127, 72%). In contrast, only 1 of the 1143 respondents reported fighters from the Chechen side taking money or valuables from respondents. Given these findings, an estimated 28,803 may have witnessed the looting of their property by Russia's federal forces.

Damage to Others' Property

A total of 859 (75% of 1143) respondents reported seeing destruction or damage done to homes of others. All of these incidents were attributed to Russia's federal forces. Based on this data, it can be estimated that 139,860 (75%) of the 186,100 displaced persons from Chechnya witnessed homes damaged or destroyed by Russia's federal forces.

Destruction or damage of other people's property (besides homes) was reported by 510 respondents (47%), mostly (496, 97%) attributed to Russia's federal forces. This ratio (496/1143) suggests an estimated 80,757 of the 186,100 displaced population witnessed the damaging of others' property by Russia's federal forces. Only 2 respondents reported witnessing such damage done by fighters from the Chechen side.

Violations of Medical Neutrality

362 respondents (32% of 1143) reported witnessing damage to medical facilities. All of these incidents were attributed to federal forces. Based on

¹⁰⁵ "Damage" recorded was the destruction or damage significant enough to render part of the house uninhabitable or require major repairs to use or live in the damaged part of the house. For example, a bullet hole in a wall was not categorized as damage, while a hole in the roof from bombing was.

TABLE 5.
Witnessing of Abuses Among Non-Household Members, by Offender

Type of Abuse, by Offender	Subjects Reporting Abuses(s) Among Non-Household Members #	Subjects Reporting Abuses(s) Among Civilian, Non-Household Members #(%)	Estimates of number of Displaced People in Ingushetia Witnessing Abuses of Civilians N=186,100, #±95% Confidence Interval*
Killings:			
Russian forces	525	518(99)	8,4399±421
Chechen fighters	4	0	0
Others/unknown	4	4(100)	651±50
Total	529	522(99)	8,4991±422
Torture:			
Russian forces	62	60(97)	9,769±189
Chechen fighters	1	1(100)	163±25
Others/unknown	0	0	0
Total	63	61(97)	9,932±190
Beatings:			
Russian forces	48	46(96)	7,490±166
Chechen fighters	1	1(100)	163±25
Others/unknown	2	2(100)	326±35
Total	51	49(96)	7,978±171
Forced Separation:			
Russian forces	90	88(90)	14,328±225
Chechen fighters	1	1(100)	163±25
Others/unknown	1	1(100)	163±25
Total	92	90(98)	14654±227
Serious Injuries:			
Russian forces	301	299(99)	48,682±372
Chechen fighters	0	0	0
Others/unknown	0	0	0
Total	301	299(99)	48,682±372
Sexual Assault			
Russian forces	5	5(100)	814±56
Chechen fighters	0	0	0
Others/unknown	0	0	0
Total	5	5(100)	814±56
TOTAL			
Russian forces	662	651(98)	105,994±419
Chechen fighters	1	1(100)	163±25
Others/unknown	7	7(100)	1140±66
Total	670	659(98)	107,297±417

this data, an estimated 58,908 (32%) of the 186,100 saw medical facilities damaged. Four percent (51 of 1143) of respondents reported witnessing the use of medical facilities for military purposes. Out of these, 38 (75%) were attributed to Russia's federal forces. 12 respondents reported witnessing fighters on the Chechen side using medical facilities for military purposes and in one case it was an unknown or other force. In addition, 55 of 1143 (5%) respondents reported witnessing incidents where medical workers or patients were forced out from medical facilities. Federal forces were identified as the responsible party for the majority (n=48 of 55, 87%) of these abuses, while 6 attributed such incidents to the Chechen side.

Use of Landmines

About 4% of respondents (47 of 1,143) witnessed the laying of landmines. All of these landmines were attributed to Russia's federal forces.

V. TESTIMONIAL EVIDENCE ON ABUSES IN CHECHNYA, FEBRUARY AND MARCH 2000

To gain further insight into the abuses experienced by individual survey participants, PHR interviewers recorded narrative information from some respondents on the killings, torture, beatings, violations of medical neutrality and other abuses uncovered in the quantitative data.

In addition, PHR conducted in-depth interviews with witnesses of specific abuses, such as the massacres and other abuses in Aldi and Katyr Yurt in early February 2000, and the torture, sexual assault and beatings of detained people in the Chernokozovo “filtration” camp.

To protect the anonymity of survey respondents, participants' real names or any other identifying characteristics are not used. Names of individual perpetrators also are not listed, largely because victims and witnesses did not know the names of the perpetrators. Place names are checked against sources of standardized Latin spelling, or spelled as reported to the PHR interviewers. The majority of these testimonies were collected during the survey interviews and occurred during the last two weeks of February 2000.

Killings and Forced Flight

Physicians for Human Rights received numerous testimonies of unprovoked killings of civilians by Russia's federal forces since the war began in August 1999 and escalated in September 1999. As the testimonies show, killings occurred on a regular basis. Types of killings reported include executions in the front yards of victims' homes, intentional targeting of refugee columns, killings at checkpoints, and indiscriminate and disproportionate bombing of population centers. Many of the killings occurred in so-called “cleaning up” operations when Russia's federal forces moved through an area over which they had recently gained control. Displaced persons said they had fled their villages because they feared that they too would either die in a bombing attack or share a similar fate of a murdered family member.

Many people reported to PHR seeing the killings of their family members by Russia's federal forces. A 43-year-old farm worker, Asja, from the village of Samashki (Achkhoy-Martan region) told PHR that she saw three household members, two men and a woman, killed by Russia's federal forces on October 20, 1999. Asja fled her home nine days later, ending up in Ingushetia. On February 2, 2000, she was in Katyr-Yurt, where she said that she witnessed Russia's federal forces kill two men and a woman.

A 35-year-old service industry worker, Munira, from the Leninsky region of Grozny told PHR that she saw federal forces kill her father and another male relative on October 27, 1999 in Samashki. In Staraya Sunzha on January 17, 2000, Adem, a 44-year-old civilian, told PHR that he saw his brother murdered by a sniper from Russia's federal forces.

Miriam, a 47-year-old homemaker from Sunzha, told PHR that she saw Russia's federal forces kill two men on September 12, 1999. On September 27, she said to PHR that she was again an eyewitness to a killing, this time of a relative by Russia's federal forces. Miriam fled on October 4, 1999. Alimkhan, 43-year-old farmer from Samashki (in Achkhoy Martan region), told PHR that she saw three members of her family killed by federal forces on October 20, 1999. She left her home nine days later.

Many interviewed by PHR saw friends or neighbors murdered. In Serzhen Yurt in Shalinsky District, Rosa, a 43-year-old homemaker from this village, told PHR that she saw Russia's federal forces kill one woman, two girls and one boy on September 15, 1999. Two days later she said that she saw two men who had been wounded by federal forces and on September 19, Rosa said that she saw a girl who had been killed by federal forces.

Marina, a 41-year-old laborer, told PHR that she saw Russia's federal forces kill a man and a woman and wound a girl in Grozny on September 26, 1999. Two days before, in the village of Dalinsk, Marina had witnessed the separation and detention of a girl in her family. She fled her home in the Staropromyslovskii district of Grozny on September 28, 1999.

A 40-year-old factory worker from Urus-Martan, Yakub, told PHR that he saw Russia's federal soldiers shoot to death four women, four men, two boys and one girl in this town on October 3, 1999. Yakub also saw one man wounded the same day by federal forces

On October 27, 1999, a 44-year-old farmer, Adlan, told PHR that he saw Russia's federal forces kill eight women, five men, sixteen girls, and fifteen boys. Adlan said that he fled his home the same day. On October 31, 1999, a 19-year-old student, Liza, told PHR that she saw federal forces kill a man, a boy, and a girl in Grozny, and saw another man wounded. She fled her home in Grozny on November 11.

In Yermolovka, on November 11, 1999, Salim, a 37-year-old professional from Alkhan Kala, told PHR that he saw Russia's federal forces' artillery fire kill two elderly men as they were leaving a funeral service. On the same day, Salim said that he saw federal forces kill a neighbor, a young man. He said that on that day federal soldiers were simply shooting at peaceful civilian homes.

In Grozny on January 15, 2000, Alla, a 51-year-old housewife from Staropromyslovskii, told PHR that she saw federal forces in the act of killing a boy and saw nine men and two women who had been killed by federal forces. When Alla left her home several days later, she said she saw federal forces separate and detain two men and two women.

A 48-year-old businesswoman, Zina, from the Oktyabrskii District of Grozny in Michurino told PHR that she saw the body of an old man who had been killed by Russia's federal forces in February 2000, because she understood he had tried to stop soldiers from taking his belongings out of his home. On another occasion, Zina saw federal soldiers enter a home and then saw the family dead, with shots in the head. The family included a mother, father, son, daughter-in-law and a nursing infant.

Many reported killings to PHR that had occurred at checkpoints where civilians were trying to flee. On October 27, 1999, at the Kavkaz checkpoint, a 42-year-old bookkeeper, Tanzila, from the Oktyabrskii District of Grozny reported federal forces killed people at this checkpoint. Tanzila said she saw them kill four men, two men and wound three girls and one boy.

A 24-year-old homemaker from the Leninsky District of Grozny told PHR that she saw federal forces at the Kavkaz checkpoint kill four men. A month earlier, on October 10, 1999, at this checkpoint, she saw federal soldiers separate and detain three men.

On December 15 at the Kavkaz checkpoint, Akhmed, a 43-year-old service worker from the Leninsky region of Grozny told PHR that he saw two men who were killed by federal forces, and a man, a woman, a boy and a girl who were wounded by federal forces.

Not only did people witness killings, but some saw federal forces brutalize civilians in several different circumstances, including burning bodies.

On February 5, 2000, Bella told PHR she saw the bodies of a family murdered in their home in the Oktyabrskii district of Grozny by federal forces, who then burned the house. The victims at #1 Podalskaya Street were the father, brother, the brother's wife who was 9 months pregnant at the time, the son of the brother, and an uncle.

A 48-year old female, Markha, employed as a service worker from the Staropromyslovskii region of Grozny, told PHR that she saw, in Grozny, a man, a woman and a boy on January 1, 2000, who had been killed and the bodies of two women who had been burned by Russia's federal forces.

Khava went back to Grozny on February 9, 2000 after Russian television announcements proclaimed it was safe to go back. She was horrified to find several dead bodies of friends and neighbors when she arrived back at her home. Two of her neighbors (two brothers in their sixties,) who lived on Khankalskaya Street had been killed by federal forces and had bullet wounds in their chests. "We buried them that day," she recalled, in an interview with PHR.

Khava also told PHR that she found the body of a 30-year-old mother of three who had received five or six bullet wounds in the chest. According to Khava, at that time the woman's family was staying in "Iznamets Koya" to the north of Grozny and she was alone. Other neighbors told Khava that Russia's forces killed this woman and said they believed that the soldiers were drunk the night they killed her.

Individuals interviewed by PHR said that they saw their fellow citizens die in a variety of attacks by federal forces, including bombings. The fear of a bombing attack also caused many civilians to flee. On September 27, 1999, Alina from Staraya Sunzha village, witnessed another bombing:

“Russian war planes began bombing the village. They bombed the school on Butokayva Street and went on to hit several homes. We started looking for the injured immediately. I saw pieces of bodies, heads, hands everywhere.”

A friend of Alina’s daughter, a pregnant woman in her twenties, died in this bombing.

“Another house that was hit during this raid belonged to a friend of my husband. His arms were cut off because of the explosions and people were searching for his head and arms.” She left her village after this event.

Several different people interviewed by the PHR team reported seeing the federal bombing of Grozny’s central market in October 1999 and the dozens of dead civilian men and women.

“It’s very terrible to be under the bombing, to imagine that your limbs could be blown off,” said Birlant. She and her family left Grozny in late September as the bombs began to fall, gathering a few belongings and what little money she had on hand.

Khamid fled to Ingushetia after he, his wife, and baby were bombed out of two different locations in Chechnya in October. He left Grozny on October 6 due to the bombing and because his wife had given birth to their baby on October 2. Khamid and his family fled to a village, Dachu-Borzoy, which was subsequently bombed. So, on October 8, they fled to Ingushetia.

Malkhan said that where she had lived near Grozny, “there’s nothing left,” because Russia used special bombs (likely vacuum bombs) where the blast occurs in the air and ignites the houses and buildings in the surrounding area.

Said Ali left his home in the Urus Martan area on November 14 due to bombing by Russia’s federal forces. Like many others, he has returned to his home to check on it and friends and family. Said Ali found that his house was in a firing range and his land was being used as a helicopter landing pad.

During the week leading up to his February 14 flight from Aslanbek Sheripovo (in Shatoi district), a service industries worker, Rashid, told PHR that he witnessed numerous killings and woundings. On February 9, he saw thirteen civilians—men, women and children—who were killed by a bombing by Russia’s federal forces and one man who was wounded. On February 12, Rashid saw Russia’s bombs explode and kill seven women, six men, ten girls and eight boys and wound seven others.

A 48-year-old service worker, Zemphira, from the Leninsky district of Grozny, reported a tragedy which occurred while he and others were stuck at the Kavkaz checkpoint on October 29, 1999. That day, he and other

civilians were told that the road to Ingushetia (where they wanted to flee to) would not open for a week or two, so people started to leave. At that moment federal forces bombed the area. Zemphira herself saw bombs kill eight women, three men, four girls and three boys and reported that approximately 180 were killed at the checkpoint in this bombing.

In addition to the bombing that wounded so many people, numerous individuals interviewed by PHR said the crews from Russia's aircraft, including helicopters, appeared to intentionally target civilians. For example, aircrews shot columns of civilians in flight, including elderly and children.

In September 1999, a 45-year-old teacher, Movsar, told PHR that he saw three men, three women, two girls and one Zara from the Leninsky district of Grozny in flight to Ingushetia, told PHR that she saw federal aircraft shoot two men and a woman near the Kavkaz checkpoint on October 29, 1999. On the same day, in another incident, a 49-year-old professional, Khamzat, from Leninsky District in Grozny told PHR that near the village of Shami-Yurt, he saw Russia's aircraft bomb the Rostov-Baku highway, killing 41 men, women and children.

As reported to PHR by a 42-year-old woman homemaker Bikatu from Michurino, a Russian helicopter, on November 29 in Achkoy Martan, fired rockets that killed a woman and a boy killed and wounded another woman.

A 35-year-old worker in the service industry, Marzhan, from the Zavodskoy district of Grozny told PHR that she witnessed several killings. On October 29, 1999, she saw Russia's federal forces kill six men, seven women, and three girls in Shami Yurt. On November 5, back in Grozny she said that she saw a Russian rocket burn up a vehicle and kill one woman in the Zavodskoy district. She left her home on November 8, 1999, but her ordeal was not over. On December 27, 1999, she was detained at a checkpoint and reported to PHR that she saw three men who had been tortured by federal forces.

In Komsomolskaya, Zhanaru told PHR that she saw her niece killed by shrapnel from the federal forces' bombing on December 5, 1999. The previous month she saw a cousin have his leg torn off by shrapnel during a bombing by Russia's federal forces.

Other Abuses

People reported to PHR that they witnessed an array of abuses, including looting, beatings, shootings from a helicopter by federal forces, and verbal abuse at checkpoints by Russia's federal forces.

Liza from Staropromyslovskii district of Grozny and her family left their home on December 27, when the shelling began nearby. She then returned on February 9 with her sister-in-law to see what had happened to their home. Arriving on the next day in Grozny, they observed that their house was destroyed as was their entire street. Russian soldiers were looting and searching each house for valuables.

Liza saw that a military truck was raiding her brother-in-law's house down the street. She did not approach them. She stated: "I was afraid to go near." Her son-in-law, 26 years old, had been taken by Russia's federal forces on January 19. They believed he was being kept with another group of civilians in Achkhoy Martan in a filtration camp.

Alet witnessed an incident where people were able to stop abuses by Russia's federal soldiers. She was riding a bus back to Chechnya on around January 12, 2000. Federal soldiers stopped the bus, took a young man off the bus, and began beating him because he had the symbol of the breakaway Republic of Chechnya government on his identification document. PHR heard several times that federal forces abused people, especially young men, with identification documents issued by this government, even though they had no practical ability to secure other identification documents during the inter-war period.

The young man's sister asked the soldiers to let him be, Alet said, but they did not stop. Outraged, a group of the women on the bus surrounded the soldiers and demanded the soldiers stop beating him. They did. The young man and his sister wanted to return to Sleptsovskaya for medical care but the soldiers would not permit the bus to turn around. The bus continued as scheduled to Sernovodsk and Alet understood that he was taken to a health facility in Samashki for treatment.

A family described to PHR how, on February 2 or 3, 2000, a Russian helicopter terrorized a neighborhood of Samashki. Maryam, the daughter, said her family was at her aunt's home on Vigodnaya Street. Around 3 p.m., "*we were sitting at home drinking tea,*" she said. "*My aunt shouted 'come out and look, there's shooting on our street.'*"

Out in front of the house, "*a helicopter appeared. It began to shoot rockets and you heard machine guns,*" said Bislan, her father. "*The helicopter was shooting and it made a circle and could see that kids were coming from the school,*" that is between Sharipova and Stepnaya streets about 500 meters from his sister's house, he said. "*I could see the door of the helicopter was open and saw them begin to shoot at boys, girls, old women and others who were with the children.*"

One group of people ran down the street with a wounded boy, Bislan said. One of his relatives performed first aid on the boy and sent him with others to the hospital. They could see other people had been hit, but did not know what happened to them.

"*The federal forces surrounded the town with tanks and armored vehicles and attacked the day after the helicopter shooting. Houses on the outskirts of town were looted,*" Maryam said, and by the third day the Federal forces were pulling out. Soldiers told Bislan they attacked because Basayev's fighters were in Samashki, but Bislan said, he heard that the soldiers knew that was not true.

He also learned that townspeople asked officers in the unit that took over the town why the helicopter had shot at the children and were told it was a mistake made by another unit of Russia's federal forces. Reportedly, the day of the helicopter shooting was the funeral of a Russian helicopter officer and Bislan thinks it may have been revenge. By February 5, they were again in Sleptsovskaya, Ingushetia. Federal forces allowed him to leave after checking his passport.

When they originally fled, Bislan had left his elder son living with his aunt. *"He was a soccer player, not a fighter,"* Bislan said quietly. On October 27, he had been at a neighbor's when he heard the bombing begin. He tried to run to his aunt's and was hit. Russia's federal forces attacked that day, Bislan learned later, *"with all kinds of weapons and all kinds of people died that day."* Soon thereafter, Bislan returned and *"found him (his dead son) lying on edge of the street covered by a fallen fence."*

His wife, Tamara, explained, *"According to our (Russian) mass media, our place is a liberated zone, but we don't trust them, we don't believe them, we are afraid."* Pointing at her schoolboy aged son, she said, *"For them, they say a boy of 7 or 8 is a fighter."*

Many saw abuses before they left their homes. Some continued to witness abuses during their flight, such as when they were forced to pass through Russian checkpoints. Many of those interviewed by PHR reported abuses at Russia's federal checkpoints.

A 42-year-old woman, Zarina, from Urus Martan reported that on an unspecified date federal forces, *"at a checkpoint, abused me verbally for two hours."* A 63-year-old homemaker, Zalina, from Staraya Sunzha said that on January 26, federal forces at the Kavkaz checkpoint asked to see her documents and took her provisions from her.

Testimonies from the Aldi and Katyr Yurt Massacres and the Chernokozovo Filtration Camp

In addition to collecting the survey data and narratives, PHR pursued case-based testimonies of several specific events and issues. Some of these individuals were identified during the survey and participated in in-depth interviews. Further investigation led PHR to other witnesses. These interviews were conducted in Ingushetia during the last two weeks of February and the first days on March, 2000 and, in nearly all cases, at the places the witnesses were living as displaced persons.

Due to the egregious nature of the abuses, PHR pursued multiple detailed testimonies to corroborate the massacres in Aldi and in Katyr Yurt in early February, and the torture, sexual assault and beatings of detained people in the Chernokozovo "filtration" camp. PHR also gathered testimonies on other abuses, such as violations of medical neutrality.

The Aldi Massacre

One of the most brutal of the “cleaning up” operations by Russia’s federal forces, described to Physicians for Human Rights, took place on February 5, 2000 in Aldi, a community in the Zavodskoy district of Grozny, after Russian fighter planes dropped clusterbombs onto Aldi. The testimonies told to PHR corroborated detailed documentation collected by Human Rights Watch.¹⁰⁶ According to both groups’ witnesses, Russia’s federal forces summarily executed at least 60 civilians in this suburb, in the midst of sweep operations several days after Russia had captured Grozny. Human Rights Watch and PHR documented that, beginning on February 4, members of OMON (interior police) and contract soldiers arrived in Aldi and told residents to stay in their cellars and have their I.D. cards ready. On February 5, multiple units arrived and conducted house-to-house checks to ferret out Chechen rebel fighters. They shot victims in cold blood, at close range with automatic weapons. They also committed wanton acts of destruction and arson in attempt to destroy evidence of the civilian killings. The witness accounts collected by PHR, demonstrate that soldiers were let loose on this neighborhood to plunder and destroy.

Several waves of Russian soldiers went systematically from house to house down at least three of the main streets which run parallel through the center of Aldi, (Voronezhskaya, Matasha Mazaeva and Zemlyanskaya) checking the documents of residents and searching houses. One of the groups of soldiers executed civilians, and looted and burned homes, according to six people who gave accounts of the massacre to PHR. PHR spoke with two eyewitnesses who survived the massacre and two witnesses who returned in the days following the massacre and saw numbers of people known to them who they were told died in the massacre. PHR also spoke with two people with second-hand information from other witnesses consistent with the testimony of the previous witnesses. In addition, several of the PHR survey respondents told PHR that they witnessed the same federal forces’ killing spree on February 5, 2000 in Aldi.

Witnesses told PHR that no Chechen fighters had been in Aldi for several days, after their retreat from Grozny in the final days of January 2000. The witnesses knew no reason for the rampage, generally expressing disbelief, shock and outrage at the carnage. Although a definitive death toll continues to be compiled by residents, the four first-hand witnesses that Physicians for Human Rights interviewed all gave death tolls in excess of 60 people. Human Rights Watch has compiled a list of at least 62 names.¹⁰⁷

¹⁰⁶ Human Rights Watch, *February 5: A Day of Slaughter in Novye Aldi*, June 2000, Vol. 12, No. 9.

¹⁰⁷ Human Rights Watch Press Release, “More than Sixty Civilians Murdered in Chechen Capital,” February 23, 2000.

Matasha Mazaeva Street Events-February 5

One eyewitness, Zura, who lived on Matasha Mazaeva Street, the central street of the village, told PHR that she saw Russia's soldiers kill people who lived at 110 and 135 Matasha Mazaeva Street and saw bodies or graves of 28 people who were killed that day who also lived on her street.¹⁰⁸

"Russians began cleaning up (in Aldi) on February 5," she said "They did it one day... It happened suddenly." She explained that many people were asked for money before being shot, some were stabbed and others, inexplicably, were left alone. Zura said she had remained in Aldi during the battle for Grozny in an attempt to save her house, but in the end it was destroyed.

Another eyewitness, Zhansari, was at her home on Matasha Mazaeva Street all day on February 5, 2000.¹⁰⁹ She told PHR that soldiers first came through the town in mid-morning. Several different groups of soldiers made their way through Aldi that day, splitting up into different detachments, one going down each street. They searched houses, she said, and checked the documents of residents.

"Before noon, I heard some firing of guns and I looked out the window and saw lots of soldiers," Zhansari said. When four soldiers from the fourth group approached her house, she and her friend were standing in the side yard and her brother, brother-in-law and a friend were inside the house. Two soldiers went inside and "they searched all through the house and checked our passports." She heard noises from the neighbor's vacant house. Zhansari soon realized that her neighbor's house was burning and saw soldiers walking away. She is certain they set it on fire.

Neither her house nor her family were harmed.

Zhansari and her family could hear the Russian soldiers shouting and cursing at other residents and breaking down the doors of other houses, setting fire to five or six houses on her part of Matasha Mazaeva Street. After the last wave of soldiers left, they sat in their house afraid, "But I got my courage up and looked out and saw bodies," of neighbors. Later that day, Aslanabeg, Zhansari's brother traveled down their section of the street and saw seven bodies of neighbors. She saw evidence that Russian soldiers had killed another family on her street: an old man, his wife, daughter and daughter-in-law and piled the bodies on top of each other. Zhansari went in the alley near her house and saw seven bodies on the neighboring Zemlyanskaya Street, pairs of dead men lying near three different houses, and a seventh dead man near another house.

One man, Issa, told her how he survived. He told her that he hid when the soldiers came to the house. They killed his brother and another man outside and dragged the bodies into the house, but they did not find him.

¹⁰⁸ PHR interview February 14, 2000.

¹⁰⁹ PHR interview February 14, 2000.

Voronezhskaya Street – February 5, 2000

Soon, similar atrocities began to occur on Voronezhskaya Street, another main road in Aldi. Chervaniy, his brother, and their families lived in two large houses on Voronezhskaya Street.¹¹⁰ Chervaniy told PHR that his brother was in Aldi and managed to survive the fateful day and told him what happened. Chervaniy had fled for Ingushetia before the final battle in Grozny days before. Chervaniy's brother, Emir, told Chervaniy that Russia's federal soldiers killed Chervaniy's son, destroyed and looted his house on Voronezhskaya Street that day, and killed several other family members as well. In addition, Emir's house, also on Voronezhskaya Street, was burned down after soldiers took all the valuables from the house. Emir also said that many other homes on the street suffered the same fate as did residents of Matasha Mazaeva and Zemlyanskaya Street.

In mid-February, about two weeks after the rampage, Maret told PHR that she journeyed back from Ingushetia to Aldi where she had an aunt and other relatives.¹¹¹ She spoke with several survivors of the Aldi rampage, including an uncle. She saw the burned homes and numerous graves of family and friends. The survivors had buried many of the people in their own yards. Maret said that she was told the local cemetery was mined. She reported that Russia's forces had checked documents and then later burned and looted homes and killed residents, including executing several people at once.

Raisa returned to Aldi on February 15 or 16, 2000 and told PHR that she saw the graves of dozens of people including several of her relatives.¹¹² She returned to Kirov Street, where she lived and, like most of the houses on the street, it was destroyed. Raisa fled Chechnya on September 24, 1999 as the war began, and was living in a rundown cottage in Nazran, Ingushetia.

She pointed at a school-age boy who was sitting among the eight children of various families listening in on the interview and said, "*The Russians killed his grandfather,*" who was living in Aldi. The boy's grandfather, Ibragim, was approximately 65 years old, and was Raisa's brother's father-in-law.

Zemlyanskaya Street-Events of February 5

In Aldi, Raisa had spoken to Ibragim's wife and saw where he was buried and where family and friends said he died. "*His grandfather was extorted thousands of rubles by soldiers and then they executed him,*" she said. He was killed in a group of 17 on Zemlyanskaya Street. According to Ibragim's wife, their pregnant daughter, Kalista, was abducted and hoisted onto an armored vehicle by Russia's federal soldiers only to be thrown off the vehicle later.

¹¹⁰ PHR interview February 29, 2000.

¹¹¹ Written testimony given by her daughter in interview with PHR, February 27, 2000.

Raisa understood from the people who survived the rampage that a couple of different units of federal soldiers operated in Aldi that day. This was corroborated by Human Rights Watch witnesses. One group came down the street extorting money, killing and burning houses, she said. Her aunt was killed in her house on Branskaya Street, according to the accounts that friends and relatives gave to Raisa. She saw the graves of several other people near the community's hospital. Federal soldiers killed her uncle while he was burying yet another relative who had died. Federal soldiers shot her cousins in their house near Zemlyanskaya Street. Raisa saw where her four family members were buried in the yard at 2nd Almazny Street #12. The area in which these family members are buried is the yard of her brother's house, which she said was largely destroyed.

Residents of the neighboring sector of Chernorechie also suffered, according to two more people interviewed by Physicians for Human Rights, where Russia's soldiers also randomly killed people and looted. Both eyewitnesses to the rampage fled Aldi for Ingushetia by February 8, 2000. "*I thought I would be killed,*" said the eyewitness who declined to give her name.

The Killings at Katyr Yurt

From February 4-8, 2000, Russia's federal forces unleashed another ferocious attack, this time on the village of Katyr Yurt. PHR knows of no specific relation between the massacres in Aldi and Katyr Yurt, except that in the wake of capturing Grozny, the Russian military was conducting so-called clean-up operations in recently captured areas and was pursuing Chechen fighters that had retreated from Grozny south into the mountains.

Katyr Yurt is 35 kilometers south of Grozny, in a valley just to the east of the major town of Achkhoy Martan in the foothills of the Caucasus Mountains. According to eyewitnesses interviewed by PHR, scores of civilians were killed and hundreds forced to flee during this week. Some men were detained. Many huddled in their basements, unable to escape. Russian soldiers destroyed the homes and livelihoods of the former population of the town, according to nine different witnesses who told PHR that they either fled the bombardment, watched it, or returned to the village in the immediate aftermath.

The attack on Katyr Yurt is all the more tragic because the village was populated with people already forcibly displaced from Grozny and other nearby villages, such as Shami Yurt and Zakan Yurt, that had been previously attacked.

All nine witnesses interviewed by PHR said Chechen fighters passed by or through the village, presumably as part of the retreat from Grozny in the first days of February 2000. The witnesses are: Asja, a woman who watched from the crossroads above town¹¹³; Abdul, an elderly man¹¹⁴;

Munira, who witnessed atrocities at Aldi and Katyr Yurt¹¹⁵; Miriam, a woman who lost her home¹¹⁶; Alimkhan, a woman visiting her sister¹¹⁷; Rosa, a mother with five children¹¹⁸; Marina, a young mother¹¹⁹; Zaindi, a man who fled on the first day of the massacre¹²⁰; and Adem, a man from Grozny.¹²¹ Seven witnesses said the Chechen and allied fighters were gone from the village by Friday, February 4 (one said they left by early Saturday and one did not specify the day the fighters left) and that Russia's bombardment began on that day.

Witnesses Marina, Asja, and Munira, told PHR that Russia's bombing began after the Chechen fighters left early on Friday, February 4, 2000. Marina, Miriam, and Alimkhan told PHR that they had second-hand reports that two or three Russian soldiers were killed in the vicinity of the town. It was not possible to positively confirm that sequence of events. More recent reports from international agencies after they were able to return to Chechnya and places such as Katyr Yurt, indicate two groups of Chechen and allied fighters went through the village with some fighters remaining in the village up to the third day.¹²²

However, despite the departure of the Chechen fighters, Russia continued bombing for at least two additional days, with witnesses Marina (the young mother) and Asja (the woman who watched from the crossroads) specifically saying the bombs didn't stop falling until Tuesday, February 8, which meant the bombing continued for more than three days after Chechen fighters left. Several other witnesses said federal attacks on the village continued for at least two additional days after the fighters had left the village. In addition, Asja and Adem both told PHR that federal forces would not let anybody enter the village during this period, with Asja waiting at the crossroads each day from Friday, February 4 to Tuesday, February 8 and Adem arriving at the entrance to Katyr Yurt on February 6 and only able to enter on February 9.

¹¹² PHR interview February 22, 2000.

¹¹³ PHR interview February 28, 2000. They were friends and living as neighbors in a camp for displaced persons and were interviewed one after the other on the same day.

¹¹⁴ PHR interview March 2, 2000.

¹¹⁵ Written testimony given to PHR on February 27, 2000.

¹¹⁶ PHR interview February 29, 2000.

¹¹⁷ PHR interview March 1, 2000.

¹¹⁸ PHR interview March 2, 2000.

¹¹⁹ PHR interview February 28, 2000; See also note 107.

¹²⁰ PHR interview February 16, 2000.

¹²¹ PHR interview February 16, 2000.

¹²² Personal conversation with researcher from Human Rights Watch who had investigated many abuses during the conflict in Chechnya; Action Contre La Faim, Mission in the Russian Federation, Assessment mission report, April 21, 2000..

"I saw [women] lying like rubbish in piles. Tanks and other vehicles dragged around bodies tied with wire. It was difficult to recognize individuals amongst the bodies," said Asja.

She estimated that she saw more than 100 bodies on Tuesday afternoon. A resident of nearby Achkhoy Martan, Asja had been waiting five days above and to the west of town at the crossroads on the way to Achkhoy Martan, trying to get into the town to learn the fate of her relatives. *"Soldiers made a mound of people, not like dead people on the ground, it was gruesome..."*

Other people who had waited to enter the town and learn the fate of relatives, looked at the bodies for their loved ones and took them away to try to bury them. *"Otherwise, the bodies just laid there," she said. "It was difficult to bury that many people. People were happy when they found the dead bodies of their relatives."*

"What happened to the village after the fighters left the village is impossible to see now. More than that, one lacks words to describe the picture, to describe the sight, which appears before one's eyes now and the whole tragedy which took place there," said Munira, in an account dictated to her daughter and then given to Physicians for Human Rights. Munira had witnessed abuses in Katyr Yurt and Aldi.

According to her daughter, Munira saw the village right after the bombardment: *"burned corpses lying on the sides of the roads, exploded and burned down houses along the roads... carcasses of burned down cars, killed cattle, people buried in the basements of the houses, people who survived being in a shocked state, exhausted after staying without food and water in the basements for three days, who didn't understand what happened, people looking for their relatives among the burned dead bodies, fresh dug graves, very many graves."*

Miriam told PHR that she awoke on Friday, February 4, to the news that Chechen fighters had been in the town, but not on Sadovaya Street near the road to Achkhoy Martan (where she was living). Even so, *"they heard a hail of bombs;"* there were tanks, artillery, and helicopters bombing. Miriam's family, including an 8-month old baby and two other children, rushed to the basement of their home. Later in the day, when they heard artillery bombardment and noticed a pause in the aircraft bombing, they decided to come up from the basement. *"We felt it was the same, we would die in or out of the basement,"* Miriam said. *"We were in a panic... Before my eyes it was all fire."* Homes and vehicles were in flames. Miriam said she and her family felt that they were *"lucky"* to live on the edge of town. They joined the mass of hundreds fleeing on the road to Achkhoy Martan.

The bombing had begun without warning, said Alimkhan. She told PHR that she was visiting her brother, sister-in-law and their family in Katyr Yurt. She had come from nearby Achkhoy Martan. Alimkhan and twelve of her extended family members and others huddled in the base-

ment of her sister's house on Menichinaya Street on the edge of town. "It was hell," she said. Even though the bombardment had not stopped, they left and headed toward Achkhoy Martan late in the day. "People were in a panic," she said. "They tried to get into tractors, cars, all kinds of transport. It was so bad, even children got mixed up among families."

As they walked toward the crossroads on the road to Achkhoy Martan, Alimkhan told PHR that an airplane bombed them and "I saw one big fireball destroy a house and, because of the force of the explosion, it rolled over a bus filled with people." Although some people on the bus were injured, she does not believe that anybody died on the bus.

Others did not venture very far and stayed in their homes or some shelter for at least a day.

Abdul, an elderly man, was awoken on Friday by his wife at their home on Akharvo Street to find Chechen fighters in the street. He told PHR that he tried to reach an aunt's house that was situated on a hill higher up in the village, but was turned back by the bombing.

On Saturday, even though his wife and three other family members refused to leave, Abdul left Katyr Yurt. There were many people fleeing, he said, "during those moments, I saw houses burning and helicopters shooting and bombing." He explained to PHR that people split into different groups, some heading toward Valerik to the east, while he and others fled toward Achkhoy Martan to the west. He said that there were burned out cars on the road. Near the crossroads, Russia's federal forces separated many young men from those fleeing.

Marina, a young mother, fled with her family after one night of bombing. She also told PHR that she noticed a lull in the bombing after a frightful night in her in-laws cellar. Marina, already a refugee from Grozny, fled again. She, her young children and extended family members, including two men, walked out of town after neighbors came by and told them to get out. They reached the crossroads to Achkhoy Martan above and west of town and were able to pass through.

Deciding what to do was difficult. Staying in Katyr Yurt meant terror and death and fleeing meant much the same thing.

Rosa told PHR that she saw many bodies on the sides of the road, when, after two nights of bombing, she fled from her basement with her five children, husband and other extended family members. She and her children saw their uncle (her mother-in-law's brother) "exploded into meat." Several days later, after the bombing, she and her entire family returned. Rosa's relatives reported to her that 63 people had died in the cellar of one bombed house.

Rosa, her five children and husband had already fled the fighting in Grozny for what, at the time, seemed the relative safety of Katyr Yurt. They and their extended family members suffered through the bombing for two nights in her in-laws' basement before noticing the quiet early one

morning. *“We left because we knew if we spent time in the basement, I knew certainly that we would die.”* They walked with thousands of others, many of whom were wounded. *“I didn’t recognize our village, there were a lot of destroyed houses.”* Some walked on the road to Achkhoy Martan, while others, including Rosa and her family, headed toward Valerik.

At the edge of town, Rosa, her family, and the others who had fled with them, were surrounded by Russian tanks and armored personnel carriers. The soldiers told them that people with children could leave. Rosa and her children stayed with people who took them to Valerik while her husband, brother-in-law and mother-in-law, were held by the soldiers at the edge of town for four days.

Apparently, one flow of people went east toward the town of Valerik, as Rosa’s family did, and another group exited west to the crossroads toward Achkhoy Martan, northwest of Katyr Yurt. The bombing not only drove people out, but people from nearby villages tried to approach and learn the fate of loved ones, bringing a confused and terrorized crowd to the Achkhoy Martan crossroads.

Having heard of the attack on Katyr Yurt and fearing for the safety of her relatives, Asja, who lived a few kilometers away in Achkhoy Martan, returned each day for five days to the crossroads north of Katyr Yurt. Generally, Russia’s federal soldiers near the crossroads blocked people from leaving Katyr Yurt. On one of the first days, the Chechen militia allied with Russia’s federal forces arranged for a “corridor” so that, for a couple of hours, whenever there was a lull in fighting, people were able to leave. Another day, Asja told PHR that she saw federal helicopters and airplanes shoot at another group of people fleeing on the road out of Katyr Yurt to the crossroads. She said she could see airplanes and helicopters bombing Katyr Yurt throughout the five days she spent above town at the crossroads.

The crowd of people on the road to Achkhoy Martan were confronted by Russia’s federal forces on Friday February 4, near this crossroads, Miriam said to PHR. There were so many people that the soldiers could not stop them all. All those who had documents showing residency in Katyr Yurt passed through. Some men, however, from other places, were separated. Miriam did not see what happened to them.

Alimkhan also said that, on Friday, February 4, Russia’s federal forces were separating men, including members of her family at the crossroads above and west of Katyr Yurt. There was confusion amid a great crowd of people, those fleeing from Katyr Yurt and those who had come from Achkhoy Martan to see if they could help friends and relatives, she said. People were crying and shouting as they understood there had been an order to shoot the men.

While the devastation continued in town, residents fled out and into the hands of detachments of federal forces. Some families moved on

through to Achkhoy Martan and Ingushetia, but many men fled one terror to find another in detention as Rosa (the mother with five children) and Alimkhan (the woman visiting her sister) explained to PHR. At least in the cases of their family members and, apparently in many others, the detained men were released. And these families continued their flight.

Rosa's family members later told her that they witnessed some of the detained people being slaughtered by machine gun. Fortunately, her family members were released after about four days and the family actually returned to Katyr Yurt. Rosa and her family returned to her in-laws' house on Leninskaya Street to find that only the walls were standing. Valuables had been taken. "*I saw soldiers actively marauding; we tried to say something and they said to me, 'Don't you say or do anything or we will kill you.'*" With nothing left of their house or the town, Rosa said she and her family fled to Ingushetia and arrived in a camp around February 23.

Alimkhan's brother-in-law and a couple of other men in her family were detained and then released, as were most of the other men detained about the same time, she said, due to the intervention of the Chechen militia¹²³ with Russia's federal forces. Alimkhan brought her elderly grandmother to a camp in Ingushetia, went back to Katyr Yurt after the bombardment, saw the devastation, and returned back to the camp.

Those who returned to Katyr Yurt after the end of the Russian firestorm on February 8, saw utter destruction of lives and homes. Several reported Russian soldiers dragging bodies for disposal. They encountered deep personal tragedy.

Abdul, the elderly man, spent three days with relatives in Achkhoy Martan before returning to Katyr Yurt. He lost his wife, who apparently died leaving the cellar to go and feed their cow. "*I tried to leave, but my wife refused to leave because of our only cow. We had a quarrel,*" he said to PHR with tears in his eyes. He found her dead outside their cellar and three other relatives dead in the cellar of his destroyed house, from what he said was a direct hit from a bomb. On his way back into the town a couple of days later, Abdul estimated that he saw more than 100 bodies: "Some in yards, some in gardens, some in the streets. *Many people were in the streets looking at the bodies for their relatives.*" There were so many bodies that tractors were being used to dig trenches for their burial. He said that he saw only three houses in the town that appeared intact. He then made his way to a refugee camp in Ingushetia in late February 2000.

When Alimkhan, returned nine days after she fled, she told PHR that she saw Russia's federal forces dragging bodies bound by wire at their feet to burial. She went to pay condolences to four families who had lost loved ones in the bombing. She walked up to the center of the town and reported that

¹²³ As described in the historical background section, several prominent Chechens opposed Maskhadov's independence-minded Chechen government and some, notably Bislan Gantamirov, commanded militias that fought under Russia's federal forces.

all the houses she saw had lost their roofs, including her sister's house.

Besides the death of loved ones and loss of homes, several witnesses reported the further assault and humiliation of looting by Russia's federal soldiers.

Marina, the young mother, headed back to the town to learn the fate of others and the family property. While the destruction was evident during her flight, she said that, upon return, she found the devastation was so complete, "*I couldn't recognize our street.*" Marina estimated that she saw 50 or 60 bodies when she was able to return on Tuesday. But she said the sight was near impossible to look at and left her in a state of shock. Because she was from Grozny and had not lived in Katyr Yurt long, she did not recognize the dead.

Marina estimated that more than half the homes she saw "*simply didn't exist anymore*" since they had been reduced to rubble. There was no roof on her in-laws' house, there were holes in the wall where carpets had been stripped, all valuables were taken, and suitcases of children's clothes had been ransacked. Marina said that a couple of days later she saw federal soldiers in Achkhoy Martan selling what she believed to be looted items.

When she was finally able to enter the village, Asja (the woman who watched from the crossroads) found that three of her relatives had died when they left their basement apparently to go to a neighbor's basement, and were killed by an explosion. Other relatives had joined neighbors in their basement and died when that house sustained a direct hit.

Asja also said that she saw federal soldiers in Achkhoy Martan selling televisions and jewelry that she believed were looted from Katyr Yurt a couple of days after the attack. When Asja reached her relatives' house on Tuesday afternoon (February 8), she said the cars were burned out and only the walls were standing. The neighbor's house had been destroyed by a "direct hit," and all the homes in the area were severely damaged.

Miriam's husband returned to Katyr Yurt and told her that if houses were not hit by the bombing, they were looted and burned. After years spent raising their family and building their home, she noted they had their lives but, "*there are only walls left of our home now.*"

Torture and Sexual Assault at Chernokozovo

Russia's federal forces brutally and arbitrarily detained civilians, mostly men but women as well, at checkpoints and community round-ups, and tortured and sexually assaulted them in so-called "filtration" camps. At these camps, federal authorities tried to "filter" out the fighters from amongst the population. PHR gathered independent and consistent accounts of torture of nine people at the Chernokozovo filtration camp.¹²⁴ In six of the cases, the subject was seen by another person interviewed by PHR who also had been detained in Chernokozovo, corroborating these accounts. Chernokozovo camp officers tortured two of these men with elec-

tric shock and two with gas. The gas was most likely a form of tear gas, based on the witnesses' descriptions and the experience of PHR's physician investigator. Witnesses described electric shock, gassing, beating into unconsciousness, rape, hunger and death threats.

In addition, evidence exists from these testimonies, the PHR survey and other sources that Russia's federal soldiers raped people on multiple occasions. In the PHR survey, five respondents reported six cases of sexual assault of civilians by Russia's federal forces.

The families who were interviewed at length reported being desperate to get their loved ones out of the "filtration" camps. Seven of the eight survivors interviewed by PHR reported being released after family and friends paid bribes of several thousand rubles (equivalent to a couple of hundred dollars). One was released because a prominent Chechen allied with Russia's federal authorities interceded on his behalf.

Ilyas

PHR team member, Dr. Ramin Ahmadi, examined a young man, Ilyas, three days after he was released on February 25, 2000 from the Chernokozovo filtration camp.¹²⁵ His body contained physical evidence that corroborated his testimony. The young man had a broken nose and bruises, swelling and tenderness in the nose and on the right 4th and 5th anterior ribs, significant tenderness in the right *costovertebral angle* where the right kidney is located, severe muscle swelling and spasms of the trapezius neck muscle and the sole of the right foot was swollen and tender, all consistent with blunt trauma.

Ilyas revealed a harrowing account of multiple beatings. His nose was broken during an interrogation session. The camp survivors interviewed by PHR consistently reported the humiliation and severe and prolonged beatings during these sessions.

Ilyas was asked to name ten fighters. When he insisted that he did not know any, he was beaten repeatedly. According to Ilyas, at least one of the interrogators was wearing a mask during these sessions. He was beaten for about half an hour before several soldiers started questioning him. Most of these interrogations occurred at night and after 10 p.m. He and others had to crawl on their knees and pass through a "corridor" of soldiers who beat them with their sticks.

He was kept in a 3x4 meter cell with 25 other men. They were not allowed to sit or sleep all day. Twice daily they were given about one ounce of chicken feed and a small cup of water. He reported that he and several

¹²⁴ See the Human Rights Watch report, "Welcome to Hell: Arbitrary Detention, Torture, and Extortion in Chechnya," October 2000, which later corroborated in great detail conditions and abuses in the Chernokozovo filtration camp as described by PHR.

¹²⁵ PHR interview, February 25, 2000.

others were drinking their own urine out of severe thirst and dehydration.

Ilyas described another session during which he was taken to a room and tied down to a bed. Electric wires were placed on his ears and hands and he was repeatedly given shocks that were painful. He was asked to confess to being a sniper. When he refused, the electric shocks were repeated. It lasted less than an hour and he was beaten again at the end of the session.

Rizvan and His Two Neighbors

Not only did Russia's authorities have checkpoints where they detained people and sent them off to filtration camps, but they "cleaned up" areas, herding people en masse into detention and into these camps. Rizvan, a survivor, related that, on February 4, 2000, in a small village in the Teretsky region of western Chechnya, army and Interior Ministry officers swept through the village ordering 32 people to pack into a police vehicle, made to transport five prisoners.¹²⁶ All the men present between the ages of 14 and 50 years old were taken away. "*Cleaning up, yes the operation is properly named,*" he said.

Two neighbors rounded up with Rizvan by the Russian authorities described the same experience.¹²⁷ All three said that the officers were using radios and communicating back to some command center. Of the two anonymous survivors, one was a farmer in his 20s, the other a driver in his 30s. Rizvan is a farmer in his 30s and, though naturally thin, the detention had left him frail and he apologized for being a bit "slow." Rizvan and the farmer said that they now suffer memory lapses. Rizvan said he was trying to find medical care because he feared he had broken ribs and suffered internal organ damage from the torture he suffered in Chernokozovo.

All three said they were not fighters or involved in politics. "*If I was a fighter, it would've been easier for me,*" Rizvan said, because then there would be some explanation for the treatment.

"*They gathered all around the village, like they had some plan,*" the driver said, "*They didn't ask for our passports or documents, they just took us from our homes,*" he said. Later, Russian officers told them that eight Russian soldiers were killed three or four kilometers from their village, Rizvan said. But nobody in their small village ever saw or heard any evidence that the event took place and "*in our small village, it's impossible not to have heard something.*" he said.

The federal officers drove them to the Znamenskoye Interior Ministry office where they checked their passports, documents, fingerprints and went through computer processing. Rizvan and the driver told PHR that seven or eight village women were also detained, but released during that

¹²⁶ PHR interview February 23, 2000.

¹²⁷ PHR interview with Rizvan again and two fellow survivors, a driver and a farmer, of the round-up and torture in Chernokozovo who remained anonymous February 24, 2000.

first day. *“They made us (the 32 men) stand all day with our hands on our head facing the wall,”* the driver said. They spent the night in different cells before being shipped the next morning to Chernokozovo. He added that formerly, it was known as the Naurskii district prison.

For the trip from Naurskii district prison to Chernokozovo, they were again packed into a vehicle, lying on top of each other just below the level of the windows so that they couldn’t see or be seen, Rizvan said. After arriving at Chernokozovo, they spent much of that first day kneeling with their heads lowered and hands on their heads. Each said they were called one by one into the interrogation room and later separated into cells.

“The guards said things like, ‘you will have a slow cruel death’ and ‘welcome to hell’ and ‘you will surely die here,’” Rizvan said. They were dressed in camouflage and were probably OMON, an Interior Ministry special forces division, he said.

For most of his time there, between four and six men shared Rizvan’s cell, (#13), made for two people. The driver was with about six people in a similarly-sized cell, while the farmer was in a larger room, crammed with 28 men. They described scant food and water supplies and said that they were given bottles or buckets to use as toilets. They had to take turns lying down at night with the other men in their cell and could not be caught sleeping during the day.

“Days began with a beating,” Rizvan said, and they would be repeated two, three, or four times a day. *“During the day time was horrible, but night time was hell. At night, they (guards) did what they wanted, what they liked and nobody would see.”*

Rizvan was beaten into unconsciousness four times. Guards beat him with a metal instrument all over his body, including his head. He would be beaten in the interrogation room. *“I couldn’t answer their questions, I was in shock,”* he said. *“I didn’t know what to answer, I don’t know what they wanted.”*

The driver agreed that the worst beatings were at night or in the interrogation room. *“I was taken by them (guards) to the interrogation room where they put on music while interrogating me. They took off my shoes and beat me on the soles of my feet, kicked me in the back and put the barrel of a gun in my mouth and said, ‘tell us the truth.’”*

“I didn’t even cry out the first time,” the driver said, when they asked if he was a fighter and beat him for about an hour. *“It was better to keep silent. If you start to say something, they say you have information and beat you more.”*

The farmer said he was electrocuted and gassed. *“There is a small opening in the door where they put it in,”* he said describing the guards administering of what he called “neuroparalytic” gas to all of them in his cell. It lasted 15 minutes or more and the farmer reported that it left them shaking, crying and frothing from the mouth.

For some torture sessions, the farmer said he was taken to a separate room. There the guards threw ball bearings at his head and applied electric shock. They had him in handcuffs and applied wires from an electric light making him pass out after what he thinks was about ten minutes. Rizvan saw one of his cellmates thrown into his cell handcuffed after having been subjected to electric shock.

Their families paid between 4,000 and 5,000 rubles for each of them to be released, with each transferred from Chernokozovo back to the Znamenskoye Interior Ministry office and then released. The farmer was released on February 11, 1999, Rizvan on February 12 and the driver on February 15. By then, all 32 prisoners from their village were released after all the families paid similar amounts of money, they said.

“Again and again I had thoughts of grabbing one of their Kalashnikovs (machine gun) and killing all of them I could, but I was afraid of the consequences,” the driver said. *“I was not afraid of them, but was outnumbered,”* he said angrily about ten days after his release. When asked about the future, he did not know what he could do in Ingushetia. He was thinking of returning to his village with his wife and kids, *“even though he had been detained there,”* he said.

Perhaps most devastating for Rizvan and an earlier Chernokozovo survivor, Adem, was being tortured by Russia’s forces after responding to federal government propaganda to return to their home villages. Both Rizvan and Adem fled their hometowns and then heard Russia’s public announcements for displaced persons to return to areas under the control of federal forces because these areas were safe.

“We heard slogans like, ‘Come back home.’ and we trusted them... and it’s something like they’ve occupied us, they deceived us,” Rizvan said. Some in his village had fled to Ingushetia, while he and his family had gone to Zakan Yurt in October and stayed there until early January when, *“federal troops accompanied them back to their village.”* Russia’s authorities controlled Rizvan’s village for weeks before they took the men away in the cleaning up operation, described above.

Adem

Adem and his family left Ingushetia seeking to return to their hometown Pervomaiskaya on December 30, when he was stopped by army and Interior Ministry officers at the checkpoint outside of town.¹²⁸ They checked his passport and claimed he had improper documentation. *“But it was like a game—the (lack of) documentation was just a formality”* to lock him up, he said. He said he had never taken part in the conflict.

They permitted his family to proceed into town. His brother returned to the checkpoint and asked the Russian officials about him *“They lied*

¹²⁸ PHR interview, February 23, 2000.

to my brother,” Adem said. “They said they did not know where he was.”

In fact, for two days he was locked into a metal container at the checkpoint. These officials beat him in the kidneys, kicked and threatened to kill him. “They shot close around the metal house (container),” they had locked him in, Adem said to PHR.

After these two days, Adem said, they sent him to Chernokozovo, where he described an arrival similar to others: head down such that he could not look at the guards and being beaten as he and others proceeded down a long corridor. They were typically beaten as they lined up in the morning: “*kneeling, and with hands on the wall and when you fell down, they kicked you,*” he said. He showed a scar over his eyebrow that he said was from a beating in the camp.

He was kept in small rooms for two people with up to five others, he said. They had to stand all day, but he told PHR that he did not suffer what some others did. He was only taken two times to the interrogation room for questioning. Besides some beating, “They ‘wanted to know if I was a fighter. They said, if you say you are a fighter there will be an amnesty and it won’t be so severe for you, we will prepare documents for you,” Adem said. But Adem, like others who spoke to PHR, had heard about harsh treatment and execution of fighters. He said he was not a fighter.

On January 10, 2000, the “commandant” of Chernokozovo let him go, after his family had paid the equivalent of about \$100 through an intermediary. He did not explain how his family arranged this except to say, “It’s not desirable to ask that man,” (the intermediary) how it is done.

Yakub

Before his release on February 5, 2000, Yakub suffered days of severe deprivation and numerous tortures in the Chernokozovo filtration camp.¹²⁹ Not only did Russian soldiers beat him repeatedly, but gassed him during his 21 days in detention.

His ordeal began when Russian soldiers at a checkpoint near Znamen-skoye village took him off the bus that he and his mother were riding. “His document had the seal of the wolf (of the breakaway Chechen Republic), that was the reason they took him,” said his mother. Russian soldiers, who she said were drunk, laughed in her face and asked for 10,000 rubles when she protested. She got a taxi to follow the car that took Yakub away to the camp in Chernokozovo. Yakub understood the camp’s official name to be Temporary Isolation Prison for Filtration.

His mother tried to find a way to get him released. Through intermediaries she declined to specify, she sought an arrangement. Eventually she said she arranged for the transfer of the bodies of two Russian soldiers to

¹²⁹ PHR interview with Yakub and his mother February 17, 2000.

Russian authorities and paid 4000 rubles to unspecified Russian officials to secure Yakub's release.

Yakub was moved to the Znamenskoye police (Interior Ministry) station to be released and Russian officials told his mother that he would be released at 9 a.m. Instead he was released at 8 a.m. with no information, his documents confiscated and only a page of paper from the Interior Ministry that he showed to PHR. It said Yakub was not wanted in the Nadterechni region, was not listed on an Interior Ministry criminal database and was on his way to Ingushetia. It was signed by A.V. Sadovnikov, Captain in the Nadterechni Region.

Although his mother was waiting outside, Yakub did not know this and knew little except that he had a flimsy document directing him to Ingushetia. He walked up the street and from the charity of a stranger was given the fare for a bus. Meanwhile his mother did not see him and learned he was released and ran in the direction she understood he had walked toward. As he was boarding the bus, his mother caught up with him and they shared a reunion.

During his time in Chernekozovo, Yakub said he was beaten nearly daily with sticks and iron bars, often on the soles of his feet. When experiencing beating on his feet, *"the pain felt like it was taking steps up his leg and then up his body."* In other beatings, when he fell down *"they would then kick you and say 'this one's for Basayev, this one's for the explosion in Moscow.'" Although just a civilian, they tried to get him to sign a confession that he was one of the fighters of Khattab, a well-known foreign commander fighting on the Chechen side.*

Russian guards inserted gas through his door four or five times a day for nearly a half hour on several different days. *"First your eyes stick, then your nose gets blocked, then you breath through your mouth and it penetrates your throat and you feel heat in your chest."* To avoid coughing blood and passing out, as happened to others, he stuffed a handkerchief in his mouth that protected him, he said, from the full brunt of this torture.

During another beating, Yakub said they prepared to put two electrically charged wires to him. However, he fell down unconscious, he said, before they applied the electricity. He said that only three or four days were "normal," without beatings or other torture.

However, normal conditions included standing from 6 a.m. until 10 p.m. with 49 prisoners in a cell where there was not enough room for them all to lie down at night. Normal meant one 5-liter barrel of water for all in the cell that the guards usually spilled as they brought it in. It meant one margarine container of kasha (Russian porridge) for three people per day, which amounted to only 3 spoonfuls per person. One spoon was provided for the entire cell. During one stretch of 8 days, Q.C. only got his share of three bowls of kasha.

Salim

Salim is a 38-year-old agricultural engineer who served in the Russian army for several years and then moved to the Volgograd region of Russia (outside Chechnya) until 1990.¹³⁰ In 1990, he became the director of a waste management company in Grozny. On September 29, 1999, he left Grozny for Alkhan Yurt village since his wife was pregnant and delivered a baby boy two days after they left Grozny. On January 18, 2000, the family left the village heading to a Nadterechnaya village in the north of Chechnya to register the newborn and receive subsidy and baby formula.

“My baby was sick and we had spent all our money on the medication,” he said. The family was desperate for baby formula since his wife could not breastfeed, he said, because of the bombing. On their way to the village near Znamenskoye they were stopped by Interior Ministry police. Initially, the police officers were polite. They congratulated him on his newborn and took his passport for a routine check. He was then separated from his family and told that he needed to go for some “questioning.” He was reassured that this was nothing serious and that he would be back with his family within ten minutes.

However, he told PHR that he was taken to the nearby checkpoint, fingerprinted, briefly questioned and then along with another young man, taken to a cell. There he met 35-40 other prisoners who had also been held at the checkpoint. A few hours later, Salim and 16 other young men were taken to the back of a truck and transferred to Chernokozovo filtration camp. After a forty-minute drive, they arrived at the camp. They were kept in the locked vehicle for one hour and then had to come out one by one and walk “the corridor.”

“There were two rows of about 10 soldiers who would beat you with their sticks as you passed by them,” Salim said. He was then taken into a cell and subsequently interrogated like other people detained at the camp. In his case, all of the beating and trauma was inflicted on his arms, legs and back.

Dr. Shametaku Ashaeva knew Salim before he survived Chernokozovo, when he was strong and in good physical condition.¹³¹ Dr. Ashaeva is a doctor from Chechnya who helped run a makeshift clinic in a displaced person camp in Ingushetia. She spoke to PHR in February. Salim is a friend of her son. She saw Salim three or four days after he got out of Chernokozovo. She saw all sorts of marks, black and blue, on his mid-section and legs. Some were brighter, some blacker but she said it was difficult to describe specific marks. She said they beat him with fists, feet and sticks. He hurt all over. One of his hands was numb.

“He doesn’t have broken ribs or other broken bones; now, Salim doesn’t sleep well and has headaches,” Dr. Ashaeva told PHR. *“He’s broken, not physically, but mentally.”*

¹³⁰ PHR interview on February 16, 2000.

¹³¹ PHR interview with Dr. Shametaku Ashaeva February 13, 2000.

Sexual Assault

Yakub, one of the survivors of Chernokozovo who himself was tortured with gas, said his strongest impression was: “*I heard the voices of girls saying, ‘don’t do it, don’t do it, let me go.’*”¹³² He said he heard women and men crying like that because they were being raped. He and two other survivors said there were many women in Chernokozovo and reported hearing women’s screams that they assumed were from guards raping the women.

Three independent and consistent accounts by formerly detained persons confirmed the detention of an activist woman named Imani, a 42-year-old mother of four from Tolstoy-Yurt. Each heard a woman tortured outside their cells, with two recognizing the voice of Imani and the third recognizing the voice as Imani’s, with whom he was detained. Two of the men had been detained with Imani and exchanged personal information about ages and home villages.

There were several people who witnessed sexual assault in the Chernokozovo camp. Rizvan said that the guards beat him intentionally on his genitals.¹³³ Ilyas said Imani was taken to the camp with her son.¹³⁴ According to both Salim and Ilyas, she was raped by the soldiers repeatedly and was in poor medical condition. Each witness heard her cries of help and the obscenities shouted by the soldiers. The soldiers first took her to a solitary cell where others could hear but not see what was going on. They began by beating her first. Her cries of help and words used were the same in both testimonies. After about half an hour of beating the sexual assault began. Soldiers took turns raping her while shouting at her.

Survivors also said guards sexually abused men. During one torture session of another detainee, Rizvan, said, “*Guards asked him, ‘Do you have children?’ He replied, ‘Yes.’ They said, ‘Well, you will never have them again.’*”

Adem reported to PHR another alleged rape of a man when he was at Chernokozovo.¹³⁵ “*During one night, a man was taken from the room and we heard shouting and crying and the man saying, ‘don’t do that to me.’*” The victim was returned to the cell with injuries consistent with sexual assault, Adem said.

Three witnesses gave accounts of another sexual assault case, that of an 18-year-old man. He was in the cell with two of the witnesses and was wearing his mother or sister’s jacket because he was cold. Soldiers noticed that the jacket belonged to a female and made jokes about it. “*They said: ‘Do you like wearing women’s clothes?’*,” according to Salim who spoke with him.¹³⁶ Shortly after, they told him that he will be treated like a woman.

¹³² PHR interview February 23, 2000.

¹³³ PHR interview February 23, 2000.

¹³⁴ PHR interview February 24, 2000.

¹³⁵ PHR interview February 24, 2000.

They pulled him out of the cell and began beating him in the cell next door. *“After about 10 minutes of beating they began taking turns raping him. We could hear his cries and their laughing. It was a nightmare. After they were done they brought him back to the cell. They told him from now on his name was Fatemeh, and he is only to respond to that name.”*

The torture and indiscriminate victimization devastated survivors both physically and mentally. *“The worst thing is every man is helpless there (in filtration camps), you cannot defend yourself,”* Rizvan said. *“From my village they crippled some men, they beat some others to death.”*

“I didn’t take part in the war,” said the driver who spoke to PHR.¹³⁷ *“They just said, ‘You’re a Muslim, a Chechen’—we are civilians—that they know we are inhabitants of the Chechen Republic that is enough for them to torture us.”*

Violations of Medical Neutrality

From September 1999 through March 2000, Russia’s federal forces violated medical neutrality¹³⁸ in several ways. They bombed hospitals and clinics repeatedly, shot patients, and detained doctors and patients. Fighters on the Chechen side also violated some of these norms, but according to witnesses interviewed by PHR, not nearly as often as Russia’s forces.

362 (32%) of 1,143 respondents to the PHR survey witnessed destruction of medical facilities, with 100% of these incidents attributed to Russia’s federal forces. The 32% figure suggests an estimated of 58,940 (of the 186,100 who fled Chechnya for Ingushetia) have seen the damage and destruction federal forces have wrought on dozens of health facilities.

Russian officials have cited violations of medical neutrality by fighters from the Chechen side. PHR documented several such violations, including 12 different survey respondents witnessing the use of medical facilities for military purposes by fighters on the Chechen side. Nevertheless, violations by the Chechen fighters cannot be used to justify further violations, such as the extensive destruction and damage of medical facilities by Russia’s federal forces documented in this report.

Dr. Zainab Estamirova, the head physician at Grozny Ambulatory Clinic #5, reported that the clinic was bombed and she saw the burned relic.¹³⁹ She testified to PHR that fighters from the Chechen side had used Hospital #4 as a dormitory. Patients had left the hospital for the fear of bombing.

By December 1999, Hospital #4 had been bombed once but was still operational. By January 30, 2000, the fighters from the Chechen side had left the entire district and only civilians had been left behind. According

¹³⁶ PHR interview February 17, 2000.

¹³⁷ PHR interview February 23, 2000.

¹³⁸ See Chapter VII for legal definition of medical neutrality.

¹³⁹ PHR interview with Dr. Zainab Estamirova February 20, 2000.

to Dr Estamirova, at this point, Russia's federal forces began the indiscriminate bombing and shelling of the district which resulted in the complete destruction of this hospital.

A former manager at the Grozny oil refinery described how the children's health facility in the Chernorechie district of Grozny had been bombed so heavily that it is barely standing with big holes in it.¹⁴⁰ The doctors from the facility all left in October 1999 after the federal forces' bombing of the sector started. By November 1999, Russian tanks on nearby hills were shooting at the facility.

At least 24 separate medical facilities were damaged by federal forces—according to survey respondents and the testimonies of doctors such as Drs. Khassan Baiev and Estamirova. The documentation on damage of these 24 facilities were received from at least two different sources.

Russia's federal forces also forced doctors and patients to leave health facilities. Russia's forces removed and took away 11 wounded civilians from the hospital at Achkhoy Yurt, on an unspecified date, according to a 35-year-old factory worker who participated in the PHR survey.

In another case in Tolstoy Yurt, federal forces arrested a surgeon and a 63-year-old patient with a shrapnel wound, according to two witnesses.¹⁴¹ These two witnesses said that approximately 40 women witnessed the elder man's detention and surrounded the armored vehicle where he was held. Some of the women lay down in front of it, in protest. The soldiers relented and released the old man, but the surgeon was taken away from the hospital by the soldiers.

Dr. Khassan Baiev told PHR that he was detained briefly by Russia's federal forces and then released on February 2, 2000.¹⁴² Dr. Baiev, a nurse and another physician reported to PHR the arrest of the former Chechnya Minister of Health, Dr. Khambiev, with several other doctors.¹⁴³ Several other groups have documented this case and other violations of medical neutrality by Russia's federal forces, including the killing of doctors.¹⁴⁴

According to an aid worker with an international agency who has worked in and around Chechnya for years, several Chechen doctors working in hospitals in three western Chechnya towns had been called in for questioning and for treating Chechen fighters.¹⁴⁵ Dr. Baiev knew of two surgeons from Atagi who were threatened while travelling to the vil-

¹⁴⁰ PHR interview February 14, 2000.

¹⁴¹ PHR interview with these two physician witnesses, February 20, 2000.

¹⁴² PHR conducted multiple interviews with Dr. Baiev, both in Ingushetia in February 2000 and later in 2000 in the United States.

¹⁴³ PHR interviews with the physician on February 15, 2000 and nurse on February 16, 2000.

¹⁴⁴ See, Human Rights Watch, "Russian Forces Attack Hospital Staff at Zakan-Iurt, Chechnya," November 23, 1999. See also, Amnesty International, "Real Scale of Atrocities in Chechnya: New Evidence of a Cover-up," March 24, 2000.

lage of Chishki. At the checkpoint heading toward Chishki, the Russian soldiers said, “We’re not responsible for your safety.”

The Case of Dr. Khassan Baiev

Dr. Baiev operated in the basement of what was left of the Alkhan-Kala hospital, in the autumn and winter of 1999-2000. The hospital served an estimated population of 18,000. During the first couple of months of the war, he operated on 10-20 cases per day. Most of these injuries were civilian casualties of systematic shelling. Others, according to Dr Baiev, were wounded by the so-called contract soldiers.

Similarly, in the earlier 1994-96 war, Dr. Baiev had treated combatants and civilians out of a makeshift facility in Alkhan Kala. Between the wars, Baiev had worked out of a Grozny hospital. After the war began, he again moved to Alkhan Kala. The town was often on the front lines of the conflict and he had to navigate the demands of both militaries.

His adherence to the needs of his patients, regardless of their origin, risked retaliation from both sides. *Wahabis*, a group of Chechen Muslim militants, threatened to kill him for treating Russians. They forced Dr. Baiev at gunpoint to treat their own wounded soldiers before other patients with more serious injuries.

On another occasion in January 2000, Russian soldiers were occupying the village and saw him leaving the hospital where he treated wounded Chechens. They pushed him against a wall and were about to execute him until more than 20 of the town’s elderly citizens gathered round. Dr. Baiev recounted to PHR, “*If you want to kill our doctor, kill us first, they said.*” The soldiers backed down.

As the final battle for Grozny raged at the end of January 2000, Chechen fighters retreated, during snowfall, over a minefield near Alkhan Kala. Ravaged fighters and civilians were brought to the hospital. With only local anesthesia and the drugs in the supply closet, Dr. Baiev performed 100 procedures on February 1 and 2, 2000, including more than 60 amputations, on fighters and civilians wounded in the battle where Chechen fighters retreated out of Grozny.

Among the some 300 patients brought to the hospital was the well-known Chechen commander, Shamil Basayev, a native of Dr. Baiev’s home village. Basayev led a 1995 raid and hostage-taking on the Russian town and hospital in Budyonnovsk and then a raid on Dagestan in August 1999 that led to the first shots of this war. The only way to save Basayev’s life was to amputate part of his shredded right leg. Dr. Baiev performed the surgery.

On February 2, Russian soldiers took control of the village. Dr. Baiev, wearing his medical coat, left the hospital and tried to arrange the evacu-

¹⁴⁵ PHR interview with this humanitarian aid worker, February 20, 2000.

ation of his patients. At around 1:30 p.m., Russia's federal forces raided the hospital. Dr. Baiev and a nurse both reported to PHR that 120 patients were taken from the hospital and detained by federal forces.

Dr. Baiev soon thereafter learned that Russian soldiers were now hunting for anybody who had seen Basayev, including the doctor who treated him. Dr. Baiev removed his hospital coat but was soon detained by Russian soldiers in another part of town and put into a metal container. Without the white cloak, they did not yet know who he was. After about 18 hours, he was released and he then returned to the hospital. Dr. Baiev saw a nearly empty, destroyed hospital littered with bodies. During that time, Dr Baiev told PHR that 7 of his patients had been shot while in their hospital recovery beds, including a 70-year-old Russian woman named Kuznetsova.

"These were my patients," Baiev said, "I knew them; I knew their life stories, I had operated on them; this was a terrible blow to me."

Baiev fled to Ingushetia. Afterward, officials of Russia's security agencies appeared at his home and questioned his family about his whereabouts.

While Russian soldiers object to doctors working on Chechens they regard as fighters, Dr. Baiev told PHR, "there's no law restricting doctors from operating on people from the other side." International law and norms of medical neutrality support this position.¹⁴⁶ Dr. Baiev and his family now reside in the United States.

¹⁴⁶ See Chapter VII.

VI. FINDINGS OF DECEMBER 2000 INVESTIGATION

As the year 2000 came to an end, Physicians for Human Rights found that Russia's federal forces still engaged in human rights violations against civilians, including arbitrary arrests, illegal detentions, beatings, torture, disappearances, killings, looting, extortion, attacks on civilians, and violations of medical neutrality. These violations have grave consequences both for the immediate victims and for the entire population of Chechnya.

Purpose and Methods

From December 8 to December 24, 2000, PHR Executive Director Leonard S. Rubenstein and Ondrej Mach, M.D., a consultant with extensive experience in the region, traveled to Ingushetia to continue PHR's assessment of the scope of violence against civilians in Chechnya. They interviewed more than 50 witnesses to human rights abuses that took place during the last five months of 2000, focusing especially on events in October, November, and December.

This report relied on first-hand accounts that reveal specific incidents of human rights violations and confirm patterns of abuses identified by other human rights monitors. For certain events, including arrests at the Grozny market, a November car bombing, the detention of two young boys, and the shelling of the university in Grozny, PHR relied on separate accounts of multiple witnesses. The section on arbitrary arrests is based on several first-hand accounts detailing similar patterns of abuse. Some accounts of arrests and experiences in detention are reported on the basis of a single victim. These were included in this report only when judged credible by the PHR investigators, based on the witness' demeanor, the detail of the account, the internal consistency in the account, and the consistency of the story with other facts and patterns of conduct.¹⁴⁷

Arbitrary Arrests, Detention, Disappearances, and Torture

Russia's forces arbitrarily arrest civilians, detain them, and frequently torture them.¹⁴⁸ PHR interviewed 23 witnesses about instances of arrest, detention,

¹⁴⁷ In addition to the witness accounts, PHR consulted and received data from international organizations and the Russian human rights group Human Rights Centre Memorial (hereafter "Memorial"). PHR is grateful for the assistance provided by these organizations.

¹⁴⁸ Human rights investigators at Memorial told PHR that there were approximately 100 arrests per month.

and torture. Eleven of the witnesses were victims of torture. In almost every case, there existed no authority or legal grounds for the arrest, no charges were formally brought against the individual, and the person's documents were confiscated. The places of detention included military camps and police stations, but also dank basements in abandoned buildings and pits dug in the ground.

During detention, food and water were frequently withheld, toilet facilities were not made available (sometimes buckets were not provided), beatings and other forms of physical torture were the norm, and psychological manipulation was common. The victims were released – if at all – only after family members managed to find the unit that held the victim and either bribed soldiers or took advantage of personal connections to high-ranking Russian officials.

Who is Arrested and Detained

Most of the arrests that PHR investigated involved young men, older teenagers or boys. Two witnesses described the detention of four boys age 11-13 who were tending cattle and wheat fields in Bachuit¹⁴⁹ in early October. But PHR also interviewed two men in their forties and one in his late thirties who had been arrested, detained, and beaten.¹⁵⁰ Uniformly, the persons arrested were accused of an association with the fighters on the Chechen side, but the arrests were so indiscriminate and release after bribery was so common that the actions of the Russian forces discredit these accusations. Although all the victims of arrest that PHR interviewed were men, PHR learned of one woman who has been incarcerated for almost a year amid allegations that she participated in the killing of a Russian officer.¹⁵¹

The Arbitrary Nature of Arrest and Detention

Almost all of the men that PHR interviewed who were arrested told the PHR team that Russia's federal forces, either conscripts or contract soldiers, performed the arrest.¹⁵²

PHR found that Russia's federal forces arbitrarily and indiscriminately arrest civilians during "sweeps," sometimes accompanied by violence. They also made numerous arrests at checkpoints for violating curfew, for alleged lack of proper documents, for being in the vicinity of an attack on

¹⁴⁹ This event was confirmed by two witnesses. PHR interviews with Abdul and Zaindi, December 21, 2000. The names of the boys were supplied to PHR but it was not able to interview them or their families.

¹⁵⁰ PHR interviews with Adem, Yakub, and Adlan, December 12, 2000.

¹⁵¹ PHR interview with Asja, December 19, 2000.

¹⁵² PHR received reports that contract soldiers were more likely to arrest civilians than conscripts, but the interviews did not allow us to draw any conclusions on this point.

Russia's soldiers, or for not meeting the price demanded for avoiding arrest. Sometimes arrests were at the apparent whim of a soldier. In many cases, soldiers took identification papers and never returned them.

Sweeps

Men interviewed by the PHR team were rounded up in groups, sometimes with a dozen or more others, during "sweeps" of villages by Russia's forces that typically were a response to an attack by fighters on the Chechen side. In these sweeps or "clean-up" operations (as they are called in the region), two dozen or more of Russia's soldiers, often accompanied by armored personnel carriers and other military vehicles (sometimes including helicopters), enter a village seeking alleged terrorists. Soldiers typically check identities, enter houses, and make arrests. Sometimes these arrests are based on alleged lack of proper identity papers, sometimes based on "suspicion" of association with Chechen fighters, and sometimes because they are rounding up all men of a certain age. Abuses by Russia's forces during sweeps were so notorious and so widely recognized that in the spring of 2000, Russian officials agreed to require representatives of the prosecutor's office and the head of the village or municipal administration to be present at the implementation of "cleansing operations" in residential areas.¹⁵³

A 17-year-old young man, Rashid, reported that he was arrested in his house early in the morning of August 1, 2000, when one of Russia's military units swept Urus-Martan. He was arrested with eight others and his identification papers were confiscated. As they took him away, the soldiers told his parents that he was being detained for "conversation."¹⁵⁴ Another young man, Movsar, age 18, told PHR that he was arrested during a sweep in Alkan Khala in mid-October. He was walking home before curfew when two or three trucks containing 30-40 soldiers came into the village. Without asking any questions, soldiers approached him, put a shirt over his face, and threw him into an armed personnel carrier. Women screamed to try to prevent his arrest, but to no avail.¹⁵⁵

Another man, Yakub, age 45, told PHR that he was arrested during a sweep in the town of Chalisi around August 8.¹⁵⁶ He and his wife had come from Ingushetia, where they lived as displaced persons, to visit his

¹⁵³ Report on the Work of the Special Representative of the President of the Russian Federation for the Observance of Human Rights and Freedoms in the Chechen Republic During the First Half of 2000, July 2000. Memorial reports, however, that this ruling is often ignored by federal troops, and the rule did not appear to be followed in the cases of individuals arrested during sweeps according to the men interviewed by the PHR team.

¹⁵⁴ PHR interview with Rashid, December 22, 2000.

¹⁵⁵ PHR interview with Movsar, December 16, 2000.

¹⁵⁶ PHR interview with Yakub, December 19, 2000.

parents. They arrived in the early morning and, at 8 a.m., approximately 30 of Russia's federal forces arrived and began a sweep in the town. In response to their demand for papers, Yakub produced his registration in Grozny and his certification as an internally displaced person living in Ingushetia. The soldiers demanded additional papers proving his registration in the village. Yakub explained that he was in the village for a visit and that his mother and sister all had the same name as he did. He was arrested all the same, brought to a checkpoint where his hands were bound behind him with rope, his shirt removed and he was blindfolded. About 18 others from Chalisi and nearby villages were also arrested and eventually brought to Urus-Martan military base.

Mass arrests during sweeps are not uncommon. Witnesses whom PHR interviewed identified arrests of 15 people in Stari Atagi¹⁵⁷ and 10 young men in the Pervomajskaja area of Grozny¹⁵⁸ during the month of September. Eight men were arrested in a sweep in Bachuit in early October along with the four boys mentioned above.¹⁵⁹

On November 26, Russia's federal forces attacked and razed the central market in Grozny – where most commerce in the destroyed city took place – after two Russian soldiers were killed in the market. The soldiers came in with great force, with many military vehicles and as many as 100 troops. They attacked and fired at shoppers, killing some, took merchandise, and destroyed stalls.¹⁶⁰ They arrested at least twenty men.

PHR spoke to two witnesses to the violence and arrests. One of them, Fatima, reported that she went to a shop in the market to buy medicines. At about 10:00 a.m., the market was surrounded by Russian soldiers, some wearing scarves over their faces and others in black masks. She said that people panicked as Russian soldiers grabbed shopping bags, loaded all the merchandise on trucks, and took young men away.¹⁶¹ She also saw the arrest of one of her neighbors.

Another witness, Zita, was selling gasoline in plastic jerry cans at the

¹⁵⁷ PHR interview with Adik, December 17, 2000.

¹⁵⁸ PHR interview with Alisa, December 18, 2000.

¹⁵⁹ PHR interview with Zaindi, December 21, 2000.

¹⁶⁰ Representatives of the Memorial witnessed the entire scene. Memorial reports that “tanks and bulldozers swept up kiosks and rows of market stalls. Soldiers opened machine-gun fire on anyone who tried to stop the massacre and some were killed. A minimum of twenty men were arrested. Some of the men have been not yet been released.” Statement of Oleg Orlov, Representative of Memorial at the Meeting of the Committee for Legal Affairs and Human Rights of the Council of Europe in Paris, December 2000. Memorial also reports that a colleague of the Russian Federation Special Representative for the Protection of Human Rights and Freedoms in Chechnya tried to put a stop to the assaults was sent away by the federal troops. When women who were trading on the market appealed to the municipal military commander’s office, it refused to intervene in the incident.

¹⁶¹ PHR interview with Fatima, December 12, 2000.

central market, as she had been doing every day since June. She told PHR that her products were taken away and destroyed by soldiers with tanks. The soldiers also said they would search for guns, and began taking people taken away. She saw the arrest of two men who she knew well. One of the men arrested worked for Chechen OMON, a branch of the local, Russia-allied Interior Ministry. She begged the soldiers not to take him away. But he was handcuffed and put in a military truck without a number plate.¹⁶²

Checkpoints, Curfews, Vodka

Arrests also take place at the countless checkpoints and vehicle stops on roads. Rashid, age 50, told PHR¹⁶³ that he was driving along a road near Grozny in mid-October with one of his 10 children to visit the grave of his brother, who he said had been killed by Russia's forces, in the town of Tangi-Chu. Soldiers operating a military vehicle stopped him and demanded to see his identification papers. His papers were satisfactory but his son, age 18, did not have any papers with him. The soldiers said they would arrest the son, and when Rashid protested, he was arrested as well. No formal charges were ever brought, but he and his son were beaten and detained for 11 days until a relative in a prosecutor's office in Moscow secured their release.

PHR also interviewed two individuals who were arrested and beaten because they were out after curfew.¹⁶⁴ Others were simply in the wrong place at the wrong time. PHR interviewed two young men who happened to be in an area where a Russian armored personnel carrier was blown up; each was arrested and detained, tortured and beaten.¹⁶⁵

In one case, detention seemed a product of drunken behavior by Russia's soldiers. A man named Salim told PHR¹⁶⁶ that he was standing in front of his house on the main road outside Urus-Martan on October 15, while his wife was out getting water with their children. An armored personnel carrier (APC) with eight or nine soldiers that appeared to be from the Russian army drove by and stopped. The soldiers were quite obviously drunk. Some were wobbly on their feet. One said, "Sasha, let's take him," and the other said, "Let him stay."

Salim reported that the soldiers stepped out of the APC and demanded a case of vodka in return for leaving him alone. Salim responded that he had none and didn't know where to get it. The soldiers then decided to take him away. They told him they "suspect him" but did not say what they suspected him of doing. They took him outside the town of Tangi-chu to a place he recognized as a former chicken farm. As soon as they arrived the soldiers put a

¹⁶² PHR interview with Zita, age, 48, December 14, 2000.

¹⁶³ PHR interview with Rashid, December 21, 2000.

¹⁶⁴ PHR interview with Adlan, December 12, 2000, and Ilyas, December 13, 2000.

¹⁶⁵ PHR interview with Issa and Khamid, December 20, 2000.

sack on his head and walked him a short distance. The soldiers took off the sack and put him in a small pit in the ground for three days.

Finally, PHR learned of cases involving planted evidence. In one case, a man named Akhmed was at his former home in Grozny when Russia's federal forces entered his home and asked for documents and whether he had guns or drugs. Akhmed told PHR that he answered that he was a displaced person in the Sputnik camp in Sleptsovskaya, Ingushetia, and had come home to make repairs. Akhmed said the soldiers discovered that he had some money, which he explained was his father's pension. A soldier accused him of being a paid informant of the Chechen rebels, proceeded to search the house, and "found" a bullet case with four bullets that Akhmed said that the soldiers planted during the search. The soldiers threw him on the floor, demanding to know where he had hidden the gun, beat him, and they started asking about local Bojeviks.¹⁶⁷

Occasionally, arrests can be prevented. Witnesses described instances where women who witness an arrest in progress scream or wail at soldiers. They often beg soldiers not to arrest and sometimes even throw stones at them to obstruct it, with varying degrees of success.

Physicians for Human Rights was not able to determine which units detained the individuals interviewed, as the victims were not able to identify them. Also, PHR could not ascertain the extent to which arrests and detention were ordered or authorized by individuals up the chain of command. Evidence suggests that often the units act on their own and without any authority. In some villages, residents developed relationships with Russia's military commanders, and went to them after an individual was taken away. PHR received reports that in some cases, the commanders were unaware of the existence of the detention or of the location where the person was being held. Indeed, PHR was told that sometimes the local commanders cooperated in finding the detainee and facilitating release.

Length of Detention; Disappearances

Some individuals who are arrested are never heard from again. The Russian human rights group, Memorial, informed PHR that it has a list of more than 200 people who have disappeared and have either been killed or kept in detention.¹⁶⁸ Also, families informed PHR about their relatives who have either been detained or disappeared. At least one man who was arrested and detained on November 26 at the Grozny market (discussed above) had not been released as of mid-December. His wife told PHR she searched for him at police stations and military bases, without success.

¹⁶⁶ PHR interview with Salim, December 23, 2000.

¹⁶⁷ PHR interview with Akhmed, December 12, 2000. "Bojeviks" is a word used to describe Chechen fighters.

¹⁶⁸ PHR interview with Memorial.

She was told that no one knew anything of his whereabouts.¹⁶⁹

It is impossible for PHR to ascertain an average length of detention based on the interviews in this investigation. First, most of the individuals interviewed were not officially detained at all. Second, PHR interviewed individuals who had already been released. For most of the men PHR interviewed, the length of detention appeared to depend on how quickly members of their families and communities could find them and raise the funds or generate the influence to secure release. All but one of the individuals PHR interviewed who had been detained were released within two weeks, after families used influence or paid bribes. But detention can last much longer. One individual, Said Ali, told PHR he was detained for ten months after having been out past curfew, and was released only on December 2, 2000.¹⁷⁰

Another witness reported the detention of a brother who was arrested on September 15 in the Oktjabrskij region in Grozny and remains incarcerated. Early in the morning of his brother's arrest, masked Russian soldiers in uniforms broke into the house and arrested the witness's brother without asking for any documentation. They threw him into a vehicle and drove away. The family looked for him everywhere and then found him in the prison in Gudermes. Later he was taken to an unknown place. In November, through a friend who acted as an intermediary, the family learned about the price of his release, US \$5,000. Lacking those funds, the family could not secure his release and to their knowledge he remains incarcerated.¹⁷¹

Places of Detention: Military and Police Cells and Pits

Most of the individuals PHR interviewed who were detained could not identify precisely where they were detained because they were blindfolded during transport. Moreover, many were not detained in detention facilities at all.¹⁷² One man was detained in a basement used as a fuel storage facility.¹⁷³ Another reported being driven around in a truck with a group of other men all night as the soldiers who detained him discussed how they could avoid checkpoints.¹⁷⁴ Some victims, however, reported being

¹⁶⁹ PHR interview with Munira, December 14, 2000.

¹⁷⁰ PHR Interview with Said Ali, December 13, 2000. Another witness told PHR that her sister, then a waitress, was arrested in February after the soldiers were kidnapped from the café where she worked and has been incarcerated in Russia ever since. PHR interview with Miriam, December 18, 2000.

¹⁷¹ PHR interview with Zita, December 14, 2000.

¹⁷² During the early part of 2000, many detention facilities were used. See Human Rights Watch, "Welcome to Hell."

¹⁷³ PHR interview with Akhmed, December 12, 2000.

¹⁷⁴ PHR interview with Adlan, December 12, 2000.

taken to police stations, military facilities, including an “internat” or former boarding school in Urus-Martan used at the time for detentions.¹⁷⁵

Some of the men were deposited in pits dug in the ground that were deep enough that the surface was well above a man’s head. The pits varied in size from one so small that it could hold only a single individual, to larger ones that hold ten or more men. Some were completely exposed to weather and some had covers. Men arrested were kept in pits for days at a time. Two witnesses told PHR about two boys detained in Bachuit who were kept in a pit for four days.¹⁷⁶

Salim, 25 years old and married with two children, told PHR¹⁷⁷ his experience of being held in a pit. After his arrest, he was brought to a pit only big enough for a single person, and so narrow a fit that he could barely bend his knees or arms and his arms were stuck at his side. The soldiers kept him in the pit all day and through the night. He was unable to move and was deprived of food and water. At one point he tried to quench his thirst by sucking in some dirt from the side of the pit. Early the next morning it started raining and, dressed in only a t-shirt, Salim got very cold.

In the morning, Salim said, the soldiers made their first request for ransom, asking how much his family would pay for his release. Salim had no answer, and remained in the pit throughout the second day. Again he went without food and his only water came when the soldiers dumped a bucket of water on him.

In the early morning darkness of the third day of his detention, Salim was taken out of the pit to a house. The soldiers were drunk again but angry because their friend had been killed when an APC blew up. One soldier started kicking his face and body until the beating was stopped by a second soldier. As Salim wiped blood off of his face, he heard screaming, and, for the first time, realized that there were additional pits. He saw soldiers shoveling dirt into a pit with another detainee in it.

PHR interviewed other detainees who were held in pits. Adlan, who is 38 years old, told PHR he was held with ten men in a pit for a period of three days, where it was so crowded they had to take turns sitting down. When removed from the pit and put on a truck, he was shot, apparently accidentally, by a soldier.¹⁷⁸ The wife of a man named Alimkhan, age 31, said he was

¹⁷⁵ One man told PHR he was taken to a police station in Achkhoy Martan and one, who had been imprisoned for ten months, spent the last few months in a prison in Stavropol. One man speculated that he was taken to a military base at Alkan Khala. Other witnesses identified victims being taken to police stations in Zavadskoj and Shali First and a prison in Gudermes as well as pits. PHR received reports that the internat at Urus-Martan may no longer be used for detention.

¹⁷⁶ PHR interviews with Abdul and Zaindi, December 21 and 22, 2000.

¹⁷⁷ PHR interview with Salim, December 23, 2000.

¹⁷⁸ PHR interview with Adlan, December 12, 2000. He was blindfolded while shot, so could not determine how it happened. A soldier on the truck asked him later how he was doing.

kept for two days in a pit after being held up at a checkpoint. He was released only after paying 2,000 rubles to soldiers.¹⁷⁹

Sometimes soldiers brought men back and forth between pits and cells. On his second day in detention, Adlan told PHR, he was blindfolded and thrown in a pit, and soldiers threw what he thought was rubbish at him. He remained alone in the pit for what seemed like several hours. Then he was taken back to the room and interrogated. The Russian commander came and said: “Did he speak out?” The soldiers replied, “No, should we go on?” He was beaten again and Adlan lost consciousness.¹⁸⁰

Conditions of Detention

Detained individuals were kept in appalling conditions. Although many of the individuals detained were not aware of where they were being detained because they were blindfolded during transport, all reported terribly inhuman conditions. Almost all of those detained for periods of three to four days were not given food during the period of their detention and some were deprived of water for a day or more. Individuals detained longer had to obtain food from relatives at times, and some of that food was stolen by soldiers. When kept in cells, they were not provided beds or blankets, and in some cases even deprived of buckets for excrement. In cells, overcrowding was common.

Alvi, 22, said he was arrested during a sweep at the Grozny Central Market on November 26, 2000, together with other young men. He was taken to Zavadskoj Police station where he was kept for five days in a small, dark room by himself. Sometimes he heard screams from other places in the building. Another young man described being held with eighteen men in a cell designed for two prisoners. The room had one little window by the ceiling. The prisoners were not given any food and very limited water.¹⁸¹

Torture

Every person PHR interviewed who was detained told the PHR team that he was also beaten. Men were beaten on trucks and in fields and in jail, whenever their captors felt like abusing detainees. Sometimes they were made to run through a gauntlet of soldiers who kicked and beat them with batons. Beatings during interrogations were especially severe, resulting in broken ribs, broken noses, and chipped teeth. Some men were beaten so severely that they lost consciousness. Others reported other forms of torture as well, such as electric shock, mutilation, and psychological terrorism. Often, these were in connection with interrogation.

¹⁷⁹ Zemphira, December 19, 2000. Zemphira is Alimkhan’s husband; he was not interviewed.

¹⁸⁰ PHR interview with Adlan, December 12, 2000.

¹⁸¹ PHR interview with Rashid, December 22, 2000.

Beatings

Yakub, a man in his forties, described the treatment he received to PHR. Late in the afternoon of his arrest in August, 2000, he and eighteen other men who also were arrested were loaded onto a military truck and told to lie face down. The vehicle passed through different villages where others were picked up and piled in. They reached Urus-Martan base at about 9 p.m. They were kicked off of the truck and “two lines of soldiers kicked us with boots and hit us with batons.” They were then taken into a building, all the time blindfolded and hands bound with rope. They were put against a wall, and soldiers continued to beat them. Yakub was hit in the back (kidneys), face, and all around his body. He asked the soldiers, “*Why are you beating me? I am a grandfather. I have nothing to do with the rebels.*” The Russian soldiers responded: “*You are guilty because you are a Chechen.*” They continued to beat him.¹⁸²

Yakub remained there for three days, and was never given any food or water. When one man asked for water, a Russian soldier urinated on him. The men were not allowed to sleep. Some screamed during beatings, apparently suffering from broken ribs. Soldiers also demanded that the men say something along the lines of “Allah is bad.” The detainees were offered food and water if they did, but detainees refused.¹⁸³

Adem, a 49-year old man about 5'6" tall and about 130 or 140 pounds who was detained in a former boarding school in Urus-Martan, told PHR that he struck back at a soldier and was severely beaten for it. He said that he hit one of the soldiers who was about to strike him during his interrogation on the first day after his arrest. The other soldiers immediately started beating him. He recalls, “*They played with me like a football.*” He was kicked in the knees, chest, and clapped on the ears. Two of the soldiers picked him up and, by then, his nose was bleeding and he found it hard to breathe. They beat him on the chest and stomach with their fists. He heard noises in his head and felt dizzy. When they let go, he fell to his knees. Eventually he was dragged back to a cell. The soldiers told him he better not tell anyone about what happened; if he did, they said, “*we’ll kill you like a dog.*”¹⁸⁴

For some, the beatings continued day after day. One young man, Movsar, told PHR that upon arriving at his place of detention, he was dragged into a room and beaten. He was beaten again while interrogated. Soldiers demanded to know about associations with and location of leaders of the Chechen fighters. The second day he was put in a pit in the ground and kicked on the head. During another interrogation, he said he

¹⁸² PHR interview with Yakub, December 12, 2000.

¹⁸³ Yakub reports that the younger men were beaten worse than the older ones, and that some of them died. PHR was not able to verify this allegation.

¹⁸⁴ PHR interview with Adem, December 21, 2000.

was lying prone on the floor with one of the soldier's boots on his neck. The commander asked the soldier whether he had given any information. The soldier said, "No." The commander said, "Finish him off." Realizing it was the commander who was speaking, Movsar said, "I swear, I don't know anything." But the commander left the room and Movsar was hit with a rifle and kicked. He eventually fell unconscious.¹⁸⁵

Khamzat told PHR that he and another man were arrested on a road near Samashki, and were taken to a police station in Achkhoy Martan. They were beaten in the corridor by Russia's soldiers and police and accused of shooting at the police station in Samashki. They were beaten again at night. The following day a Russian policeman from Samashki came to the police station in Achkhoy Martan and had the two prisoners released.¹⁸⁶

Electric Shock

Four detainees interviewed by PHR, in addition to receiving beatings, were tortured with electric shocks, each apparently in a different location.¹⁸⁷ Movsar, whose beatings are described above, said that on one occasion, he was taken to a room for interrogation and his blindfold was removed. His shoes were taken off and some of his clothes were taken away. A commander said, "Work on him!" and soldiers started asking him about guns and association with rebel groups. His denials were not satisfactory, so Movsar was beaten again. According to Movsar, the soldiers put his feet into a basin of water and attached wires to his body. He was shocked twice. Three soldiers then beat Movsar with military shoes, batons and sticks. Once during this process he lost consciousness.

Three other men told PHR they were subjected to electric shock.¹⁸⁸ In two of these cases, electricity was conveyed through metal clothespins with wires attached that were pinned on ears or other parts of the body. In September, reported Aslanbeg, age 22, he was picked up in the Ipidromi area of Grozny after an armed personnel carrier had been blown up. During his interrogation, in which soldiers demanded that he acknowledge involvement in the explosion, they attached metal clothespins with wires on them to his ears, and wet his head with a sponge or washcloth. They started running the electricity, and he felt a horrible shock. He screamed. He said that the shock lasted several seconds and was repeated five times until he lost consciousness. When he awoke he found himself in the cell where he was originally confined.¹⁸⁹

A 17-year-old detained in the "internat" in Urus-Martan in August

¹⁸⁵ PHR interview with Movsar, December 16, 2000

¹⁸⁶ PHR interview with Khamzat, December 14, 2000.

¹⁸⁷ One took place in the internat in Urus-Martan, one in the Alkan Khala military base, one in the basement of a fuel storage station, and one in a place that the victim could not identify.

¹⁸⁸ PHR interview with Akhmed, Khamid, and Rashid, December 22, 2000.

¹⁸⁹ PHR interview with Aslanbeg, December 20, 2000.

2000 told PHR that he was forced to stand facing the wall for many hours with his hands tied, as he was kicked and hit by Russia's soldiers. After about five hours, he was taken to the basement for interrogation, where metal clothespins were attached to various parts of his body. Soldiers applied electricity as they demanded a confession from him stating that he was associated with rebel groups. He told PHR he could see an officer generating the electricity using a manual dynamo.¹⁹⁰

Mutilation

A third form of torture Russian soldiers applied to men we interviewed was physical mutilation. Aslanbeg, whose experience with electric shock is described above, told PHR that when he regained consciousness from the electric shock he was taken again into the interrogation room. Five of Russia's soldiers, some of them laughing, awaited him. Some appeared drunk. His feet were tied again, but he was not blindfolded. This time no electric shock was used. He was asked, "Are you Christian or Muslim?" He answered "Muslim." One soldier then asked whether he wanted a cross, moon, or star; he wanted none. Aslanbeg told PHR that a soldier took out a knife and started toward him to cut his chest. Aslanbeg tried to stop it with his free hand but the soldier caught the knife on Aslanbeg's wrist and cut it.¹⁹¹ The soldiers then tied his hand to the chair and cut a cross in his chest, saying "This is in memory of us." The cuts were not deep, but they did leave small scars that the PHR team observed. The soldiers did nothing to stop the bleeding of his chest or wrist.

A young man, Bislan, was arrested in mid-September after a Russian military vehicle was blown up, said he was picked up in Grozny by about a dozen soldiers while walking on the street.¹⁹² The soldiers cursed at him, accusing him of blowing up the armored personnel carrier, and demanded that he get down. They handcuffed him and brought him onto the truck, all the while accusing him. They covered his head and beat him. After a half hour of driving, they threw him into a cellar, and a few hours later an officer came in and demanded to know who was in a league with him. When he denied any involvement, the officer burned a cigarette on his hand. Bislan said he screamed in pain. They began beating him again.

Psychological Abuse

Aslanbeg also experienced a fourth form of torture – psychological terrorism including mock execution. First, he said, the soldiers demanded that he play Russian roulette. They untied his hand and seemed ready to place a gun in it when another soldier ran into the room and called the others to leave. Two

¹⁹⁰ PHR interview with Rashid , December 22, 2000.

¹⁹¹ A scar consistent with this description appears on Aslanbeg's wrist.

¹⁹² PHR interview with Bislan, December 20, 2000.

soldiers quickly took him back to a cell. He was still bleeding, worse from his wrist than from his chest. He tore his shirt and used it as a bandage.

The soldiers renewed their terror the next day:

“They brought me out to a field and told me that that it was full of mines. They told me to walk to a tree about twenty meters away. They said that if I reached the tree that they would set me free. I made it to the tree, and then they demanded that I return by a different route. When I made it back from the tree, they told me this proved I was a rebel fighter who knew how to walk through a minefield. I was brought back for more interrogation. They kicked and beat me.”¹⁹³

Other detainees as well were subjected to mock executions. After two days of keeping one man in a pit, soldiers put a sack on his head and walked him to a wooded area to interrogate him. They named rebel commanders and asked whether he knew them. After his denial, one soldier said, “Say goodbye to the life and pray.” While the detainee was still covered with the sack, a soldier shot his gun two or three times in the air. A soldier asked if he was terrified.¹⁹⁴

Bribery as the Means for Release

PHR found that after an individual was taken away by soldiers, families and neighbors sought to locate him and negotiate his release. In the majority of cases, the men PHR interviewed were only released after their families raised the funds that the Russian soldiers demanded. In some cases, PHR learned that soldiers demanded guns or vehicles as the price of release. In cases where more than one man was arrested, only those individuals whose families raised the funds were released. In some cases, PHR also learned Based on the range of prices the witnesses provided PHR, the “going rate” seemed to be from 5,000 to 15,000 rubles, or about US\$175-525, though in one case the price of release was \$1,800 and, as noted earlier, one man remains detained because his family has not raised the \$5,000 demanded of them. In another case, an automobile was required to secure release, and in still another, guns. Akhmed’s relatives gave the soldiers “an automatic gun, 2,500 rubles and some food and alcohol,” after which he was released.¹⁹⁵ Guns were also demanded to release the young boys thrown into a pit at Bachuit. According to a man in the village at the time, the soldiers demanded one weapon and 5,000 rubles for each boy.¹⁹⁶

¹⁹³ PHR Interview with Aslanbeg, December 20, 2000.

¹⁹⁴ PHR interview with Salim, December 22, 2000.

¹⁹⁵ PHR interview with Akhmed, December 12, 2000.

¹⁹⁶ PHR interview with Abdul, December 21, 2000.

The exceptions to monetary exchange generally involved finding a person of influence who could put pressure on the soldiers to secure a person's release.

None of the men interviewed by PHR knew when they were going to be released, right up to the moment they were freed. Most of the men told PHR they were brought to isolated places, such as woods or rivers, where they expected more interrogation and torture, only to have their blindfold removed and see family or neighbors at the spot. Some men PHR interviewed were thrown off trucks, even one who had been shot by a Russian soldier on the truck he was in.¹⁹⁷

Identity papers typically were not returned to men when released, creating new risks for the men. Lack of documents subjected a person to re-arrest, and prevented the crossing of checkpoints. Some men were released after curfew, creating even greater risks. In one case, Russian soldiers released a detained man and offered to return his papers for a fee of 5,000 rubles.

Terror after Release

The end of detention did not end the men's ordeals. First, many of the men suffered chronic pain caused by the beatings. Many former detainees described continuing physical pain in joints, especially knees and the back, as well as in the kidney area. One young man was hospitalized for a month after release.¹⁹⁸ Others, however, had difficulty obtaining medical treatment because the clinics they approached feared retaliation if they provided treatment for wounds caused by Russia's federal forces.

Second, men who have been detained face increased personal insecurity and heightened risk. Because the detention itself is usually illegal, those who were detained were warned that they must not reveal the fact of detention. All but one of the victims PHR interviewed had not previously told his story to officials of the government or elsewhere. Salim and Adem, both of whom had survived two wars and destruction of houses and endured harsh conditions of existence, finally decided to leave Chechnya after having been detained. Adem, who eked out a living as a taxi driver, told PHR he left Chechnya shortly following his release after being advised by a soldier not to stay in his house because of the risk of re-arrest.¹⁹⁹ Indeed, he said, twice after his release soldiers came to his mother's house looking for him but he was not there. Worse, they had apparent grounds for arrest because his papers had never been returned by those who detained him and he did not yet have replacements. As soon as he got his papers, in early December, he came to Ingushetia, where he is now in a camp for displaced persons. His son, mean-

¹⁹⁷ PHR interview with Adlan, December 12, 2000. As this incident happened only a few days before, Adlan was interviewed in the hospital.

¹⁹⁸ PHR interview with Issa, December 20, 2000.

¹⁹⁹ PHR interview with Salim, December 23, 2000.

while, remains in Chechnya awaiting his papers. Others leave their homes within Chechnya and stay with families in other villages.

Two other victims told PHR they had not returned to their homes out of fear of being rearrested. Salim told PHR he was living with his uncle but has trouble sleeping at night and felt he could no longer live in Urus-Martan. He was looking for a place in Ingushetia since he did not want to live in a camp.²⁰⁰ Bislán told PHR that he was staying in Atagui because he felt it was not safe to stay at home.²⁰¹

Another victim, Adlan, was hospitalized in Ingushetia and treated for a bullet wound after a soldier shot him. When he was released the soldiers said, “We know your address,” and threatened to kill him if he revealed what happened to him.²⁰²

Murder of Civilians

PHR reported in its March 2000, survey that the 1,143 survey respondents witnessed almost 200 killings of non-combatants by Russia’s forces. PHR also documented massacres in Aldi and Katyr Yurt. The murders continue in Chechnya to this day.

In one case, PHR learned of very strong circumstantial evidence that Russia’s federal forces murdered two young men some time on or after August 8 outside the Village of Gichi, along the road between Gichi and Urus-Martan. The series of events started when, according to Bashir, a Chechen man jumped over a fence into the yard of Bashir’s house during the police sweep into the house. About 30 Russian soldiers in uniforms chased him. They threw grenades into the house. The family escaped the house as Russia’s forces brought a tank and fired into the house. The man they were chasing was killed.

Bashir’s older son, Beg, age 28, helped put the fire out. Soldiers carried out the body of the man they killed in the house but then, without explanation, arrested Beg and Bashir’s other son, Idris, age 23. They were taken away by the soldiers and then disappeared. A month later, on September 12, a soldier sold him a hand-written map²⁰³ for the price of 4,000 rubles (about \$150) that showed him where his sons’ bodies were buried. Bashir went to the site in the presence of an official investigator and a forensic doctor, uncovered two bodies and identified his two sons. He reburied them in the cemetery. Bashir was relentlessly trying to bring the perpetrators of the murder of his two sons to justice, but his correspon-

²⁰⁰ PHR interview with Adem, December 16, 2000.

²⁰¹ PHR interview with Issa, December 20, 2000.

²⁰² PHR interview with Adlan, December 20, 2000.

²⁰³ PHR has a copy of this map on file.

²⁰⁴ PHR interview with Bashir, December 17, 2000.

dence with prosecutor's offices both local and federal had not brought results to date.²⁰⁴

PHR also spoke to individuals who attended funerals and were told by others that the victims were killed by Russia's soldiers. PHR could not verify these accounts,²⁰⁵ but they warrant further investigation:

- One individual PHR interviewed was told by others at the funeral of the deceased that one night in early December, Russia's soldiers came into the house of a family named Algayev in Urus-Martan and removed the father. The bodies of the father and that of another man removed from his house the same night were found, mutilated, in Chaami Ute, four days later.²⁰⁶
- In early December, two women were raped and one murdered along with two men in a house in Grozny located near the bus station. An individual who attended the funerals told PHR that she spoke to the surviving woman, who was shot in the stomach and thigh by the same soldiers. The survivor has left Chechnya.²⁰⁷
- In mid-November, Russian soldiers were reported to have killed two young men, Aslan and Magomet Dudayev, in Urus-Martan after entering into their house in the middle of the night. One was shot in the eye; the other in the heart and back. Soldiers were reported to be wearing masks and speaking Russian.²⁰⁸
- In mid-December, a young man was killed at a checkpoint in Grozny, reportedly by soldiers.²⁰⁹

Fighters on the Chechen side are reported to have killed individuals

²⁰⁵ Memorial regularly receives reports of killings.

²⁰⁶ PHR interview with Kameta, December 20, 2000.

²⁰⁷ PHR interview with Leyla, December 20, 2000. The names of the men who were killed are Chamsat Isayev and Said Isayev.

²⁰⁸ PHR interview with Salim, December 23, 2000. The witness attended the funeral of the deceased.

²⁰⁹ PHR interview with Marina, December 19, 2000

²¹⁰ Memorial reports that, in November, a letter was sent under the stamp of the Chief Headquarters of the Federal troops of the Republic of Ichkeriya demanding that village officials resign by 15 November. The consequences for refusal would be punishment by the Shari'a Supreme Field Court. Statement of Oleg Orlov, Representative of Memorial at the Meeting of the Committee for Legal Affairs and Human Rights of the Council of Europe in Paris, December 2000.

Also, the Danish Refugee Council reported that on November 9, in Alkan Khala, an unidentified criminal murdered the Head of Administration of the village along with two secretaries. It also reported that, on November 9, a car bomb exploded in Gudermes and narrowly missed the Head of City Administration, who has been known for a strong anti-rebel position. Danish Refugee Council, North Caucasus Situation Report 30, November 10, 2000.

they view as collaborators, including those associated with the Russia-installed civil administration in Chechnya.²¹⁰ A physician interviewed by PHR reported that the head of local administration and his deputy were killed in their homes in Mesker-Yurt in November. In addition, the breakdown of law and order has allowed criminal gangs to operate in Chechnya and commit murders.

In the following cases, there was strong evidence that a murder took place but the perpetrator has not been identified:

- Around November 25, a 55-year-old man named Jusuf in Samshki village (Achon Martan District) disappeared. His body was found 300 - 400 meters from the village half buried in the dump and his body was mutilated. Villagers suspect the killing was a product of revenge by soldiers as a few days earlier there was an incident in which two Russia's soldiers died and blamed the villagers for deaths.²¹¹ PHR could not confirm this.
- On the morning of December 7 or 8, a man living in the Carpinka section of Grozny found the body of his neighbor, Susaif Said Salem, lying by the street.²¹²
- Around November 1, two women and one man were killed in the Katayama section of Grozny.²¹³

Military Action Against Civilians

Russia's federal forces continue to turn their guns, military vehicles and mines on civilians living in Chechnya. The civilians suffer as well from landmines, booby-traps and other explosives placed by both sides to the conflict.

Shelling of Civilians

PHR heard many accounts of shelling of villages by Russia's federal forces. Witnesses from the town of Urus-Martan told PHR that shelling was a regular occurrence there.²¹⁴

²¹¹ PHR interview with Yakub, December 12, 2000; PHR interview with Khamzat, December 14, 2000.

²¹² PHR interview with Chervaniy, December 22, 2000.

²¹³ PHR interview with Rosa, December 19, 2000. Witness reported that perpetrator was Chechen and was arrested.

²¹⁴ PHR interview with Salim. According to Memorial, during the autumn of 2000, rocket and artillery attacks were launched in civilian areas of Grozny, Argun and Urus-Martan, and against the villages of Valerik, Tangi-Chu, Mesker-Yurt and Tsa-Vedeno. Address given by Oleg Orlov, Representative of Memorial at the Meeting of the Committee for Legal Affairs and Human Rights, Council of Europe in Paris, December 2000.

Grozny, which was thoroughly bombed and remained mostly destroyed, continues to be shelled despite the fact that about 60,000 people continue to live there.²¹⁵ Indeed, it was shelled while PHR investigators were in the region. On December 20, an area of Grozny that contains the university and an elementary/secondary school and a teacher training institute was shelled, killing at least six people and perhaps more.²¹⁶ PHR interviewed six eyewitnesses to the event.

The shelling took place on a day when the university was especially busy, with students present for examinations, arrangements for scholarships, and other activities. As the shelling continued for one to two hours, students remained terrified, huddling in the already-damaged buildings. They did not get the worst of it, however, as shells landed on an elementary/secondary school nearby as well as on or next to a teacher training institute across the street.²¹⁷

According to two of the witnesses, the shelling killed a teacher in the elementary/secondary school and students from the teacher training institute, among others, as well as members of a family in a nearby house that was also shelled.

Russian press spokesmen immediately attributed the attack to fighters on the Chechen side. Two of the witnesses PHR interviewed, however, claimed to see shells launched from a Russian armored personnel carrier,²¹⁸ and one recounted a conversation with a Russian commander who arrived on the scene an hour or two after the shelling and could not confirm whether the shells were from Chechen or Russian forces.²¹⁹ About a week later, the press reported that the chief prosecutor in Chechnya, Vsevolod Chernov, rebutted the claims by the armed forces and alleged that Russia's troops, not Chechen fighters, were indeed responsible for the mortar fire that he said had killed a seventh person.²²⁰ The prosecutor would not say whether the reason for the shelling was "criminal negligence" or "evil intent."

²¹⁵ Memorial reports that on October 6, federal troops surrounded a number of residential blocks around B Khmel'nitskiy Street in Grozny. They opened fire at the windows of residential buildings. They planted explosives and detonated three residential buildings on this street. After three hours, the military commander arrived and ordered it to stop. (The residents were told that on the evening before, a military truck had triggered a landmine and the soldiers decided to respond with this act of violence). Similar events occurred on this same street on October 12.

²¹⁶ *Agence France Press*, "At least six university students killed in Chechen attack." December 20, 2000.

²¹⁷ PHR interviews with Makka, Liza, and Emir, December 22, 2000 and Idris and Ibragim on December 23, 2000.

²¹⁸ The two witnesses who said they saw shelling were Emir and Idris.

²¹⁹ PHR interview with Ibragim.

²²⁰ Yuri Bagrov, Russian Troops Blamed in Chechnya, *Associated Press*, December 25, 2000 http://dailynews.yahoo.com/h/ap/20001225/wl/russia_chechnya_9.html.

Violence Against Civilians / Looting During Sweeps and Military Operations

Russia's federal forces shot at civilians, stole their property and extorted money from them. "Sweeps" by military troops through villages were occasions for violence against civilians as well as arrests. As noted above, the sweep of the Grozny market in late November was accompanied by killings, the destruction of stalls and property as well as the arrests of many men. PHR learned of other acts of violence and looting during sweeps.

The first week of December, in Alkan Khala, near Grozny, five helicopters hovered overhead while civilians sought cover. One witness described her terror at the realization that her young daughter was playing next door. Her husband managed to get their daughter back to their own house without being shot at, but soldiers in the helicopters did shoot into the town and wounded one man. He lay in the street bleeding and could not be attended to until the helicopters left. After the helicopter attack, she said, tanks entered the village, and soldiers broke into several houses, including shooting into houses that were locked, and carried off possessions from them.²²¹

A Chechen neurosurgeon told PHR that a man named Badrudi went to the fields near his home in October to fetch his cows during a police sweep in Sernovodsk. According to reports received by the physician, a sniper shot him in the head. The bullet entered the skull in the frontal area and exited on the other side. Badrudi was transported to the hospital the same day but was still in a very unstable condition. The physician reported that he may be disabled for life.²²²

Russian military activities in villages were occasions for extortion and looting as well. Witnesses reported that soldiers took personal possessions such as stereos and televisions. In early October in the village of Bachuit, soldiers came into the town and demanded an inspection of the papers of all trucks. They instructed the villagers to bring the trucks to a field and looked at the papers. The soldiers then demanded payment for the return of the trucks.²²³

Military violence by Russia's federal forces against civilians also takes place in other ways. Memorial reported instances of shooting into houses in December 2000²²⁴ and PHR heard eye-witness accounts of two such incidents. On December 10, in the wake of an explosion of a Russian armored personnel carrier nearby, troops fired into a nine story building

²²¹ PHR interview with Alla, December 18, 2000.

²²² PHR interview with Dr. Adik, December 15, 2000. PHR was not able to interview the victim, who remains in Chechnya.

²²³ PHR interviews with Abdul and Zaindi, December 21, 2000.

²²⁴ Memorial also reports instances in which soldiers plant explosives in residential buildings. See statement of December 18, 2000.

in the Minutka section of Grozny. A young man named Chervaniy was in the family's flat on the 7th floor. Soon after the explosion, he told PHR, soldiers started firing into the building. Chervaniy ran out of the flat, down the stairs and out the back of the building. When he returned, he saw bullet holes in the plastic sheeting covering the windows of his flat. Across the street, four flats were burning.²²⁵

The following week, around December 17, in Urus-Martan, a witness heard an explosion while a convoy was passing by. The explosion seemed to come from the area around a bridge 1 km from his house. While the witness, his mother and father cowered, soldiers fired into the house, which is just about five meters from the road. At first they tried to run to the cellar but did not have enough time, so they lay on the floor. No one was hit. When the shooting stopped, they found 17 bullet holes in the door. The witness reports that the following day his mother complained to the local military commander, who promised to investigate and punish the perpetrators.²²⁶

Another form of injury inflicted by Russia's federal troops on civilians is running them over or ramming into them with armored personnel carriers. In one incident that was reported on television news, an armored personnel carrier ran over a car, killing a two and a half year old girl, her mother and mother-in-law in Grozny while the father in law looked on in horror. After the incident, the driver ran away and the military commander claimed it was an accident.²²⁷ Almost three months later, no disciplinary action appears to be forthcoming. In another incident reported to PHR, in November, a witness was in a car on a bridge near Konservarny waiting for other vehicles to pass. An APC was at a nearby checkpoint facing Chernovodsk (part of Grozny); it turned and rammed into another vehicle. Chechen police came on the scene to investigate and were shot at by the soldiers (they escaped injury).²²⁸

Death and Injuries from Landmines, Booby Traps and Other Explosives

Chechnya is overrun with landmines and explosive devices including booby traps, anti-tank devices and unexploded ordinance. Anti-personnel landmines were used in the 1994-6 war and were reportedly used during the lull between wars as well. Since the renewed fighting in 1999, both Chechen and Russian forces have used landmines extensively. While there are no official counts, Chechens have claimed that Russia's federal forces have laid between 200,000 and 300,000 anti-personnel landmines since August 1999.²²⁹ Russia's forces have reportedly planted mines in apartment blocks.

²²⁵ PHR interview with Chervaniy, December 22, 2000.

²²⁶ PHR interview with Salim, December 23, 2000.

²²⁷ PHR interview with Zina, December 22, 2000.

²²⁸ PHR interview with Miriam, December 19, 2000.

²²⁹ "Chechens Say Russians Laid 300,000 Mines," Kavkaz-Tsentr News Agency, June 5, 2000.

PHR was not able to estimate the number of mines laid by the Chechen side. Fighters on the Chechen side regularly use anti-tank mines and car bombs to destroy Russian military equipment and kill Russian soldiers.²³⁰

Very frequently, the victims of mines and explosives are innocent civilians. In early December 2000, a car bomb killed 22 people and wounded dozens of others in Alkhan Yurt, near the town of Urus-Martan. Five witnesses interviewed by PHR said Russia's troops had actually identified the car as carrying a bomb before it exploded, and thought they had properly disarmed it, but had only disarmed one explosive. Onlookers were among the principal victims when the second explosive detonated in the front part of the vehicle.²³¹ Responsibility for the bomb has not been determined. Witnesses who were at the scene identified a man who was formerly identified with one of the rebel groups and now is alleged to have associations with a special task force of pro-Russian Chechen police (OMON).²³² This could not be verified.

PHR interviewed one victim of a booby-trap. A 19-year-old man told PHR he was walking with two friends in Grozny in August 2000, near an unused kindergarten when one of the boys noticed a new Walkman lying on the ground. He picked it up and noticed it had no batteries or tape. He brought it home and put batteries in the Walkman. It immediately exploded. The young man lost his eyesight, has undergone two operations on his hand, and will have to have plastic surgery to restore his face.²³³ PHR observed prominent burns and scars on his face consistent with his account.

In April 2000, the Russian Federation claimed that it had cleared Grozny and other locations of landmines.²³⁴ However, by the following month, Russia began using mines to protect factories and power plants around Grozny.²³⁵ Russia also accused the fighters on the Chechen side of planting mines.

Restrictions on Movement

Freedom of movement in Chechnya is severely restricted. A drive from Grozny to the border in Ingushetia, that normally takes less than an hour, requires travelers to navigate 15-30 checkpoints, some of them heavily fortified. Within Grozny itself, checkpoints dot the landscape. The checkpoints

²³⁰ International Campaign to Ban Landmines, *Landmine Monitor Report 2000*, August 2000, pp.864-874.

²³¹ PHR interviews with Askerkhan, December 12, 2000; Zhebir, December 12, 2000; Abu, December 12, 2000; Adem, December 12, 2000; and Adlan, December 12, 2000.

²³² PHR also learned of a car bomb explosion in Grozny, near a local police station, that killed 31 people on October 12.

²³³ PHR Interview with Dr. Adik, December 17, 2000.

²³⁴ *Landmine Monitor*, pp. 841, 843.

²³⁵ *Ibid.*

are manned by different forces, e.g., Russian Federation conscripts, Russian Federation contract units, and various units of the Ministry of the Interior.

Extortion at checkpoints remains common. One man, a former oil worker, who traveled from Grozny to Ingushetia two days before PHR interviewed him, described that he had to pay a bribe at each checkpoint and the “price” at the checkpoints rose as he approached the border, from about 30 rubles per checkpoint to 50 rubles.²³⁶ Two other witnesses also said they had to pay 50 rubles at the border checkpoint.²³⁷

Beatings and arrests also take place at checkpoints. Young men are especially at risk, but they are not the only ones. A 61-year-old man reported to PHR that when he went to Grozny to get his pension, he was unable to obtain it because the office closed at 5 p.m., before he reached the front of the line. He walked home, but did not make it in time for the curfew at 6 p.m. At a checkpoint near the Minutka section of Grozny, he was interrogated by soldiers regarding his being out after curfew. Although initially let through, he was then attacked by several men and beaten until he lost consciousness. When he regained consciousness, he was lying on a heap of rubbish outside Grozny.²³⁸

Violations of Medical Neutrality

Russia’s federal forces subject health professionals and the health care system to much the same abuse and brutality as they inflict on the general population, in violation of principles of medical neutrality. These principles derive from international humanitarian law and protect health facilities, health providers and health conveyances (such as ambulances) from interference by military forces.

PHR has previously reported on violations of medical neutrality in Chechnya by both sides to the conflict.²³⁹ During the December 2000 investigation, the PHR team learned that these violations continue. Moreover, the violations take place against a background of destruction of health facilities during the bombing last year. Russia’s widespread bombing and shelling has damaged many hospitals in Chechnya and destroyed others.

Searches, Arrests and Interrogations in Hospitals

Federal troops have searched, interrogated and detained health professionals and patients in hospitals in Chechnya. For example, a physician reported that at the Urus- Martan hospital in October, federal troops occupied the

²³⁶ PHR interview with Zaindi, December 21, 2000.

²³⁷ PHR interview with Marina, December 19, 2000. PHR Interview with Auza, December 19, 2000.

²³⁸ PHR interview with Ilyas, December 13, 2000.

²³⁹ Physicians for Human Rights, “Random Survey Conducted by U.S. Medical Group of Displaced Chechens Finds Widespread Killings and Abuses by Russian Forces.” February 26, 2000. www.phrusa.org/research/chechnya/chechen_displaced.html.

hospital, checking all the wards and taking lists of medical staff and patients, especially those who were wounded. Troops have returned on other occasions looking for individuals and reviewing medical records.²⁴⁰

Soldiers have on occasion tried to arrest patients from the hospital, but in some cases the staff convinced them that the patients needed to remain hospitalized. Medical staff have been interrogated and soldiers have taken information from medical records, the physician told PHR. In one instance the check led to the detention of one person for two hours. As a result, the physician said, medical staff are careful of what they put in records.²⁴¹

Two doctors at the Argun Hospital were arrested in November while working, according to another physician who has worked there. One night in November, federal soldiers came to the hospital, arrested and interrogated them before detaining them in a pit for 24 hours.²⁴²

Delay and Obstruction at Checkpoints

Both patients and health professionals are held up and arbitrarily detained by Russia's forces at checkpoints. It is virtually impossible to cross a checkpoint at night, so people with life-threatening medical conditions die or suffer medical complications while having to wait until morning to reach a hospital. One physician reported that a man wounded at 10 p.m. could not get to a hospital in Grozny until the next morning because of the inability to cross a checkpoint. The result, according to the physician, was that the patient's leg had to be amputated, though it may well have been saved without the twelve-hour delay in obtaining medical care.²⁴³

The harassment by Russia's soldiers at checkpoints affects staffing of medical facilities. One physician explained that he had to cross several checkpoints to reach Hospital #9 in Grozny. His certificate as a doctor was useless to get through the checkpoints, he said. Moreover, at times, checkpoints closed, with no exceptions for health personnel. As a result, he reported, virtually every day the hospital was short of staff.²⁴⁴ Further, deliveries of medical supplies and pharmaceuticals were delayed or prevented from reaching their intended destination by conduct of soldiers at checkpoints.

Occupation of Health Facility

Russia's federal forces occupy one partially destroyed hospital, in Shatoy, obstructing its use as a hospital. The result is that individuals who live in the area must travel a significant distance to get to a hospital and cannot reach one at all during the night.

²⁴⁰ PHR interview with Dr. Zurab, December 15, 2000.

²⁴¹ *Ibid.*

²⁴² PHR Interview with Rizvan, December 12, 2000.

²⁴³ PHR interview with Dr. Adik, December 17, 2000.

²⁴⁴ PHR interview with Dr. Adik, December 17, 2000.

Health Consequences of Violations of Human Rights & Humanitarian Law

The violations of international humanitarian law – indiscriminate attacks on civilians, disproportionate use of force in civilian-populated areas, destruction of homes, hospitals and clinics – combined with the atmosphere of insecurity stemming from human rights violations – have created a humanitarian crisis affecting almost a million people and lasting more than a year. The bombing and shelling of Grozny and other areas by Russia's federal forces led to destruction of Chechnya's infrastructure, including buildings, clean water supply, and equipment for generating electricity. At the end of November 2000, the Danish Refugee Council, which registers displaced persons, estimated that 170,000 Chechen displaced people were living in Ingushetia and 764,000 people remained in Chechnya.²⁴⁵ Of those remaining in Chechnya, an estimated 150,000 are without homes. At the time of its February-March 2000 study, PHR found that an estimated 99% of those displaced (to Ingushetia) blamed their flight on Russia's forces.

The insecurity and risk that is a product of the practices described in this report, as well as continued fighting, have prevented the reconstruction program Russia committed to earlier in the year and hamper the distribution of humanitarian aid. Although some aid groups are furnishing materials for roof and other repairs of homes, they can only reach a small number of people. Such insecurity has also prevented restoration of electricity and water supply. For most, plastic sheeting for windows is the only source of repair.

The result is that the hundreds of thousands of people who remain in Chechnya are spending their second winter in circumstances of severe deprivation. Within Grozny, about 60,000 people remain in cellars, severely damaged houses, or half-destroyed apartment buildings. In the rural areas and villages, where 80% of the population now lives, residents still have to cope with a lack of gas, electricity and clean water.

Insecurity stemming from human rights and humanitarian law violations also place severe limits on the distribution of food and medical care. At the time of PHR's investigation, only a few international agencies, led by the Danish Refugee Council and Action Against Hunger, distributed food within Chechnya.²⁴⁶ Deliveries of food, however, were often halted or delayed by harassment at checkpoints or security restrictions on travel. Other groups helped rebuild parts of hospitals and supply pharmaceuticals

²⁴⁵ Danish Refugee Council, North Caucasus Situation Report, 30 November 2000. The DRC cites figures from the Ingush Territorial Representative of the Russian Federation Ministry of Federal Affairs, Migration and National Policy, that since the military conflict began in September 1999, more than 300,000 people have left Chechnya. Of these, 69,000 have left for other parts of Russia and 91,000 have returned to Chechnya. Based on PHR's interviews, many individuals travel back and forth between Chechnya and Ingushetia.

²⁴⁶ Because of donor requirements only about a third of people living in Chechnya meet the eligibility criteria for the distributions.

to hospitals and clinics, but distribution was often hampered by harassment at checkpoints and the atmosphere of insecurity.

On January 9, 2001, an American aid worker employed by Médecins sans Frontières-Holland was abducted while engaged in distribution of humanitarian aid in Chechnya. As of this writing, the abductors have not been identified, although he has been released. As a result of this abduction, most international aid groups suspended operations in Chechnya but have since resumed operations.

The inability to engage in reconstruction places the health of people living in Chechnya in serious jeopardy. The capacity of the health facilities is very limited. There is no functioning medical laboratory within Chechnya, an extraordinary deficit given the need for a laboratory for detection of Hepatitis A and tuberculosis. Treatment for tuberculosis and certain other diseases that pose significant risks to the population is virtually non-existent.

The more than 150,000 people displaced in Ingushetia live in comparative safety but are also enduring their second winter in difficult conditions solely because the insecurity in Chechnya prevents them from rebuilding homes. Families are often living in very overcrowded conditions. Within tent camps and what are called “spontaneous settlements” such as railroad cars, warehouses, and stables, families of up to ten people live in small tents or in tiny rooms constructed within warehouses or stables. Gas lines running throughout the camps permit stoves for heat and primary health care is supplied by international aid agencies. Still, health risks remain serious, especially through exposure to infectious diseases like tuberculosis and Hepatitis A.²⁴⁷ Residents of the camps told PHR how difficult it is to obtain treatment for chronic conditions.²⁴⁸

Life in the camps is very difficult. Even on dry days, mud is everywhere. When it rains or snows, the mud becomes a sea. Just keeping clean requires tremendous effort. Most displaced people have virtually no access to jobs. Because of the mud and cold, people are basically confined to their overcrowded tents.

In spontaneous settlements people live in the worst conditions of all. Lacovas, in the middle of Nazran, is an old warehouse or factory building. Inside, displaced persons have constructed walls from materials such as fiberboard to create little rooms for each family. One “house” visited by the

²⁴⁷ Danish Refugee Council, North Caucasus Situation Report No. 30, November 10, 2000. The head of the Ingush Parliament said that about 500 cases of tuberculosis had been reported. Local hospitals were full of refugees suffering from hepatitis and respiratory illnesses.

²⁴⁸ This report is not designed to assess the performance of agencies responsible for humanitarian aid. PHR learned that the problems are serious, particularly the administration of programs by the Russian coordinating agency, EMERCOM. For example, food deliveries to displaced persons are sometimes delayed or suspended by disputes between the national and Ingush governments over payment.

PHR team was so small that after the space taken for beds, there was only room for two or three people to squeeze into the room. Another settlement is in a huge, dark, former stable at MTF Karabulak; partitions erected inside create living spaces.

Although PHR did not perform a clinical survey, the damage to the mental health of the survivors of these multiple traumas appears very serious. At one level, the most commonly expressed sentiment was hopelessness and despair. People in the camp have not only lost homes, possessions and loved ones, but any sense that there is an end to their ordeal. They have also suffered overwhelming trauma – in witnessing violent deaths of family and friends, in suffering through shelling, in losing their belongings and the lives they led, and in the experience of abuse and displacement.

One woman²⁴⁹ recounted what she had been through to the PHR team. During the 1994-96 war, an 11-year old nephew was injured by a landmine and died in her arms. In the same war, a 15-year cousin died while taking out rubbish and two other relatives were killed when an armored personnel vehicle ran over their car. Then, in November 1999, a large group of people was attacked by helicopters while trying to go through a checkpoint, including her brother-in-law and three members of his family, all of whom were killed. In January 2000, she said, Russian soldiers shelled the village where other relatives lived, killing three of them.

She told PHR that her house, in the center of Grozny, was destroyed in the first war. When the war ended, with help from relatives, she and her husband built a new one. That house was destroyed about a year ago. Since then she has lived in a camp in Ingushetia with her four children. *“I never thought I could live through so much. I am surprised I am still alive,”* she said. But for her, the worst aspect of her current situation is her inability to respond to her 10-year-old daughter’s asking to go home.

There are few psychosocial programs to help people cope with all that has happened. There are a few exceptions, however, including psychosocial rehabilitation programs for children and adolescents provided by Médecins du Monde in two of the largest tented camps in Ingushetia and by the Centre for Peacemaking and Community Development in Ingushetia and Chechnya.

²⁴⁹ PHR interview with Tanzila.

VII. INTERNATIONAL HUMANITARIAN AND HUMAN RIGHTS LAW

The abuses documented in this report are breaches of international standards set out in human rights law and humanitarian law, including principles of medical neutrality. Crimes of murder; torture; unlawful deportation and transfer of population; and attacks causing excessive, civilian death, injury or damage, committed during armed conflict constitute war crimes.²⁵⁰ Many of these same crimes can be categorized as both war crimes and crimes against humanity,²⁵¹ when committed through widespread or systematic attacks directed against civilian populations.²⁵²

Human Rights Law

The Russian Federation is a party to several international and regional human rights treaties that explicitly prohibit much of the brutality against civilians from Chechnya documented by PHR. The International Covenant on Civil and Political Rights (ICCPR),²⁵³ the European Convention on Human Rights (ECHR)²⁵⁴ and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT),²⁵⁵ all bind the Russian Federation.²⁵⁶ These treaties protect rights to life, to freedom from torture and arbitrary detention, to protection from ethnic or religious persecution, to freedom of religion and thought, and require recognition as a person before the law.²⁵⁷

Human rights law identifies specific rights that are non-derogable and which must be respected in all circumstances including in times of conflict

²⁵⁰ See Article 8 under the Rome Statute of the International Criminal Court of July 12, 1999.

²⁵¹ Distinctions between war crimes and crimes against humanity are outlined in the report by the Preparatory Commission for the International Criminal Court at its 23rd meeting on June 30, 2000.

²⁵² Article 7 under the Rome Statute of the International Criminal Court of July 12, 1999.

²⁵³ International Covenant on Civil and Political Rights (ICCPR), done at New York, December 16, 1966.

²⁵⁴ European Convention on Human Rights (ECHR), done at Rome, November 4, 1950.

²⁵⁵ European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, Strasbourg, November 26, 1987.

²⁵⁶ The Russian Federation assumed the USSR's membership in UN bodies and treaties on December 24, 1991.

²⁵⁷ *Id.*

and other emergencies. The right to life is one such right.²⁵⁸ In a 1998 decision, the European Court of Human Rights extended the application of article 2 on the *right to life* of the ECHR to impose on the governmental authorities a duty to carry out an effective investigation into the circumstances surrounding killing by the state's security forces.²⁵⁹

In the same year, the court decided in another case involving Turkey, that under article 2, in conjunction with article 1, the State may be required to take certain measures in order to "secure" an effective enjoyment of the right to life.²⁶⁰

The pattern of summary executions by Russian Security Forces documented by PHR and others is a clear violation of the right to life under these Conventions. The Russian government's failure to investigate the summary executions and disappearances of civilians by federal forces in Chechnya clearly constitutes a breach of article 2 of the European Convention for Human Rights.

Another non-derogable right enshrined in the ICCPR, the ECHR and the ECPT is the right to be free from torture.²⁶¹ The prohibition against torture is set out in more detail in the Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment,²⁶² which also binds Russia. This convention forbids torture and its application cannot be suspended in any event, not even in a state of war or emergency.²⁶³ The European Convention for the Prevention of Torture promotes adherence to Article 3 of the ECHR²⁶⁴ by protecting detained individuals from torture. This is accomplished through visits by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, which is established by Article 1 of the ECPT.²⁶⁵ The Committee's responsibility is to examine the treatment of persons deprived of their liberty. Under Article 8 of the ECPT, an investigated State Party must provide access to its territory, unrestricted right to travel, full information

²⁵⁸ ICCPR, arts. 4 and 6, ECHR, article 2.

²⁵⁹ *Kaya v. Turkey*, European Court of Human Rights, February 19, 1998.

²⁶⁰ *Ergi v. Turkey*, European Court of Human Rights, July 28, 1998.

²⁶¹ ICCPR, article 7, ECHR, article 3.

²⁶² Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Torture Convention), done at New York, 10 December 1984, art. 2(2).

²⁶³ *Id.*

²⁶⁴ No one shall be subjected to torture or to inhuman or degrading treatment or punishment. European Convention on Human Rights. Article 3.

²⁶⁵ Article 1 of the ECPT: There shall be established a European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. The Committee shall, by means of visits, examine the treatment of persons deprived of their liberty with a view to strengthening, if necessary, the protection of such persons from torture and from inhuman or degrading treatment or punishment.

on the locations of detained persons and other information necessary for the Committee to carry out its work. While the Committee has visited Chechnya, independent sources, such as PHR, Human Rights Watch and Amnesty International, report that widespread torture continues, despite some improvements at the Chernokozovo detention camp.²⁶⁶ There has not been, as of this writing, prosecutions or punishment of perpetrators of torture by the Russian government.²⁶⁷

Article 9 of the ICCPR and article 7 of the ECHR prohibit arbitrary arrest or detention. They require that any individual who is arrested or detained be informed of the reasons for the arrest and any charges against him/her. Any detention or arrest must be on grounds specified and in compliance with procedural rules established in domestic legislation. Article 14 of the ICCPR and article 6 of the ECHR set forth the right to due process at criminal trials including the requirements that the accused be informed of the charges against him/her, have adequate time and facilities and access to counsel and be considered innocent until proven guilty. In addition, Russia has not declared a State of Emergency or otherwise legally derogated its obligations to respect these rights.

International Humanitarian Law

The legal instruments that are collectively referred to as international humanitarian law, or the laws of war, establish a framework for the protection of rights during the special circumstance of war. These protective standards overlap with the protections of human rights law.

Less comprehensive standards apply in cases of internal conflict, but still prohibit torture, extrajudicial killing, use of medical facilities for military purposes, and forced expulsion.²⁶⁸ These standards originate in Article 3 common to all four Geneva Conventions²⁶⁹ and are expanded upon in the later Protocol II to the four Geneva Conventions²⁷⁰, which relates to non-international armed conflicts.²⁷¹ The Russian Federation has ratified these treaties. These laws protect those “not taking an active part in hostilities,” including civilians, medical personnel, wounded and sick (including combatants) and com-

²⁶⁶ Human Rights Watch, *Welcome to Hell: Arbitrary Detention, Torture, and Extortion in Chechnya*, October 2000.

²⁶⁷ Human Rights Watch, “E.U. Should Press Russia on Chechnya,” February 13, 2001.

²⁶⁸ Common Article 3 to the Four Geneva Conventions, adopted August 12, 1949, Geneva; Protocol II. Ratified by the Russian Federation in 1989.

²⁶⁹ *Id.*

²⁷⁰ Protocol additional to the Geneva Conventions of August 12, 1949, relating to the protection of victims of non-international armed conflicts (Protocol II). Done at Geneva June 8, 1977. Entered into force Dec. 7, 1978.

²⁷¹ Common Article 3, Protocol II, arts.4,6.

batants otherwise *hors de combat*, such as those who surrender.²⁷² They forbid murder, torture, hostage taking, looting, cruel and degrading treatment and the “passing of sentences” by anything but a regularly constituted court that affords procedural guarantees recognized in international law.²⁷³

Other humanitarian law standards seeking to limit harm to civilians embody the principles of proportionality and discrimination between civilian and combatant.²⁷⁴ Essentially, the principles call 1) for military forces to discriminate between military and civilian targets and attack only legitimate military targets, and 2) for them to minimize civilian casualties and other collateral damage.²⁷⁵ If the expected civilian damage outweighs the damage to the military target, the forces must refrain from attacking that target.²⁷⁶

Chechen forces are bound by the Article 3 standards and other standards viewed as customary law. Common Article 3 of the Geneva Conventions of 1949 applies to all combatants in an armed conflict through customary international law and Article I of Protocol II to the Geneva Conventions. Article I states that humanitarian law applies to those armed conflicts between a party to the treaty (Russia is a party to these Conventions and Protocols) and “dissident armed forces or other organized armed groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol.” The Chechen fighters as documented in countless news articles and other documents, clearly constitute such a force. As further evidence of the fact they are bound by these laws, in May of 2000, President Maskhadov of the breakaway Chechen Republic expressed the intention of its forces to comply with these laws when he wrote to the Swiss Federal Council stating that the Chechen Republic wanted to accede to the Geneva Conventions and Protocols.²⁷⁷

²⁷² Common Article 3; Protocol II, art.4(1).

²⁷³ Common Article 3; Protocol II, arts. 4(2), 6(2).

²⁷⁴ Common Article 3; Protocol II, Part IV.

²⁷⁵ For an authoritative articulation, see Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), adopted on 8 June 1977. Article 48 – Basic rule states: “In order to ensure respect for and protection of the civilian population and civilian objects, the Parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and accordingly shall direct their operations only against military objectives.”

²⁷⁶ An attack is prohibited as indiscriminate when it “may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.” Protocol I, art.51(5)(b).

²⁷⁷ Since Chechnya is not recognized as an independent state by the United Nations or other legitimate independent states, it does not have the power to become a party to the treaty.

One party's lack of compliance does not excuse others from their absolute obligation to apply these laws.²⁷⁸ Additionally, an armed conflict does not need to be a declared war to be subject to international humanitarian law. Russia must be held to the basic standards of international humanitarian law regardless of whether or not an official declaration has been made.

The survey data collected by Physicians for Human Rights, backed by additional, in-depth interviews, reveal patterns of killings, torture, forced expulsion, beatings, separation, woundings and other conduct that demonstrate a scope and pattern of conduct that could only be explained as abuse and violations of human rights and humanitarian international law. Violations include acts such as: murder, torture, forced expulsion, and looting; but also certain military conduct: targeting medical facilities and professionals, targeting civilians, indiscriminate and disproportionate bombing and detention of civilians and other acts, which result in killings, beatings, expulsion etc.

The killings and other crimes in the specifically documented events of Aldi and Katyr Yurt combined with the widespread and often systematic civilian killing recorded by the PHR survey, demonstrate that much of Russia's federal forces' killing of civilians is not the inevitable cost of war, but constitute war crimes and/or crimes against humanity. By engaging in the pattern of torture and detention of civilians from Chechnya in filtration camps reported to PHR and detailed in this report, Russia flouts the international human rights standards specified above.

Medical Neutrality

Medical neutrality is a principle enshrined in medical ethics and international humanitarian and human rights law.²⁷⁹ It seeks to limit injury and death to civilians and combatants who are hors de combat (including prisoners of war) during times of war or other strife and to enable health workers to serve those in need.

International humanitarian law, like codes of medical ethics, maintains that medical care must be provided in a nondiscriminatory manner. Protocol II to the Geneva Conventions states, "In the performance of their duties, medical personnel may not be required to give priority to any per-

²⁷⁸ Protocol II says, "This protocol ...shall apply to all armed conflicts...between its (government) armed forces and dissident armed forces or other organized groups which, under responsible command, exercise such control over a part of its territory as to enable them to carry out sustained and concerted military operations and to implement this Protocol."

²⁷⁹ It is important to emphasize that "medical neutrality" is not a field of international law; it is a normative construct which draws on international humanitarian and human rights law, in combination with medical ethics, to provide standards for health professionals with respect to their rights and duties under various circumstances of war and peace. However, abuses which fall under the rubric of violations of medical neutrality can violate human rights law and constitute grave breaches of international humanitarian law.

son except on medical grounds.”²⁸⁰ If physicians and health professionals are extended special protection to attend to the sick and wounded during wartime, they are also expected to treat all patients, including prisoners of war, in accordance with internationally recognized tenets of medical ethics.²⁸¹

‘Medical personnel’ includes those formally trained as physicians, other health professionals such as nurses, technicians, health promoters, community first aid workers, relief volunteers engaged in the delivery of medical services, and medical personnel of national Red Cross and Red Crescent societies and other national voluntary aid societies.²⁸²

International humanitarian law thus extends a special “protected” status to physicians and other health professionals so long as they actively perform medical functions and do not participate as combatants in the conflict. An entire section of Protocol II is dedicated to protections for medical personnel, patients and their facilities.²⁸³ No matter whether combatant or civilian, patients, “shall receive, to the fullest extent practicable and with the least possible delay, the medical care and attention required by their condition.”²⁸⁴ “Under no circumstances shall any person be punished for carrying out medical activities compatible with medical ethics, regardless of the person benefiting therefrom.”²⁸⁵ “Medical units and transports shall be respected and protected at all times and shall not be the object of attack.”²⁸⁶ Health professionals are protected not because of their credentials, but because of the professional services they render to civilians and to the sick and wounded.

Under legally recognized codes of medical ethics, medical personnel must uphold professional duties such as respect patient confidentiality, and treat all sick and wounded without regard to their belligerent status, ethnicity, or religious and political views.²⁸⁷ Disclosures of medical atrocities during the Nuremberg trials following World War II prompted the creation of the World Medical Association (WMA) in 1947. Among the first institutional acts of the WMA was the revision of the Hippocratic Oath in 1948 to preclude a repetition of Auschwitz and Buchenwald. “I will not permit consideration of race, religion, nationality, party politics,

²⁸⁰ Protocol II, art. 9(2); Common Article 3

²⁸¹ Protocol II, art. 2(2); Common Article 3

²⁸² Protocol I, Part II, art. 8(c)

²⁸³ Protocol II, Part III; Common Article 3

²⁸⁴ Protocol II, art. 7(2); Common Article 3

²⁸⁵ Protocol II, art. 10(1); Common Article 3

²⁸⁶ Protocol II, art. 11(1); Common Article 3

²⁸⁷ Common Article 3, Protocol II, arts. 7(2), 10(3)

or social standing to intervene between my duty and my patient.”²⁸⁸

The following year, the WMA adopted the International Code of Medical Ethics. It contains the precept, “Under no circumstances is a doctor permitted to do anything that would weaken the physical or mental resistance of a human being except from strictly therapeutic or prophylactic indications imposed in the interests of his patients.”²⁸⁹

This report documents infringements of medical neutrality against the sick, wounded and medical personnel as well as infringements against medical facilities and services that violate Common Article 3 and Protocol II of the Geneva Conventions.

²⁸⁸ World Medical Association, International Code of Medical Ethics, adopted by the 3rd General Assembly of the WMA, London, England, October 1949, and amended by the 22nd Assembly, Sydney, Australia, August 1968, the 35th Assembly, Venice, Italy, October 1983 and the 46th Assembly in Stockholm, Sweden in 1994.

²⁸⁹ World Medical Association, International Code of Medical Ethics, London 1949, Sydney 1968, and Venice 1983).

VIII. CONCLUSION: A POLICY TO PROTECT HUMAN RIGHTS IN CHECHNYA

The human rights violations described in this report are more characteristic of an anarchic society than of a modern state that aspires to be a full participant in the economic, political and financial institutions of Europe. It is not only the brutal behavior of the individual perpetrators that must be condemned and punished. Accountability must extend to the military and civilian leadership that condones a military that arrests and detains people without the slightest evidence, that routinely beats and tortures detainees – sometimes to seek to extract confessions and sometimes for no reason at all, that allows its military to extort vast sums of money from civilians; that allows commanders to launch vicious attacks on civilians shopping in a market and to shell areas containing schools, and that has created an atmosphere of terrifying insecurity for all who live in Chechnya. When the displaced people in Ingushetia, suffering dislocation, poor conditions and ill-health, are included as victims of this brutality, the number of people suffering grievous harm from Russia's conduct is close to one million.

Russia has ratified and is bound by the Geneva Conventions and several major human rights treaties, including the International Covenant on Civil and Political Rights, the European Convention on Human Rights and the Convention Against Torture and other Cruel and Inhuman Treatment. It is also bound by the Geneva Conventions of 1949 and the two Protocols, including the one applying to internal conflicts. Some of the conduct described here amounts to war crimes and crimes against humanity, when committed through widespread or systematic attacks directed against civilian populations.

That such conduct is tolerated by Russia's political leadership, especially by President Vladimir Putin, shows utter disregard for the instruments and commitments Russia has made. The practices described here violate virtually every human rights instrument that Russia has signed, as well as commitments it has made to the European institutions it has joined.

There is no doubt that the conduct of fighters on the Chechen side also violates international humanitarian law. Their leadership, too, should be held accountable. But overwhelmingly it is the Russian military, with its tens of thousands of troops in Chechnya, that is responsible for the grave human rights violations that occur day in and day out.

Ultimate responsibility, of course, remains with President Putin. But American and European leaders, while condemning abuses and supporting resolutions at the UN Commission on Human Rights, needs to be more forceful. Chechnya should be a priority for President George W. Bush, especially in his dealings with Russian President Putin. The 2000 Republican Platform spoke out plainly about human rights in Chechnya: “The rule of law is not consistent with state-sponsored brutality.” He should act accordingly.

Detailed recommendations follow and reflect three broad themes:

First, the military and civilian leadership in the Russian Federation, led by President Putin, must take control of their military forces, as any country that claims to have a modern army should. They should make it absolutely clear to all of Russia’s forces operating in Chechnya that the military command does not tolerate bribery, extortion, arbitrary arrests, torture, beatings, attacks on civilians and any conduct of Russia’s troops in Chechnya that violates international humanitarian law and human rights norms.

Second, the military and civilian leadership in the Russian Federation, again led by President Putin, must end the impunity of Russia’s soldiers. The abuses have been abundantly documented, but military prosecutors have begun only a handful of cases. Investigation and prosecution for the serious crimes that Russia’s soldiers are committing must go forward.

Third, international human rights monitors must be on the ground. The United States and European nations have urged Russia to accept independent human rights monitors in Chechnya under the auspices of the OSCE and the United Nations, but to date President Putin has refused to permit their deployment. The presence of independent monitors in Chechnya could save many lives and could provide Russia with incentive to bring its undisciplined, corrupt, and brutal troops under stricter control. Organization for Security and Cooperation in Europe (OSCE) general secretary Jan Kubis said, in January 2001, that he hoped the security body’s mission to Chechnya could soon return to the field. President Bush and European leaders must ratchet up the pressure on President Putin to prevent any further obstacles to this deployment of human rights monitors.

It is the responsibility of the Russian Federation to assure that these three steps take place; and it is the responsibility of the international community to use significant political, diplomatic, financial, and other levers at its disposal to assure that Russia takes these essential steps. But since Russia has impeded progress on these issues, President Bush should turn to the Platform as a guide for action: “When the Russian government attacks civilians in Chechnya – killing innocents without discrimination or accountability, neglecting orphans and refugees – it can no longer expect aid from international lending institutions...”

Physicians for Human Rights supports extensive Western assistance to Russia, both bilateral and multilateral, for purposes of addressing its vast humanitarian needs, particularly in the health sector. PHR does not believe, however, that structural adjustment or general budgetary support should be provided unconditionally to Russia so long as the government continues its atrocities in Chechnya and thwarts international efforts to place monitors there which could help address the problem and aid the victims. The United States and European countries should use their considerable influence at the World Bank and the International Monetary Fund to press for a delay in consideration of new financing for the Russian Federation. They should also hold the release of previously approved, unrestricted funds until such time as OSCE monitors are in place in Chechnya and operating with the full cooperation of Russian civilian and military authorities.

IX. RECOMMENDATIONS

Physicians for Human Rights recommends:

To the Russian Federation:

1. The President of the Russian Federation and senior military commanders direct that all of Russia's federal forces and units of the Interior Ministry comply with obligations under treaties and conventions on international human rights and humanitarian law to which Russia is a signatory. These include the International Covenant on Civil and Political Rights, the European Convention on Human Rights, the Convention Against Torture, and the Geneva Conventions. The directive must make clear that local commanders are responsible for assuring such compliance and will be held accountable if they do not. An effective command structure must assure that such directives are carried out.
2. Russia's federal forces and units of the Interior Ministry must stop engaging in arbitrary and illegal arrest and detention in Chechnya and extortion and bribery to release those detained. All arrests and detentions must follow procedures under law, and must include notice of charges, the right to speak to counsel, detention in an authorized facility, notification of families of the fact of arrest and detention, and allowance of visits by families. Identification and other official papers must be returned to individuals arrested upon their release. Allegations of mistreatment, illegal arrest, and extortion or bribery in connection with arrests and detentions should be thoroughly investigated and violators prosecuted. Lists or registers of numbers of individuals arrested or detained should be made available publicly.
3. Russia must completely halt the indiscriminate and disproportionate bombing and shelling of civilian areas as well as shooting into houses, mining of apartment buildings and murders. Commanders of military units should be instructed on the limitations international humanitarian law places on military activities and held accountable for violations.
4. Russia's forces and units of the Interior Ministry must stop the use of torture, including beatings, physical abuse, mutilation and use of psychological terror that accompanies arrests and detention. Allegations of violations must be thoroughly investigated and perpetrators prosecuted.

5. Russia's forces must cease destroying homes and personal property, looting and other theft and destruction of civilian property in connection with sweeps. Allegations of violations must be thoroughly investigated and perpetrators prosecuted.
6. Russia's forces must adhere to the principles of medical neutrality. Commanders of military units should be instructed on the limitations of international humanitarian law as it pertains to medical neutrality and be held accountable for violations.
7. Russia's forces and units of the Interior Ministry must stop practices that deny freedom of movement and other fundamental human rights as people travel in Chechnya. This includes ending beatings, extortion and harassment at checkpoints and on roads. Commanders of local units should be instructed in the limitations that human rights and humanitarian law place on their conduct at checkpoints and on roads. Allegations of violations must be thoroughly investigated and perpetrators prosecuted.
8. Russia must follow through on its pledges to investigate and hold accountable those responsible for war crimes and other human rights abuses documented here and by other organizations. This includes establishing an independent commission of inquiry, in accordance with the April 2001 United Nations Commission on Human Rights resolution, with adequate powers, including the power to subpoena witnesses and documents. Although there have been at least three Russian agencies working on human rights issues in Chechnya, none of these bodies has come close to achieving the standards outlined in the UN resolution of establishing accountability and preventing impunity. In addition, Russia should prosecute crimes committed by its forces in Chechnya thoroughly and transparently.
9. Russia must permit unconditional access by agencies of the United Nations with jurisdiction to examine and investigate human rights violations in Chechnya, including special rapporteurs and representatives with jurisdiction over arbitrary detention, torture, violence against women, extrajudicial- summary- or arbitrary executions, internally displaced persons, and children in armed conflict. It must also allow complete access to human rights monitors from the UN High Commissioner for Human Rights and other governmental and non-governmental human rights agencies. Russia should also permit access to detainees and detention facilities by the International Committee of the Red Cross.

10. Russia must permit unconditional access to monitors of the Organization for Security and Cooperation in Europe to all parts of Chechnya, including all places of detention.
11. Russia's Special Representative for Human Rights in Chechnya must continue to collect information on violations of human rights and international humanitarian law in Chechnya and initiate investigations of arbitrary arrest, illegal detention, torture, summary executions, destruction and taking of property (including identification) of non-combatants, and restrictions on freedom of movement, and recommend prosecution of perpetrators. This should include regular visits to places of detention, checkpoints, and other locations where violations take place.
12. Russia must end the humanitarian emergency by assuring the provisions of food, shelter, health care, and other basic needs for the hundreds of thousands of displaced persons in both Ingushetia and Chechnya or persons with their homes and livelihoods destroyed by the war. Humanitarian assistance should include psychological services both to assist and rehabilitate victims of torture and to meet the needs of individuals who have suffered psychological trauma. Further, Russia must allow unfettered access to Chechnya for humanitarian organizations for the provision of desperately needed aid in an environment where their security is protected.

To the Fighters on the Chechen Side:

1. Chechen forces, like Russia's federal forces, must respect their obligations under international humanitarian law, including the provisions of Common Article 3 of the Geneva Conventions, and human rights law, and refrain from extrajudicial killings, threats of killing, property destruction of non-combatants, hostage-taking and other violations. Commanders should be instructed in the requirements of international human rights and humanitarian law. Perpetrators should be held accountable.
2. Chechen forces must take measures to ensure that armed actions, such as landmines and booby traps, do not endanger the lives of other civilians. Chechen forces must stop the indiscriminate and disproportionate use of force in civilian areas.
3. Chechen forces should state and make public that they abide by international humanitarian law and steps taken by them to respect it.

To the International Community, the United Nations, the Council of Europe, the Organization for Security and Cooperation in Europe, and the United States:

Governments and relevant international organizations must:

1. Publicly identify and condemn Russian violations of human rights and humanitarian law in Chechnya. Where the violations are war crimes, they should publicly state so. These condemnations should be made at the highest level.
2. Demand unconditional access for international investigators and monitors, including the OSCE Assistance Group and relevant agencies of the United Nations, to investigate and monitor violations of human rights and international humanitarian law in Chechnya itself and in the detention facilities in the surrounding region. The demand should include an ongoing presence by the OSCE Assistance Group to monitor human rights in Chechnya.
3. Advocate intensively and at the highest levels for the release of illegally imprisoned and tortured civilians from Chechnya now detained in detention centers, so-called “filtration” camps, and other ad hoc places of detention.
4. Demand unimpeded access to detention sites by the International Committee of the Red Cross.
5. Demand that President Putin address the humanitarian emergency, reminding Russia of its obligation to provide food, shelter, and medical care to people in Chechnya and to displaced people. Assistance should include rehabilitation of victims of torture and psychological services for trauma. Additionally, donor nations, the United States and European nations must immediately address the very grave humanitarian situation in Chechnya and Ingushetia and increase humanitarian aid to the displaced population. Further, the international community should demand unfettered and secure access for humanitarian organizations seeking to provide aid inside Chechnya.
6. Support intergovernmental initiatives to monitor and investigate human rights violations in Chechnya including: the rapporteurs and working groups of the United Nations, the OSCE Assistance Group, and the Council of Europe’s human rights staff.
7. All international agencies should make humanitarian demining, landmine awareness campaigns, and a coordinated survey of landmine incidents an immediate priority to minimize the loss of life and limbs threatening civilians inside Chechnya.

8. At the World Bank and the International Monetary Fund, governments should oppose new general budgetary financing or the release of previously approved unrestricted funds until OSCE monitors are in place in Chechnya and operating with full cooperation of Russian civilian and military authorities. Funding should also await Russia steps to end human rights violations in Chechnya, including the undertaking of appropriate investigations and the assignment of accountability to the perpetrators. PHR supports extensive Western assistance to Russia, both bilateral and multilateral, for purposes of addressing Russia's vast humanitarian needs, particularly in the health sector. PHR does not believe, however, that structural adjustment or general budgetary support should be provided unconditionally to Russia so long as the government continues its atrocities in Chechnya and thwarts international efforts to place monitors there, which could help end the violations and aid the victims.
9. Demand compliance with all elements of the resolution on Chechnya at the 2001 session of the UN Commission on Human Rights.

To the United Nations:

1. The UN should press Russia to adhere to the April 2001 UN Commission on Human Rights resolution condemning Russia's actions in Chechnya and calling for Russia to conduct an independent commission of inquiry.
2. The UN should carry out the missions and investigations called for in that resolution – and which have not taken place because of obstruction by the Russian Federation – by the various special human rights mechanisms including: U.N. Special Rapporteur on extrajudicial, summary, or arbitrary executions, U.N. Special Rapporteur on torture, U.N. Special Rapporteur on violence against women, Special Representative of the Secretary General for internally displaced persons, and Special Representative of the Secretary General for children and armed conflict.

To the Organization for Security and Cooperation in Europe (OSCE):

1. The OSCE should deploy the Assistance Group from Moscow back to Chechnya. Before this second war, Russian authorities permitted the OSCE independently to monitor human rights violations in Chechnya and, at the Istanbul OSCE Summit in November 1999, pledged to continue to seek to deploy monitors. The monitoring should be ongoing and should include evidence gathering, reporting, and recommendations for prosecution.

To the Council of Europe:

1. The Council should ensure the independence of its human rights staff now working with Russia's Presidential Representative on Human Rights in Chechnya, and publicly critique or report on the investigations carried out by Russia's authorities where warranted.
2. Given the Parliamentary Assembly's continued calls to keep under review Russia's compliance with its Council obligations, the Council should carry out its own independent investigation of abuses in Chechnya, as part of a special investigation of Russia's compliance with Council obligations.
3. Given that the Parliamentary Assembly has stated that the Russian Federation's response to its call for Russia to internally investigate their own abuses has yet to produce substantial results, the Council should support an independent international Commission of Inquiry.
4. Until Russia investigates and prosecutes those responsible for the numerous credibly documented abuses, the Parliamentary Assembly should again consider the suspension of Russia's participation in the Assembly, even though the Assembly reinstated Russia's voting rights in January 2001.
5. Member states should file interstate complaints against the Russian Federation with the European Court of Human Rights for massacres, torture and other violations of the European Convention on Human Rights.

To the United States Government:

In addition to participating in and supporting the actions sought of the entire international community,

1. President George W. Bush should make the protection of human rights in Chechnya a high priority in his bilateral relations with Russian President Putin.
2. The United States should publicly and privately identify and condemn Russian violations in Chechnya and in circumstances where the violations are war crimes, publicly so state. President Bush should demand that President Putin establish accountability for human rights violations committed by Russian forces in Chechnya. President Bush should also demand that President Putin instruct Russian forces in Chechnya to comply with international human rights and international humanitarian law.

3. President Bush should demand that President Putin permit access to human rights monitoring as specified above. President Bush should reiterate United States support for the presence of independent monitors in Chechnya under the auspices of the OSCE.
4. The United States should immediately deploy staff from the U.S. diplomatic mission in the Russian Federation to Ingushetia to collect testimonies from the displaced Chechen population to document war crimes. The State Department should reevaluate its prohibition preventing officers from collecting human rights data.
5. President Bush should enlist the U.S. Department of State, in cooperation with the U.S. intelligence community, to begin a vigorous data collection effort to document war crimes in Chechnya. All available intelligence information sources should be collected and evaluated, including relevant U.S. knowledge of military and security command control, satellite photographs, and radio and telephone intercepts to identify the perpetrators of war crimes and their commanders.
6. At the World Bank and the International Monetary Fund, the United States should oppose new general budgetary financing or the release of previously approved unrestricted funds until OSCE monitors are in place in Chechnya and operating with full cooperation of Russian civilian and military authorities and Russia takes other necessary steps to end human rights violations in Chechnya, undertakes appropriate investigations and holds perpetrators accountable. PHR supports extensive Western assistance to Russia, both bilateral and multilateral, for purposes of addressing Russia's vast humanitarian needs, particularly in the health sector. PHR does not believe, however, that structural adjustment or general budgetary support should be provided unconditionally to Russia so long as the government continues its atrocities in Chechnya and thwarts international efforts to place monitors there which could help end the violations and aid the victims.

APPENDIX A

PHR Survey Questionnaire

February 2000 Case ID# _____

Survey of those from Chechnya

My name is I am working with a non-governmental organization called Physicians for Human Rights based in the United States. We are conducting a brief survey of as many refugees from Chechnya as possible to assess the frequency and scope of abuse against civilians by fighters on all sides since battles began in August 1999.

You do not need to give us your name. All information provided will be confidential and will not be shared with authorities.

The survey will be used to try to improve the situation for refugees from Chechnya. We realize that many people have suffered greatly during this time and may have much to tell. But this survey requires only BRIEF responses to a limited number of questions, and from ONLY ONE family member. We would like to speak to a member of your family, either man or woman, who can give the most complete account of what happened to the members of your household.

Can I ask you some questions about what has happened?

1. A. Date of Interview: _____ (day/month/year)
B. Location : _____(location in database)
2. A. Interviewer ID Code: _____
B. Interviewer gender _____ female=20, male =21
3. What was your main occupation
31-Farmer, including agricultural labor
32-Housewife, including those who work in the home
in Chechnya?
33-Service Sector, such as bakers, truck drivers,
computer consultant _____
34-Clerical, including office support, government workers
35-Factory, including supervisors and laborers (not managers)
36-Professional, such as docs, lawyers, managers in gov't + business
37-Other _____
4. A. How old are you? _____

- B. Gender of informant? ___ female=20, male=21
5. Where did you live in Chechnya? (fill in A,B + C)
- A. Village, Section or Neighborhood _____
- B. City or Municipality _____
- C. District/CITY _____
6. When did you leave your home?
- A. Date _____
- B. Code _____
- | | |
|-------------------------|------------------------|
| 50 about a week or less | 54 "About 4 mo." |
| 51 about two weeks | 55 "About 6 mo." |
| 52 about a month | 56 "More than 6.5 mo." |
| 53 about 2 month | |
7. What was the primary reason you left home? _____
- 1=Russian+allied fighters harmed person(s)
- 2=Russian+allies bombing or shelling
- 3=fear of Russian+allied fighters bomb'g or shell'g
- 4=Chechen+allied fighters harmed person(s)
- 5=Chechen+allies bombing or shelling
- 6=fear of Chechen+allied fighters bomb'g or shell'g
- 7=other (specify) _____
- 8=both, harm from military of both sides.
- 99=NR - no response
8. When did you arrive here and how long have you been here?
- A. Date _____
- B. Code _____
- | | |
|-------------------------|------------------------|
| 50 about a week or less | 54 "About 4 mo." |
| 51 about two weeks | 55 "About 6 mo." |
| 52 about a month | 56 "More than 6.5 mo." |
| 53 about 2 month | |
9. A. Did you try to leave home before the date given in #7? _____
- yes=11, no=00, NR=99
- If yes,

B. What was the primary reason you did not succeed in arriving here or a place of safety and returned home? _____

1=Russian fighters harmed person(s)

2=Russian bombing or shelling

3=fear of Russian fighters, bombing or shelling

4=Chechen fighters harmed person(s) in village

5=Chechen bombing or shelling of village

6=fear of Chechen fighters, bombing or shelling

7=other (specify)

8=both generally harm from military of both sides

99=NR - no response

10. How many times were you displaced (slept more than 4 nights in the same place) since leaving your home? _____

(include other times where you tried to leave and did not succeed as described in #10)

11. How many people:

A. lived with you in your household before you left? _____

B. were adult women _____

C. were adult men _____

D. were children girls _____

E. were children boys _____

(answer A should = B+C+D+E)

12. A. Since August, We would like to know if you or any of those in your household experienced any abuse by fighters, police, soldiers or civilians from either side, since 1 August 1999.

By abuse we mean: killing, torture, beating, separation/ disappearance, wounding, sexual assault (explained below)

no=00, NR=99, yes=11, yes results=12

(if eyewitness at least one abuse use yes=11)

If yes (11 or 12), specify the abuse starting with yourself then others in the family

- B. What abuse?
- C. Did you see?
- D. Who did it?
- E. Status of Victim?
- F. When? - Date (optional)
- G. Type of Victim?
- H. Where

	B.	C.	D.	E.	F.	G.	H.
I.	_____	_____	_____	_____	_____	_____	_____
II.	_____	_____	_____	_____	_____	_____	_____
III.	_____	_____	_____	_____	_____	_____	_____
IV.	_____	_____	_____	_____	_____	_____	_____
V.	_____	_____	_____	_____	_____	_____	_____

- B. What abuse?
 - 80=killing
 - 81=torture
 - 82=beating
 - 83=separation
 - 84=wounding
 - 85=sex assault
 - 87=other
- C. Did you see?
 - 11=yes
 - 00=no
 - 20=adult w 40=in flight 1=Rus fightr
- D. Who did it?
 - 1=Russian
 - 4=Chechen
- E. Status of Victim?

13. How many people:
- A. live with you in your household now? _____
 - B. are adult women _____
 - C. are adult men _____
 - D. are children girls _____
 - E. are children boys _____
 - (answer A should = B+C+D+E)
 - F. have any members of your family died who are listed in #11?
(besides those given in the table of #12) _____
14. A. Since August, in Chechnya, did you see anyone outside your household suffer these abuses? _____

Yes=11, Yes results=12, No=00, NR=99

If yes (11 or 12), please specify below

- B. What abuse? F. When? - Date (optional)
- C. Did you see? G. Type of Victim?
- D. Who did it? H. Where
- E. Status of Victim?

	B.	C.	D.	E.	F.	G.	H.
I.	_____	_____	_____	_____	_____	_____	_____
II.	_____	_____	_____	_____	_____	_____	_____
III.	_____	_____	_____	_____	_____	_____	_____
IV.	_____	_____	_____	_____	_____	_____	_____
V.	_____	_____	_____	_____	_____	_____	_____

- B. What abuse? D. Who did it?
- 80=killing 1=Russian
- 81=torture 4=Chechen
- 82=beating E. Status of Victim?
- 83=separation
- 84=wounding
- 85=sex assault
- 87=other

- C. Did you see?
- 11=yes
- 00=no
- 20=adult w 40=in flight 1=Rus fightr

Since August in Chechnya, did you see:

- 15. A. your home burn, bombed or damaged? _____
No=00, Yes=11, Yes results=12, NR=99
If Yes (11 or 12) then:
- B. Who did this? _____
1=Russian side, 4= Chechen side, 7=other, 98= dk
- C. When did it happen? _____
40=In flight, 41=While Living in Chechnya, 47=other

16. A. Looting or destruction of other property of yours?____
 No=00, Yes=11, Yes results=12, NR=99
 If yes (11 or 12):
 B. Who did this?____
 1=Russian side, 4=Chechen side, 7=other, 8=both, 98=dk
 C. When did this happen?____
 40=in flight, 41=while living in Chechnya,
 42=both 40+41, 47=other
17. A. Money or valuables being taken from you?____
 No=00, Yes=11, Yes results=12, NR=99
 If yes (11 or 12):
 B. Who did this?_____
 1=Russian side, 4=Chechen side, 7=other, 8=both, 98=dk
 C. When did this happen?____
 40=in flight, 41=while living in Chechnya,
 42=both 40+41, 47=other
18. Since August in Chechnya did you see:
 A. Other peoples home(s) burned, bombed or damaged?____
 No=00, Yes=11, Yes results=12, NR=99
 If Yes (11 or 12):
 B. Who did this?_____
 1=Russian side, 4=Chechen side, 7=other, 8=both, 98=dk
 C. When did it happen?_____
 40=in flight, 41=while living in Chechnya,
 42=both 40+41, 47=other
19. A. Looting or destruction of property of other people?____
 No=00, yes=11, Yes results=12, NR=99
 (not including burning, bombing of others houses that is in #19)
 If yes (11 or 12):
 B. Who did this?_____
 1=Russian side, 4=Chechen side, 7=other, 8=both, 98=dk
 C. When did this happen?____
 40=in flight, 41=while living in Chechnya,
 42=both 40+41, 47=other

Since August in Chechnya did you see

20 A. Medical facilities used for military purposes?_____

No=00, Yes=11, Yes results=12, NR=99

If yes (11 or 12):

B. Who did this _____

1= Russian side, 4=Chechen side, 7=other, 8=both, 98 dk

C. When did this happen?____

40=in flight, 41=while living in Chechnya,

42=both 40+41, 47=other

D. Date, Name and Location of facility_____

21.A. Medical workers or patients forced from medical facilities?____

No=00, Yes=11, Yes results=12, NR=99

If yes (11 or 12):

B. Who did this _____

1= Russian side, 4=Chechen side, 7=other, 8=both, 98 dk

C. When did this happen?____

40=in flight, 41=while living in Chechnya,

42=both 40+41, 47=other

D. Date, Name and Location of facility _____

22.A. Medical facilities that had been destroyed? ____

No=00, Yes=11, Yes results=12, NR=99

If yes (11 or 12),

B. Who did this _____

1= Russian side, 4=Chechen side, 7=other, 8=both, 98 dk

C. When did this happen?____

40=in flight, 41=while living inChechnya,

42= 40+41, 47=other

D. Date, Name and Location of facility _____

23. A. Have you see landmines laid by anyone since August 1999? ____

No=00, Yes=11, yes=12,NR=99

If yes (11 or 12):

B. Who laid the landmines? (circle response on each line)

24. What is your family's ethnicity? (circle response on each line)
- A. Chechen 1.....0.....99
 - B. Russian 1.....0.....99
 - C. Ingush 1.....0.....99
 - D. Other in Russian Federation(specify) 1.....0.....99
 - E. Other _____ 1.....0.....99

25. What is your family's religion? (circle response on each line)
- A. Muslim 1.....0..... 99
 - B. Orthodox 1.....0..... 99
 - C. Other Christian 1.....0..... 99
 - D. Other _____ 1.....0..... 99

Interviewer

Is there anything else that informant or you would like to add? Under circumstances where you have identified a person who has information we could document as a case testimony of severe abuse(s) note how the person could be found again for further questioning and notify colleagues and possibly add relevant detail, if you have time. If you have have time to further document an abuse, for each event/abuse, record WHO is involved, WHEN it happened, WHERE it happened, a detailed account of WHAT happened. Be sure to include the names of any PERPETRATORS and their stated REASONS for the events/abuse.

Instructions for interviewers in completing the questionnaire:

EXPLANATIONS - to clarify questions or codes

Generally, don't read answers, but code the answer that fits what they said

DATE should always be given day/month/year, or simply month/year

OTHER, when use in any question ALWAYS write in specifically what is meant

WHERE - write in village, section or neighborhood, then city or municipality, then district

DATE - write in day-month-year in numbers or just month-year in numbers

CHILDREN - In questions means boys and girls who are not yet 18 years old

Russian+allied fighters - any government fighters including army, police, contract soldiers and allied Chechen militias such as Gantamirov

Chechen + allies - any fighting against Russian government in Chechnya, including Maskhadov, other commanders, and others from outside Chechnya such as Khatab.

Bombing or shelling - any long range explosive including ground artillery or aircraft bombing

Both - when informant refers to military of both sides whether from fighters harming persons or from bombing or shelling in whatever combination, such as when blame “war” generally)

FURTHER DETAILS – for questions in the tables

B. What abuse? the type of violation suffered by the person

killing = 80 = self explanatory

torture = 81 = prolonged beatings or abuse of at least 10 minutes

wounding = 82 such as from: gunshot, shrapnel or explosion, knife or other deadly weapon

beating = 83 physical abuse of less than 10 minutes

separation/disappearance = 84 = civilian separated or detained by authority or fighter with no formal charge such as arbitrary detention.

sex assault = 85 = including rape)

C. Did you see? Were you an eyewitness to the act or see or hear evidence of what the person suffered.

YES =11 means seeing the act, the killing with your own eyes

YES RESULTS =12 means seeing the aftereffects of an act, the person interviewed didn't see the pulling of the trigger, but did see the person in the custody of fighters and saw the body with his own eyes.

DK = 98 = Don't Know when the informant does not know the answer

NR = 99= No Response; examples: interviewer forgets to ask or informant is too upset to answer

D. Who did it? Who was the perpetrator who committed the abuse?

See #8 above for explanation of Russian and Chechen, fighters and allies.

E. Status of victim? Whether adult or child, male or female as explained above

F. When? First on the left side put the code indicated, then date as day-month-year or just month-year

In Flight to safety=40= any time left home trying to reach Ingushetia or

other place of safety whether it happened on your trip here or when you tried to leave but were not successful (see #10)
While Living in Chechnya=41= any time since August you were living at home or otherwise in Chechnya except when were in flight to safety as described above (see #15)

G. Type of victim? Want to know if person was a civilian or a fighter.

H. Where-Date? Optional only if can get quickly, because not necessary to know frequency and scope of abuses but helpful to fully understand problems. Do as vilg/section of city, city/district and day-month-year)

NOTE:

Questions #24 + 25 are set up differently - CIRCLE response for each line)

APPENDIX B - SENATE TESTIMONY

PHYSICIANS FOR HUMAN RIGHTS

Violations of the Laws of War in Chechnya

Testimony of Doug Ford
Senate Appropriations, Subcommittee on Foreign Operations

April 4, 2000

Thank you for holding this important hearing, Chairman McConnell, and for inviting me to testify. My name is Doug Ford, and I am a senior researcher for Physicians for Human Rights (PHR). Physicians for Human Rights is an organization of health professionals, scientists, and concerned citizens that uses the knowledge and skills of the medical and forensic sciences to investigate and prevent violations of international human rights and humanitarian law.

The timing of this hearing is unusually important, coming as it does just one day before the United Nations High Commissioner for Human Rights, Mary Robinson, addresses the United Nations Commission on Human Rights in Geneva. It is vitally important that the United States take action in Geneva that the Clinton Administration has avoided to date: namely, that the U.S. sponsor and promote a resolution at the Commission to create an official commission of inquiry into war crimes committed by Russian forces and rebel forces in Chechnya. This official commission of inquiry is a necessary precursor to establishing an international tribunal to prosecute those responsible, which Physicians for Human Rights strongly supports. A strong statement of support from this Committee for such an initiative would be very helpful in encouraging a more robust posture on the human rights situation in Chechnya than we have seen to date from the executive branch.

I would like to start by providing you with information gathered by Physicians for Human Rights last month from displaced Chechens in Ingushetia. Physicians for Human Rights carried out a detailed human rights survey of 1,140 randomly selected individuals. Our random survey

provides a measure of the breadth and pervasiveness of the violence suffered by Chechens at the hands of Russian forces. Using such a survey based on epidemiological models to collect human rights data allowed my organization to add to reports of individual abuses and massacres being collected by other human rights organizations, notably Human Rights Watch.

It is important to note that PHR investigators did not seek out and identify witnesses to abuses: the survey was randomly drawn from the 186,100 displaced persons in Ingushetia at that time. Thus the very high percentage of those who witnessed abuses, including killings, beatings, torture, wounding, disappearances, or separation and sexual violations by Russian forces is especially compelling and extremely troubling. More than 40 percent of those surveyed witnessed a killing. More than 16 percent of the 1,140 people surveyed witnessed abuses of their own family members by Russia's federal forces (RFF), with only four people attributing such abuses to fighters from the Chechen side. More than 59 percent of the 1,140 surveyed witnessed abuses of persons not within their family, with only one person responding who witnessed such an abuse by fighters on the Chechen side. The survey also made plain that the vast majority – 97 percent of those interviewed – were forcibly displaced from Chechnya by RFF, and that indiscriminate and disproportionate bombardment as well as targeted executions were the cause. Although PHR's random survey only captured a few instances in which an individual witnessed an abuse perpetrated by Chechen combatants, we are concerned about reports from other groups, such as Human Rights Watch, that Chechen combatants are committing violations. Chechen combatants have reportedly beaten and tortured civilians who attempt to save their villages from Russian attack by attempting to negotiate with Russian forces, and have also endangered the lives of civilians by taking tactical positions in areas heavily populated by civilians.

Our survey also included questions about observed violations of medical neutrality, another war crime: some 32% of the 1,140 interviewed reported destruction of medical facilities by Russian forces with none blamed on Chechen fighters. In addition, testimonies received by the PHR team show that RFF troops have violated medical neutrality by shooting patients, arresting doctors and patients, and bombing hospitals and clinics. PHR has been told by witnesses about the detention of several physicians. In Tsotsin-Yurt, RFF arrested a surgeon and a 63-year-old patient wounded by shrapnel. In another case, Dr. Khassen Baiev, a plastic surgeon, was detained briefly by RFF and released on February 2. Before his eighteen-hour detention, Baiev performed one hundred surgical procedures in two days. Sixty of these were amputations on fighters and civilians wounded while retreating from Grozny. Baiev and a nurse both report that 120 patients were taken from the hospital and detained by the

RFF. Upon returning from detention, Baiev reported seeing the bodies of seven patients, six Chechen fighters, and one 70-year-old Russian woman; all shot to death in their hospital beds, allegedly by RFF troops.

Doctors interviewed by Physicians for Human Rights also reported the targeting of hospitals by Russian bombing sorties. Dr. Baiev operated in the basement of the bombed-out Alkhan-Kala hospital before leaving Grozny. Dr. Zainab Estamirova, the head physician at Grozny Ambulatory Clinic #5, reported that the clinic was bombed and she had seen the charred remains of the hospital. One physician reported that Grozny City Hospital #4 where she worked was destroyed by RFF in the first days of February after the retreat of the Chechen rebels. She also reported that Chechen fighters had used the hospital as a dormitory, in violation of international law.

In addition to collecting this survey data regarding Russian forces' abuses against civilians, Physicians for Human Rights also collected significant testimony and medical data on torture at the Chernokozovo filtration camp. Dr. Ramin Ahmadi, of Yale University's School of Medicine, conducted interviews and examinations for Physicians for Human Rights. In six of the cases we investigated, the subject was seen by another person interviewed by Physicians for Human Rights who also had been detained in Chernokozovo, specifically corroborating these accounts. Chernokozovo camp officers reportedly tortured two of these men with electric shock and two with gas. One young man, whom Dr. Ahmadi examined three days after his release from Chernokozovo had a broken nose, bruises on the third and fourth ribs on the right side, tenderness of the right kidney, severe muscle swelling and spasms in his neck, and pain on the soles of his feet, symptoms consistent with blunt trauma. Dr. Ahmadi also said all the former prisoners he interviewed showed signs of severe limb-wasting from a starvation diet.

In two of the cases of torture victims interviewed by Physicians for Human Rights, the victims had fled their villages but returned after responding to Russia's publicity inviting displaced persons to go back to areas controlled by the Russian federal forces because they would be safe. These two individuals were picked up upon their return, abused in detention, and released only after family and friends paid bribes to Russian officials equivalent to hundreds of American dollars.

Notwithstanding frequent firm pronouncements on Russia's conduct in Chechnya, we at Physicians for Human Rights are nonetheless deeply disappointed in the Clinton Administration's stance with regard to this human rights disaster. One need look no further than Secretary Albright's March 23 speech before the United Nations Human Rights Commission in Geneva to see where the problems lie. The opening days of the Human Rights Commission were a unique and important opportunity for the

Clinton Administration to speak plainly about American revulsion for Russian war crimes in Chechnya, and to support international mechanisms to investigate those crimes and hold their perpetrators to account. To our disappointment, Secretary Albright did not use the occasion to either condemn war crimes by name, nor to associate the Clinton Administration with a resolution calling upon the Secretary General to establish an independent commission of inquiry. Moreover, Secretary Albright urged the Russian government to conduct a prompt and transparent investigation of all credible charges, she appeared to give Russia more credit than it deserves in the area of investigating its own human rights abuses. Secretary Albright stated: “We are encouraged by the Russian Government’s decision to name a human rights ombudsman, accept international experts on his investigative team, and invite High Commissioner Robinson to visit Chechnya.”

I believe that welcoming Russia’s decision to appoint its own investigator when Russian authorities have consistently blocked outside, independent investigators from Chechnya sent an inappropriate signal to Moscow. The appointment of the Presidential Representative for Human Rights in Chechnya, Vladimir Kalamonov, whose only mandate is to forward human rights cases to the military procuracy, is neither an adequate response to international demands for Russian accountability nor an acceptable substitute for an independent international investigation by the United Nations.

The way that the Presidential Representative’s office addressed the massacre at Aldi illuminates the deficiencies of an abusive government investigating its own forces’ conduct. Along with colleagues from Human Rights Watch, I investigated the case of the February 5 massacre of at least 62 civilians in the Aldi district of Grozny during PHR’s human rights mission to Ingushetia in March. In my own investigation, I collected extensive eye-witness testimony. There is no question that Russian forces engaged in unspeakable behavior in Aldi, summarily executing large numbers of unarmed people, burning homes, extorting money from civilians whom they later executed, and firing on civilian structures. I have attached the witness testimony of these massacres as an appendix to this document.

Clearly, evidence of that horrific rampage by Russian Federal Forces was easily available. However, we are informed that when Yuri Dyomin, the military procurator of the Russian Federation, met with Kenneth Roth, executive director of Human Rights Watch on March 10, he stated that he had “never heard of” the massacre at Aldi and another at Staropromyslovskii, documented by Human Rights Watch, where at least 50 civilians were summarily executed. Thereafter, Human Rights Watch reports that Mr. Dyomin opened an investigation but thereafter closed it within a week, dismissing the allegations of human rights organizations

and stating that he “regretted the time he wasted” running inquiries “based on disinformation.”

Clearly, no internal investigation by the Russian authorities is a substitute for a full-fledged inquiry by a United Nations entity. In our view, and that of the other major human rights organizations, including Human Rights Watch and Amnesty International, nothing less than a formal U.N.-sponsored commission of inquiry is warranted to investigate Russian abuses in Chechnya. We believe that Russian forces’ consistent and pervasive commitment of war crimes, including violations of medical neutrality, summary executions, forcible expulsion, and torture warrant a response from the international community that is proportionate to the crimes committed.

Failure to establish some formal means of accountability will be costly indeed. First, it is costly for Chechen civilians. We believe that quickly establishing a formal Commission of Inquiry would constrain Russian abuses, persuade them to end indiscriminate attacks on civilians and permit international investigators access to detention sites. Failure to create structures of accountability sends the Russian authorities the clear signal that their behavior in Chechnya has been tolerated and that further abuses will be tolerated as well.

Second, failure to establish international accountability for Chechnya is very costly to the international movement to establish accountability for war crimes, genocide, and crimes against humanity. A human rights double standard is clearly visible: The United States collected extensive human rights documentation on Milosevic's abuses against civilians in Kosovo, and has been the leading proponent and supporter of a war crimes tribunal to try those responsible, including President Milosevic himself. Indeed, the U.S. and its allies engaged in extensive military operations against the Federal Republic of Yugoslavia in defense of Milosevic's Kosovar Albanian victims. In the case of Chechnya, where crimes against the civilian population are markedly similar, the Administration has not deployed its own human rights monitors, has refused to use the words “war crimes” to describe what is occurring, and has been silent with respect to a formal commission of inquiry by the United Nations.

The U.N. Human Rights Commission in Geneva is still in session and there is yet time to rectify this inconsistency. The Commission has been paralyzed for the last week, waiting for Mary Robinson to go and return from Chechnya. It is our understanding that Ms. Robinson's investigation was thwarted at every turn by Russian authorities. She was permitted access neither to the detention sites nor the sites of massacres that PHR and others documented that she requested to visit. Nor, to our knowledge, has the OSCE mission waiting in Moscow been given permission to enter Chechnya.

This stalling on the part of the Russian authorities and deference to it

by the U.S. and its European allies is costing untold Chechen lives. It is past time for the United States to lead an effort in Geneva for something more robust. Physicians for Human Rights respectfully calls upon our government to take the following steps in response to the deliberate destruction of Chechnya:

1. Sponsor a resolution at the current session of the United Nations Commission on Human Rights requesting that Secretary General Annan convene a Commission of Inquiry to investigate war crimes committed in Chechnya. The Commission of Inquiry, directed by UN High Commissioner for Human Rights Mary Robinson, should establish accountability for the destruction of Chechnya, including investigation of abuses by Chechen fighters. The State Department should contact its European allies now about sponsoring a resolution, or prepare to offer such a resolution itself.
2. Publicly identify and condemn Russian violations in Chechnya for what they are: war crimes. President Clinton, Secretary Albright and other top U.S. officials should unequivocally condemn Russian practices in Chechnya as war crimes, and demand accountability for them. Expressions of enthusiasm and support for President-elect of the Russian Federation Vladimir Putin are unconscionable in light of his association with the campaign to destroy Chechnya, and should cease.
3. Immediately deploy staff from the U.S. diplomatic mission in the Russian Federation to Ingushetia to collect testimonies from the displaced Chechen population to document war crimes. To date, the Clinton Administration refuses to send its staff to Ingushetia because of security considerations. However, numerous researchers from U.S. and European non-governmental human rights organizations including Physicians for Human Rights, Human Rights Watch, and Amnesty International, have been safely deployed in Ingushetia, some for months, and all have been able to safely collect detailed testimony. The State Department should reevaluate its prohibition preventing officers from collecting human rights data. More information from such official sources is urgently needed.
4. Enlist the U.S. Department of State, in cooperation with U.S. intelligence community, to begin a vigorous data collection effort to document war crimes. All available intelligence information sources should be collected and evaluated, including relevant U.S. knowledge of military and security command control, satellite photographs, and radio and telephone intercepts to identify the perpetrators of war crimes and their commanders.

5. Invigorate the Organization for Security and Cooperation in Europe's (OSCE) Monitoring Mission: The Russian authorities permitted the OSCE to monitor abuses in Chechnya during the 1996 war and at the Istanbul OSCE Summit pledged to continue this initiative. Yet Russia has not yet permitted the OSCE's six monitors currently in Moscow to visit the region. The U.S. should publicly demand that Russia permit the monitoring mission to go forward, and take steps to expand it substantially.
6. Advocate at the highest levels for the release of imprisoned and tortured Chechen civilians now detained in Russian filtration camps. Meanwhile, so long as prisoners remain in these facilities, it is vitally important that there be international access to them. President Putin has reportedly given personal authorization to the International Committee of the Red Cross (ICRC) to have unimpeded access to places of detention. The international community should monitor this to ensure that President Putin realizes this commitment and that unrestricted access for the ICRC is ensured.
7. Engage President Putin to address the humanitarian emergency, reminding Russia of its obligation to provide food, shelter, and medical care to the displaced. Additionally, the U.S. and its allies should supply significant humanitarian aid to non-governmental humanitarian groups, as well as the Red Cross and UNHCR, currently serving the displaced population.
8. Urge Russia to grant access to Chechnya to both human rights monitors and representatives of humanitarian organizations.
9. Demand Russian forces cease their assaults on civilians, providing safe passage for all Chechen refugees attempting to cross the border.
10. Announce the United States' intention to oppose upcoming World Bank loans to Russia. Physicians for Human Rights is deeply distressed by the continuing unrestricted provision of World Bank funding for Russia, including \$100 million released just two days before the Russian elections. An additional \$250 million in World Bank loans are pending, and it is our understanding that the International Monetary Fund will release some \$640 million currently on hold. The international community possesses significant leverage with the government of Russia, would it but use it. The U.S. should strongly oppose all World Bank, IMF, and other international financial assistance to Russia until such time as the Russian Federation has taken meaningful steps to limit the civilian toll in Chechnya, including investigating war crimes and prosecuting those who committed them.