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Library Note

Debate on 5 May: Chechnya and the North Caucasus

This Library Note provides background reading for the debate to be held on 5 May 2011:

“To call attention to the political situation in Chechnya and the North Caucasus, and its implications for global security”

The Note provides a recent history of Chechnya and the North Caucasus and of the armed insurgency which continues in the region. The Note also examines the current political situation in Chechnya and other key North Caucasus states such as Dagestan and Ingushetia, and the role of factors such as alleged violations of human rights, economic hardship and religion in the ongoing conflict. Finally the Note examines the response of the international community to the crisis.

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1. Introduction

The North Caucasus region of the Russian Federation, and Chechnya in particular, has a long and troubled history of violent confrontation. From the bloody campaign waged to claim what is now the republic of Chechnya for the Russian Empire in the nineteenth century, to the Stalinist purges of the region in the mid twentieth, and most recently the two 'Chechen Wars' fought between separatists and the Russian authorities (and which some argue still continue, despite Russian claims of victory), Chechnya has repeatedly been devastated by conflict and violence. In recent years however it has been suggested that Chechnya has benefited from a new found stability. Under the auspices of President Ramzan Kadyrov, a former rebel personally selected by former Russian President Vladimir Putin and backed by the Kremlin with both authority and funds, Chechnya's devastated cities and infrastructure are being rebuilt. Observers point for example to the vast reconstruction work which has taken place in the capital Grozny, described by the United Nations in 2003 as "the most destroyed city in the world"¹, and the rejuvenation of which has recently been described as 'miraculous'.² But others have noted that this new found stability has come at a price. Serious concerns have been expressed both by international observers and those within Chechnya itself about the absence of the rule of law and alleged widespread and systematic violations of human rights by the local and Russian authorities, including but not limited to forced disappearances and extrajudicial killings, violent repression, and political and religious persecution.

Some question the assertion of stability too. Though incidences of terrorism and violent attacks did appear to decrease for a number of years in the mid to late 2000s (both within Chechnya and in mainland Russia itself), recent years have seen an upsurge in such violence, and crucially fears that what was once a separatist struggle for independence in Chechnya has morphed into a widespread religious insurgency which has bled into the neighbouring North Caucasus republics such as Dagestan, Ingushetia and North Ossetia. Indeed, the level of terrorist incidents and insurgent attacks in these areas now appear to be in some cases surpassing that of Chechnya, and led to many to suggest that they have in fact become—certainly in the case of Dagestan and Ingushetia—the focal point of the new threat faced by both local and central Russian authorities. This was demonstrated by the attack on Moscow's Domodedovo airport in January 2011, believed to have been carried out by a suicide bomber from Ingushetia, and the Moscow metro blasts in March 2010, believed to be the work of two 'Black Widow' female suicide bombers from Dagestan.³

This Note explores the recent history of the North Caucasus, and the current situation in Chechnya and the neighbouring North Caucasus republics, particularly Dagestan and Ingushetia. The focus of this Note is the political and security situation in the region, and the human rights implications and ramifications of the approach taken by local and central authorities, but it also examines the impact of religion, not least on civil society, which appears to be central to the new insurgency. Finally the Note examines the response of the Council of Europe and the European Court of Human Rights to the situation, and that of the wider international community, including the UK.

¹ BBC News, '[Scars remain amid Chechen revival](#)', 3 March 2007.

² Memorial, *On the situation of residents in Chechnya in the Russian Federation*, 2007.

³ Female suicide bombers are often referred to as 'Black Widows' because many who commit such attacks have lost husbands, fathers, brothers or children to the ongoing conflict.

2. Recent History of Chechnya and the North Caucasus

Geopolitical map of the Caucasus Region (2008)



The All Party Parliamentary Human Rights Group (PHRG), in its report on the fact finding mission it conducted to Chechnya in February 2010, provides a succinct summary of significant events in Chechnya since 1991:⁴

- 1991** Just prior to the collapse of the Soviet Union, Dzhokhar Dudayev is elected President of Chechnya and the new Chechen Parliament declares independence.
- 1994** Russia sends in the military to crush the independence movement—beginning of the first Chechen war.
- 1996** First Chechen war ends with the signing of the Khasavyurt accords. The Chechen Republic Ichkeria is granted substantial autonomy within the Russian Federation, though this falls short of independence.

⁴ All-Party Group, *Parliamentary Human Rights Group (PHRG) Report, Chechnya Fact-Finding Mission*, 10 June 2010, pp 33–4. Text in italics author’s additions.

- 1997** Aslan Maskhadov is elected President of the Chechen Republic Ichkeria.
Lawlessness spreads throughout the country.
- 1998** Russia ratifies the European Convention on Human Rights, after joining the Council of Europe two years earlier. Under Articles 25 and 46 of the Convention, Russia recognises the right of individual petition and the compulsory jurisdiction of the European Court of Human Rights.
- 1999** Chechen fighters cross into the neighbouring Russian Republic of Dagestan to support local Islamists wishing to create an independent Islamic state in parts of Dagestan and Chechnya; the rebellion is crushed by Russian troops.

Russia blames Chechnya for a wave of bombings and sends ground forces into Chechnya at the beginning of October 1999 to mount a counter-insurgency campaign. The second Chechen war begins.
- 2000** Islamic cleric Akhmad Kadyrov appointed by Kremlin to head the Chechen administration.
- 2003** Referendum in Chechnya results in the adoption of a new constitution giving Chechnya more autonomy but enshrines its position within Russian Federation.

Akhmad Kadyrov elected President.
- 2004** President Kadyrov killed by a bomb. Kremlin-backed Alu Alkhanov succeeds him. *Though already powerful in his own right as head of the Presidential Security Service, Ramzan Kadyrov was prohibited from running for the Presidency to replace his father at that time as he was under the age limit prescribed by the Chechen constitution.*

Following the siege of Beslan, former Russian President Vladimir Putin ends regional elections for Governors of the North Caucasus republics. All Governors subsequently directly appointed by Moscow, a practice which continues to the present.⁵
- 2005** Separatist leader Aslan Maskhadov killed by Russian forces, and is succeeded by Abdul-Khalim Saydullayev.

First six Chechen applicants against Russia win their cases at the European Court of Human Rights in February.
- 2006** In March Ramzan Kadyrov, the son of assassinated President Akhmad Kadyrov, becomes Prime Minister.

In June, Government forces kill separatist leader Abdul-Khalim Saydullayev; the warlord Dokka Umarov takes over.

In July, the warlord Shamil Basayev, Russia's most wanted man, having claimed responsibility for, among other attacks, the Moscow theatre

⁵ *Economist*, 'Islam Inflamed', 9 April 2011.

hostage attack in 2002 and the Beslan school siege in 2004, dies in an explosion in neighbouring Ingushetia.

- 2007** Ramzan Kadyrov becomes president at the age of 30. The rebuilding programme in Grozny and other cities begins in earnest, though it remains unclear where reconstruction funds originate.

Dokka Umarov declares for the first time his intention to set up an Islamic “Emirate of the North Caucasus” beyond Chechnya’s borders and encompassing the other North Caucasus republics.

- 2009** In March, Russia announces that situation in Chechnya ‘normalised’ and counter-terror operations are officially ended. More reports of a growing personality cult around President Kadyrov, with critics also charging that he has established order through the brutality of his private militia.

In July, [Human Rights Activist] Natalia Estemirova is kidnapped from outside her home in Grozny and murdered.

- 2010** In January, Russian President Dmitry Medvedev, who dubbed the North Caucasus Russia’s principal internal security threat, creates a special North Caucasus Federal District, headed by a Presidential representative, Alexander Khloponin, a former Governor of Russia’s Krasnoyarsk region.

Also in January, Russia ratifies Protocol 14 of the European Convention on Human Rights, designed to streamline the way certain cases are dealt with by the European Court of Human Rights, becoming the last member of the Council of Europe to do so.

- 2011** In March, President Ramzan Kadyrov is granted a new five-year term.

The following lists notable recent incidents of terrorism believed to have links, or be directly related, to the North Caucasus and notable large scale security service actions against terrorists or suspected terrorists:⁶

- 2002** October: Chechen rebels seize control of a Moscow theatre and hold approximately 800 people hostage. The majority of rebels and 120 hostages are killed when Russian security services storm the building.

December: a suicide bomb attack on Grozny base of Russian backed Chechen Government kills around 80 people. Rebels claim responsibility.

- 2003** May: over 50 people killed in suicide bombing on Chechen Government building.

- 2004** August: two female suicide bombers detonate explosives and bring down two Russian airliners, killing 90 people.

⁶ Extracted from BBC News: Timeline Chechnya. More recent events from regional and international news sources. It is not possible to list all terrorist activity, nor security service operations, which have taken place in the North Caucasus over recent years. Therefore, this list focuses on either those which were widely reported/involved a high casualty rate for a single incident—and thus as a result usually received considerable domestic and international attention—and those more recent (January 2010 onwards), so as to provide an insight into the current security situation.

September: at least 330 people killed—many of them children—when a siege at a school in Beslan, North Ossetia, ends in a bloodbath. Those terrorists involved believed to be Chechen, though the attack is condemned by then separatist leader Aslan Maskadov.

2009 November: the bombing of a luxury Moscow-St Petersburg train kills 27. Islamic militants in Chechnya claim responsibility.

2010 March: 40 people are killed when bombs are detonated at the Lubyanka and Park Kultury metro stations in Moscow. Two female suicide bombers from Dagestan are believed to be responsible.

April: two bombs in Kizlyar, Dagestan kill 12 people including a police chief, and injure 27.

August: Chechen rebels storm the home village of President Kadyrov and seize several buildings.

September: a car bomb detonated at a market in North Ossetia kills 17 people and wounds 122.

October: gunmen attack the Chechen Parliament, killing four people before being killed themselves.

November: Belgian, Dutch and German police detain eleven suspects linked to a Chechen group in the belief that they were planning to “commit an attack in Belgium”, according to a statement by the Belgian prosecutor’s office.⁷

December/January: ethnic riots occur in Moscow following the death of a football fan, believed to have been killed in a brawl by a gang of Caucasian youths.⁸

2011 January: a suicide bomber, believed to be from Ingushetia, detonates a bomb in the international arrivals area of Moscow’s Domodedovo airport, killing 35 people.

February: two police officers killed and 27 people injured in twin suicide bomb attacks in Dagestan.

March: an attack on a terrorist training camp in Ingushetia results in the death of 17 guerrilla fighters and leads to the arrest of two men allegedly involved in the Domodedovo attack.⁹

...

In total, according to the Kavazky Uzel website, at least 238 explosions and terrorist attacks took place in the North Caucasus regions in 2010. 112 of those took place in Dagestan, 41 in Kabarda-Balkaria, 40 in

⁷ House of Commons Library Standard Note, [Global violent jihad](#), 21 December 2010, SN/IA/5810, p 22.

⁸ *Financial Times*, 29 January 2011.

⁹ *Economist*, 9 April 2011.

Ingushetia, 37 in Chechnya, 5 in North Ossetia and 3 in Stavropol Territory.

These figures include 22 terrorist attacks perpetrated by suicide bombers: 12 in Chechnya, 5 in Dagestan, 2 in Ingushetia, 2 in Dagestan, and 1 in Kabarda-Balkaria. According to law enforcement authorities an additional 107 explosions were also prevented, including 42 in Dagestan, 28 in Ingushetia, 26 in Kabarda-Balkaria, 10 in Chechnya and 1 in Stavropol Territory.

As a result of shooting, explosions and armed clashes, a total of 225 law enforcement officers were killed in the North Caucasus in 2010. This includes 124 in Dagestan, 44 in Chechnya, 31 in Ingushetia, 23 in Kabarda-Balkaria, 2 in North Ossetia and 1 in Karachay-Cherkessia.

[All figures from Kavazky Uzel, as reported by BBC Monitoring Caucasus]

Summary of Injuries and Fatalities in the North Caucasus 2010

Kavazky Uzel provides the following summary of the violence which occurred across the North Caucasus in 2010:

At least 1,710 people became victims of the smouldering armed conflict in the North Caucasus in 2010. A total of 754 people were killed and 956 others were injured as a result of confrontation between law enforcement agencies and the [illegal] armed underground.

A total of 348 people described as members of the armed underground, 225 law enforcement officers and 180 peaceful civilians were among those killed.

74 per cent of the total number of victims of confrontations between the law enforcement bodies and extremist underground in the North Caucasus falls on Chechnya, Ingushetia and Dagestan. Conflict in these districts took the lives of at least 639 people and injuries were inflicted on another 622 people, 1,261 in total. Dagestan is the worst region with 378 killed and 307 injured, followed by Ingushetia with 134 killed and 192 wounded, and finally Chechnya with 127 killed and 123 wounded.¹⁰

3. Chechnya and the North Caucasus Today

3.1 Political and Security Situation in Chechnya

At first glance, Chechnya is a considerably calmer, more stable, and more peaceful place than a decade ago. Areas such as Grozny which were devastated by war have been largely rebuilt, thanks in considerable part by the large sums of money which have been injected into the region by the central Russian authorities. A huge new mosque in the

¹⁰ Kavazky Uzel, as reported by BBC Monitoring Caucasus, 21 January 2011.

centre of Grozny, plus new schools, shops and apartment blocks are all evidence of this reconstruction.¹¹

This work is part of a deliberate approach on behalf of both President Kadyrov's administration, and that of President Medvedev, not only to rebuild the country's institutions, but its economy and prosperity as a whole. Despite stating in 2009 that life in the republic had "normalised to a large degree"¹², President Medvedev also acknowledged in his State of the Nation address in the same year that terrorism and insurgency stemming from the North Caucasus remained the "single biggest internal threat to Russia".¹³ Crucially, President Medvedev has singled out poverty and economic hardship as some of the 'root causes' of such insurgency. As a result, and in a marked contrast with the hard-line approach taken by former President Vladimir Putin, the Medvedev administration has implemented a strategy explicitly designed to tackle such socio-economic conditions, ordering local officials to concentrate on social welfare programmes and job creation in addition to 'hard' security measures. As part of this strategy in 2010 President Medvedev also created the special North Caucasus Federal District covering Chechnya and the other North Caucasus republics, and tasked its head, Alexander Khloponin, with further improving investment and development in the region.¹⁴

And yet despite this new strategy, the insurgency remains. If not the civil war of recent decades, separatist and terror groups are active across Chechnya as the statistics provided above illustrate, and support for them, particularly in poorer, more remote areas, continues. Some observers suggest that part of the problem is that, despite undeniable improvements to the country's infrastructure, large central investment is failing to have the desired effect on the Chechen economy, nor on poverty which remains widespread. Indeed, despite the injection of almost Rbs52 billion or \$1.8 billion in Chechnya in 2010 alone—roughly \$1,600 for every Chechen¹⁵—unemployment for example remains at 43.3 per cent according to the Federal Statistics Service, and Gross Domestic Product per head in Chechnya is approximately \$1,800 per year, compared with \$10,000 in Russia.¹⁶

Part of the problem, it is argued, is the corruption which is endemic in the Chechen state. Funding from the Kremlin has not only been spent on buildings and roads, but on securing the Kadyrov regime, including rewards for those, including former clan chiefs and insurgent leaders, who are loyal to the Government, and there is widespread evidence too of misappropriation of funds and land by state officials throughout the administration. The problem prompted one Grozny academic, when interviewed by the *Financial Times* earlier this year, to say:

All the money which is spent here has a very minimal effect because it simply goes into the pockets of the elite.¹⁷

¹¹ The PHRG did note concerns however that despite the impressive scale of this reconstruction work, much of the funds allocated for this purpose appear to have been spent on developments for the elite in Chechnya, rather than the population as a whole (All-Party Group, [Parliamentary Human Rights Group \(PHRG\) Report, Chechnya Fact-Finding Mission](#), 10 June 2010, p 5).

¹² *Daily Telegraph*, 26 January 2011, p 21.

¹³ *Ibid.*

¹⁴ *Ibid.* A key aim of these plans is the creation of 400,000 additional jobs, including as part of a "tourism cluster" ahead of the 2014 Winter Olympics in Sochi, and for the region to become part of a major north-south transport network (Source: IHS Global Insight Daily Analysis, 23 February 2011).

¹⁵ *Financial Times*, 29 January 2011.

¹⁶ *Ibid.*

¹⁷ *Ibid.*

Nor is such corruption a hidden or unacknowledged problem. As the PHRG's report highlights, President Medvedev, Prime Minister Putin, and President Kadyrov have all publicly recognised that corruption is both widespread and entrenched, and yet in the words of the PHRG "it is unclear what action, if any, is being taken to combat it."¹⁸

Moreover, in their efforts to tackle the ongoing insurgency, President Kadyrov and his administration have been accused of widespread and systematic violations of human rights, which, critics argue, are not only reprehensible in their own right, but have in turn led to increased radicalisation and extremism. Human rights groups both within the country (and who often act in restricted conditions), and beyond, point to enforced disappearances and extrajudicial executions, torture and the brutal beatings of those in police custody, and reprisals against the families of suspected insurgents including house-burnings and violent attacks, to name but some of the tactics employed.¹⁹ Viacheslav Ismailov, an expert on the region interviewed by the *Guardian*, explained the consequences of such brutality:

The Chechen authorities are permanently launching actions against the homes and the families of supposed insurgents, taking their relatives hostage and destroying their houses. There are a lot of people who feel trapped in a corner. As long as they exist they are going to want revenge. You can't expect anything else. There is a fertile milieu for terrorism in Chechnya.²⁰

President Kadyrov has been personally implicated too. Isa Yamadayev, a powerful Chechen clan leader, accused Mr Kadyrov of being behind attempts on his life, and a close associate of President Kadyrov, Adam Delimkhanov, has been implicated in the killing of Mr Yamadayev's brother Sulim in Dubai in 2009.²¹

It is alleged too that these actions take place in a culture of near-total impunity. The Chechen judicial system has been described as 'lamentably inefficient and totally lacking in public credibility'²², and during their recent visit the PHRG identified issues such as the failure to properly investigate alleged cases of abuse and violation of human rights, inadequate witness protection, and the failure to achieve meaningful prosecutions of officials accused of such crimes, which together conspired to provide "virtually blanket impunity" for Federal and Chechen security officials. The PHRG also reported that the country's own human rights ombudsman, Nurdi Nukhazhiyev, appeared unprepared to examine or take any action regarding allegations of abuse made directly against the Kadyrov regime.

There is also little or no way to hold the Government to account for the wider population. At the time of the PHRG's 2010 report, for example, 37 of the 41 MPs in the Chechen Parliament belonged to the same political party (United Russia). Furthermore, since the abolition of regional elections in 2004 the people of Chechnya have been provided with no say in who their President should be; rather Kadyrov was and continues to be the

¹⁸ President Medvedev explicitly referred to the issue of corruption as another of the 'root causes' of the insurgency in the Caucasus, alongside the prevalent clan culture, and the 'inefficiencies' of the law enforcement agencies (Source: Committee on Legal Affairs and Human Rights, Council of Europe, June 2010, p 9).

¹⁹ A number of case study examples, as provided by the Parliamentary Human Rights Group and Human Rights Watch are included as an appendix to this Note.

²⁰ *Guardian*, 30 March 2010, p 23.

²¹ *Independent*, 22 April 2010, p 24.

²² Council of Europe Committee on Legal Affairs and Human Rights, [Legal remedies for human rights violations in the North-Caucasus Region](#), 4 June 2010.

Kremlin's choice, picked to impose and maintain stability in the troubled republic. To that end, observers say that Mr Kadyrov has practically been given 'carte blanche' by the Russian authorities to conduct counterinsurgency operations, and in the process been given tacit approval to conduct kidnap, torture and murder.²³

Jo Swinson MP, a member of the PHRG, also highlighted in a recent Westminster Hall debate not only President Kadyrov's repeated public support for the hard line taken by the security services, but his attempts to promote what she described as "an increasing climate of fear" in the country, aimed at dissuading any form of protest or criticism. Ms Swinson specifically drew attention to a recent pronouncement made by the President on a national television broadcast regarding the work of the security service by way of example:

I am looking for evildoers everywhere. If two people meet, the third among them will always be one of my men. I know everything, I hear everything.²⁴

And yet a number of critics have suggested that it is exactly the imposition of the dictatorial, unaccountable and an almost 'clan-mafia' model embodied by President Kadyrov that has failed to deliver the kind of stability for which it was chosen. Alexei Malaschenko at the Carnegie Moscow Centre argues that the ongoing insurgency and spate of recent terror attacks represents "a complete failure of Kremlin policy in the Caucasus".²⁵ An unnamed political scientist based in Grozny interviewed by the *Financial Times* added that "The model [of Government present in Chechnya] is always creating opposition, and the only type of opposition which is possible here in the Caucasus is armed opposition. Nothing else here will survive".²⁶

Equally, however, observers have argued that despite suggestions that those within the Kremlin may be losing patience with the Kadyrov regime, there are not only signs of a growing personality cult around the President and a belief that Kadyrov is 'untouchable', but also a marked lack of alternatives.²⁷ Sergei Markedonov, a Russian expert on the North Caucasus interviewed by the *Independent*, supported this view:

In Chechnya, power is personalised, there are no institutions. In order to get rid of Kadyrov there would need to be a viable alternative, and for now there isn't one.²⁸

3.2 Religion and Civil Society in Chechnya

In recent years, under the leadership of President Kadyrov, there has been a marked 'Islamisation' of Chechen society. Not only have funds been allocated to the construction of the huge Central Dome Mosque in the centre of Grozny and the creation of the 'Centre for Spiritual and Moral Education' designed to promote Islam in Chechen life, the Chechen courts also now apply rules drawn from Sharia law in direct contravention of Russian law, and President Kadyrov himself has become increasingly vocal of the need to promote Islamic values (at the same time as restricting the freedom to practise other religions). Women within Chechnya in particular have been the focus of his attention. All women are currently barred from entering Chechen public buildings,

²³ *International Herald Tribune*, 20 October 2010, p 17.

²⁴ HC *Hansard*, 26 January 2011, col 101WH.

²⁵ *Financial Times*, 29 January 2011, p 14.

²⁶ *Ibid.*

²⁷ All-Party Group, [Parliamentary Human Rights Group \(PHRG\) Report, Chechnya Fact-Finding Mission](#), 10 June 2010, p 19.

²⁸ *Independent*, 22 April 2010, p 23.

including hospitals, unless wearing a headscarf, and describing women as the property of their husbands President Kadyrov has both publicly endorsed polygamy—outlawed under Russia law—and made repeated statements about the need for women to obey traditional modes of dress or face punishment.²⁹ Human Rights Watch reported that women in Chechnya have been the repeated target of violent attack if they fail to observe such dress codes in public.³⁰

Observers suggest that President Kadyrov's aim increasingly appears to be to turn Chechnya into a "cultural, national and religious enclave within Russia".³¹ However, it is equally important to recognise that the type of Islam promoted by President Kadyrov, Sufism, is different to the Salafism advocated by the rebels under Dokku Umarov. Some have suggested that whilst energetically promoting Sufism, Kadyrov is effectively marginalising the militant Salafis under Umarov, and that such action may be a deliberate ploy to undercut support from radical Islamic forces within Chechnya.³²

3.3 Wider North Caucasus

Despite what many suggest are the origins of the current insurgency in Chechnya, two key developments are largely evident across the North Caucasus today. The first is that what may have begun as a separatist struggle for independence in Chechnya has now spread extensively to the neighbouring republics such as Dagestan and Ingushetia, and at the same time has become a struggle in which religion is playing a much more important part, causing the conflict to evolve into what some observers have described as a "pan-Caucasian jihad for independence".³³ The second is that, though events in Chechnya appear to have stabilised—at least from the heights of the civil wars—the conflict in the North Caucasus not only remains intense but is arguably growing. Indeed, the *Economist* reported that "Russia is suffering as many losses every year as Britain has lost in ten years in Afghanistan", and despite the high profile attacks such as that in Moscow earlier this year, the violence is far from limited to such events, as demonstrated by the casualty figures provided above. Writing in the *Financial Times*, Charles Clover describes the ongoing situation:

In towns and cities across the North Caucasus mountain range, a steady drumbeat of violence forms a backdrop to terrorist "spectaculars" such as the [Domodedovo] airport explosion or last year's bombing of the Moscow subway, which left 40 dead. Those incidents seem to strike annually at the heart of the nation. But the body count from the [Domodedovo] blast was equivalent to only about two weeks' average death toll in the conflict in the south.³⁴

The republics of Dagestan and Ingushetia appear to have borne much of the brunt of the ongoing insurgency. Dagestan in particular has experienced a casualty rate which eclipses that of its neighbours, and a level of terrorist activity such that the republic has been recently described as "teetering on the brink of civil war".³⁵ According to those who have interviewed local people, as in Chechnya, corruption, lack of political representation, and the indiscriminate and brutal tactics employed by police officers and

²⁹ *Sunday Times*, 12 September 2010.

³⁰ Human Rights Watch, ["You dress according to their rules": Enforcement of an Islamic Dress Code for Women in Chechnya](#), 2011.

³¹ Chatham House, 'The Monster in the Mountains', May 2010.

³² All-Party Group, [Parliamentary Human Rights Group \(PHRG\) Report, Chechnya Fact-Finding Mission](#), 10 June 2010.

³³ *Guardian*, 9 February 2011, p 21.

³⁴ *Financial Times*, 29 January 2011, p 23.

³⁵ *Independent*, 15 October 2010, p 23.

government officials in Dagestan are routinely singled out as critical issues, and ones which have caused deep-rooted resentment.³⁶ Like Chechnya, Dagestan and Ingushetia too suffer from economic hardship, and high rates of unemployment, which many argue, combined with the repressive action of local and federal security services, only serve to push marginalised young people into joining the insurgency.³⁷

However, whilst there are undeniable similarities between the situations in the neighbouring North Caucasus republics, there remain crucial differences. For example whilst Chechnya remains under the control of a dictatorial regime which stands accused of the violent disregard for human rights and legality, the *Economist* reported in April 2011 that following his appointment in 2008 the Governor of Ingushetia, Yunus-Bek Yevkurov, has attempted to impose the rule of law, with some positive results:

[In 2008] Ingushetia, the smallest and once most peaceful republic in the North Caucasus, was in a state of civil war... Two years on, Ingushetia seems much calmer. Attacks on policemen have fallen by about 40 per cent and abductions by nearly 80 per cent, according to Memorial, a human-rights group. In the first two months of this year there were no attacks on local policemen. Ingushetia is still not normal, but Mr Yevkurov has restored some semblance of Russian governance there.³⁸

However, President Yevkurov does not formally control the local police, and has little power over federal security services who continue to commit regular acts of brutality, despite Mr Yevkurov's own warnings that such actions only serve to create future terrorists.³⁹

With regard to the nature of the insurgency across the North Caucasus, it remains nominally controlled by the Chechen rebel leader Doku Umarov, who has styled himself the 'Emir of the Caucasus'. However, key differences exist here too, and a number of observers argue that in reality different groups tend to act autonomously in different regions, a fact reinforced by the traditional enmities which exist between some areas, such as North Ossetia and Ingushetia.⁴⁰ It is also important to recognise that in Dagestan, like Chechnya, the conflict does not exist primarily between ethnic groups, but between different types of Islam: the Sufism form of traditional Islam which includes local customs and recognises the state, and Salafism, which rejects secular rule and insists that Islam should govern all spheres of life.⁴¹

4. Response of the International Community

4.1 Council of Europe and European Court of Human Rights

The Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe has been clear in its criticism of the Chechen regime and the Russian authorities with regard to both Chechnya and the wider North Caucasus. Describing the

³⁶ It is also believed that officials within Dagestan have been actively paying off the terrorist groups themselves to avoid being targeted or by way of ransom.

³⁷ According to figures from 2010, unemployment is approximately 48.2 per cent in Ingushetia and 12.3 per cent in Dagestan, against a national average of 7.2 per cent (Source: IHS Global Insight Daily Analysis, 15 February 2011).

³⁸ *Economist*, 9 April 2011, p 28.

³⁹ *Ibid.*

⁴⁰ *Independent*, 28 January 2011, p 28.

⁴¹ *Economist*, 7 April 2011, p 35.

situation in the Caucasus, and in particular Chechnya, Dagestan and Ingushetia, as “the most serious situation in the entire geographical area encompassed by the Council of Europe with regard to human rights protection and the affirmation of the rule of law”, the Committee gave the following view of the situation in each country:

In the Chechen Republic, the current authorities continue to maintain a generalised climate of fear, notwithstanding the undeniable successes in the sphere of reconstruction and distinct improvement of the region’s infrastructures, which had been laid to waste by two cruel and devastating wars. Nevertheless, the human rights situation and the functioning of justice and democratic institutions continue to give cause for the gravest concern: successive disappearances of the Government’s opponents and human rights defenders still remain widely unpunished and are not elucidated with due diligence.

In Ingushetia, constructive dialogue has been forged between the authorities and civil society since the new President came to power. It must nevertheless be pointed out that there has been a worrying resurgence of violence since 2009, resulting in some cases in assassinations and disappearances of opponents to the government and journalists, without any prosecutions to date.

Dagestan has also recently experienced a resurgence of acts of terrorism, prompting responses from the security forces that, unfortunately, are not always lawful and productive. The admirable tradition of peaceful secular cohabitation between Muslim, Christian and Jewish communities founded on mutual tolerance could be jeopardised by the rise of extremism and inappropriate responses from the authorities.⁴²

The Committee also explicitly highlighted the ongoing work of the European Court of Human Rights with regard to the North Caucasus. According to the most recently collected figures, the ECHR has issued more than 150 judgments condemning the Russian Federation for serious human rights violations in the region.⁴³ However, whilst the Russian authorities have acknowledged these judgments and continue to pay the required monetary compensation to victims, they have also been accused of failing to meaningfully implement the central tenets of the judgments, in particular conducting effective investigations into the incidents and to hold perpetrators to account.⁴⁴

The Court has also found that the Russian authorities have been in breach of their obligation to provide all necessary information to the Court for examination of specific cases, and has used increasingly stern wording to express the ‘passive attitude’ of those same authorities.⁴⁵ Furthermore, since 2002 the Court has had to deal with complaints of harassment and intimidation of applicants regarding the actions of security service personnel once their application is known, including one case where an applicant and her entire family were massacred in their home apparently as a direct result of their attempt to seek justice.⁴⁶

⁴² Council of Europe Committee on Legal Affairs and Human Rights, [Legal remedies for human rights violations in the North-Caucasus Region](#), 4 June 2010.

⁴³ Human Rights Watch, [World Report 2011](#).

⁴⁴ *Ibid.* Recent judgments include that of 29 March 2011 when the ECHR held the Russian authorities responsible for the deaths of three Dagestani women and two children in 1999 (*Esmukhambetov and Others v. Russia*) and the disappearance of a Chechen man in 2002 (*Murtazov v. Russia*) (Source: Russian Justice Initiative).

⁴⁵ *Ibid.*

⁴⁶ *Ibid.* In the second appendix of this Library Note specific case examples extracted from the report by Dick Marty, the rapporteur on human rights on the North Caucasus for the Parliamentary Assembly of the Council of Europe (PACE) are provided, in order to demonstrate the alleged

4.2 UK and Wider International Community

The UK Government has publicly outlined its concern that the recent comparative stability in Chechnya has been at the expense of human rights, including not only violent repression, but also of freedom of expression and of the media. There has also been explicit recognition by Government Ministers of the brutal tactics employed by the Chechen security regime in attempting to suppress the ongoing insurgency, and the endemic corruption present throughout the Kadyrov administration.⁴⁷ The Government has welcomed President Medvedev's recognition of the need to address the underlying socio-economic factors which can lead to extremism. However, Foreign Office Minister Jeremy Browne stated the UK Government's clear belief that "a long term solution to the region's problems can be built only on a foundation of respect for human rights and the rule of law".⁴⁸

The UK is the only EU member state that has an ongoing formalised process of government to government bilateral consultations on human rights with Russia. The annual Foreign Office report on *Human Rights and Democracy* (2010) stated that the UK had used such dialogue, and other opportunities, to lobby Russia on human rights issues, including those in the North Caucasus. The UK also provided funding to support conflict prevention and resolution efforts in the North Caucasus, to encourage free and fair elections, and support independent media.⁴⁹

In 2010 the European Union also held two rounds of human rights consultations with Russia. However, Human Rights Watch reported that though such consultations provided an important forum for discussion, the lack of follow-up meetings, isolation from high-level political meetings, and absence of high-level Russian participation undermined their effectiveness.⁵⁰

The United Nations High Commissioner for Human Rights, Navi Pillay, has also called on the Russian authorities to act without delay on reforms to key institutions relating to the rule of law and the fight against corruption and discrimination, particularly in the North Caucasus where the lack of accountability and lack of respect of the rule of law had been "particularly acute".⁵¹

failures of the Russian authorities to act upon ECHR judgments, and the impunity with which security services operate in the Caucasus.

⁴⁷ HC *Hansard*, 5 July 2010, col 24W.

⁴⁸ HC *Hansard*, 26 January 2011, col 105WH.

⁴⁹ Foreign and Commonwealth Office, [Human Rights and Democracy: The 2010 Foreign and Commonwealth Office Report](#), March 2011, Cm 8017.

⁵⁰ Human Rights Watch, [World Report 2011](#), p 462.

⁵¹ UNHCR press release, 17 February 2011.

Appendix 1: Specific Case Study Examples of Alleged Human Rights Violations in Chechnya

The case studies below are taken from the report by the Parliamentary Human Rights Group on its fact-finding mission to Chechnya in February 2010:

Abduction and Murder of Natalia Estemirova, July 2009, information provided by various sources

Natalia Estemirova, a researcher in Chechnya for “Memorial”, left her home at approximately 8:30 a.m. on July 15 and was abducted by unidentified perpetrators. Two witnesses on the balcony of a nearby building were believed to have seen Natalia forced into a white car and heard her cry out that she was being kidnapped before she was driven away. Her body was found with gunshot wounds to the head early that evening, in a forested area over the border with Ingushetia.

Though President Medvedev expressed “outrage” at her murder and ordered a top level investigation, he also stated that the timing of the crime, a day before his trip to Germany for talks with Chancellor Angela Merkel, was a provocation intended to give rise to “the most primitive theories and those most disagreeable to the state”. Natalia Estemirova’s death generated further fear among those working on sensitive human rights cases in Chechnya and resulted in “Memorial” suspending its work for 5 months.

“Official” NGOs also expressed great concern about this case. Natalia had been able to bridge the divide between Memorial and other NGOs in Chechnya. She made efforts to work with “official” NGOs and human rights bodies, such as the Chechen Independent Monitoring Board for Places of Detention.

There were continuing concerns about delays in the investigation. One “official” NGO representative told the delegates that they were preparing an appeal to the relevant authorities to establish why there were continuing delays. Another interlocutor said that some of Natalia Estemirova’s colleagues from “Memorial” had been questioned and were given the impression that the truth about her murder was not likely to be known for some time.

It was believed that the car in which Natalia Estemirova was driven would have had to go through a number of official checkpoints on the way to Ingushetia. When the delegates raised this with officials, however, they were told that her abductors could have used back roads to avoid detection.

Delegates met investigators from the South Federal District Investigative Committee in Moscow who have been assigned the case. They said they were close to a solution but gave no further details.

There were a number of theories about who was responsible for Natalia Estemirova’s death. Some believe that men under President Kadyrov’s control were directly involved, to stop her from continuing work on a number of very sensitive cases. It was widely known that President Kadyrov had made threatening remarks to Natalia Estemirova, and had also spoken about her disparagingly after her death. Others believed that persons acting on their own initiative might have done it to please the Chechen President. Another theory was that persons unconnected to President Kadyrov committed the murder, in an

effort to discredit him or to cause increased tension between him and Russian Federal authorities.

Of course, Chechen officials flatly denied that President Kadyrov could have been involved, with Mr. Nukhazhiyev, the Chechen human rights ombudsman, going so far as to say to the delegates that Natalia Estemirova's death was more of a loss for Chechens than anyone else, and that Oleg Orlov, the Chairman of the Executive Board of "Memorial" had "benefited in every way he could", and particularly from the publicity generated by her murder.

Abduction and Disappearance of Aпти Zaynalov, June/July 2009, testimony given by a close relative

Aпти Zaynolov had returned to Chechnya after having been in Moscow for some time. He had been imprisoned for involvement in an illegal armed group in 2005 and freed in 2006. On 28 June 2009 he was allegedly abducted in broad daylight by servicemen in uniforms.

His mother and Memorial staff found out subsequently, in early July, that he was in hospital, under armed guard. Memorial staff and Aпти's relatives tried unsuccessfully to visit him. His mother then went on 7 July with Memorial staff to the Prosecutor's office to get more information, while another member of staff went to the hospital. The Prosecutor's staff finally said that they would go to local Interior Ministry office, to get clarification.

Meanwhile the member of staff at the hospital was becoming suspicious, because two cars were circling the hospital. A car stopped in front of the hospital and Aпти Zaynolov was taken away. The mother had arrived at the hospital by that time, with Memorial staff, and had witnessed this. Witnesses at the hospital also confirmed that Aпти Zaynolov had been there. The investigator working on the case, however, advised against questioning these witnesses, as this could endanger them, and appeared to have discounted the mother's testimony.

On 17 July 2009, Aпти Zaynolov's mother lodged an application with the European Court of Human Rights.

Disappearance of Said-Salekh Ibragimov, 20-year-old student, October 2009, testimony given by a close relative.

On 21 October, a Special Operation was being conducted in the family compound of Said-Salekh Ibragimov. When his mother returned home with her cousin later that day, they were taken to the police station. While there, they heard one of the officers talking about a Special Operation. When the officer realised they were there, he started shouting that they should be taken away, either released or shot. They were taken to the basement and put in holding cells, where they remained until late that night. They were then taken to a room and interrogated about insurgents, whom they knew nothing about. They were told that two houses in their family compound were burnt down but not given any explanation. They were then released.

The investigator then phoned them and told them to bring back Said-Salekh Ibragimov, who was staying with his uncle at the time. The investigator told her that the uncle should come too. Apparently Mr Ibragimov had already been detained earlier that day.

Mr. Ibragimov and his uncle ended up at the Oil Regiment (a security service within Chechnya's Ministry of Internal Affairs, based in Grozny) and interrogated. The uncle was asked whether he was prepared to denounce his nephew as a member of an illegal armed group. He refused. Mr Ibragimov was then brought into the room. He had clearly been badly beaten up. The uncle was told that his nephew would be killed, to avenge the death of one of the security men during the earlier Special Operation in the family compound. However, his nephew would be allowed to live if he helped them to capture an insurgent involved in that Special Operation.

Mr Ibragimov protested his innocence, and explained that the insurgents had come one night and put a gun to his head. He was told, however, that if he didn't help as he had been requested, he would be shot.

The uncle was released, but Said-Salekh Ibragimov disappeared. A complaint about his case was lodged with the ECHR.

Some of Said-Salekh Ibragimov's relatives had tried to work with an investigator at the Prosecutor's office. The head of the Oil Regiment then phoned his uncle to summon him. The head told him that he could not control his own servicemen, who wanted to avenge themselves on the family. It would seem that because a serviceman was killed in their family compound there is now a blood feud against the family.

His uncle asked what had happened to his nephew. The head said that if the uncle told people about his nephew's presence at the Oil Regiment's office on the night he disappeared, he would simply say that they had released him.

(Source: All-Party Group, [Parliamentary Human Rights Group \(PHRG\) Report, Chechnya Fact-Finding Mission](#), 10 June 2010)

Human Rights Watch have also documented a number of cases of punitive house-burnings carried out by security services against the families of known or suspected insurgents. Below is one such incident:

Burning of the house of Sugaip S., Mesker-Yurt

On the night of August 27–28, 2008, unknown armed servicemen burned Sugaip S.'s house in Mesker-Yurt. Late that night, Sugaip S. heard cars approaching and stopping at his gate. He opened the gate and saw about a dozen heavily armed servicemen in camouflage uniforms and face masks jumping out of two cars. They pushed him aside, ran into his yard, threw several petrol bombs into the house where Sugaip S.'s wife and four sons were asleep, and left right away.

With the fire spreading fast, Sugaip S. had to drag his family members out of the window. Some neighbours came to help. Everyone was saved, and the fire was put out fairly quickly. However, the fire severely damaged several rooms of the house and destroyed most of the family's valuables including furniture, a television, and money.

The torching of their house was one of various types of pressure exerted by the authorities on Sugaip S.'s family since their eldest son allegedly joined the insurgents in November 2007. Police have summoned Sugaip S. and his other two adult sons for interrogations about his third son, and law enforcement

personnel conducted regular searches of Sugaip S.'s home. The police were clear about the family's "responsibility" to bring the son back and threatened Sugaip S.'s family with severe repercussions should they fail to cooperate.

In autumn 2008 Memorial raised the burning of the home of Sugaip S.'s family with the Chechen Republic prosecutor's office, which forwarded their claim to the police authorities. At that time, Sugaip S. hoped to have the perpetrators brought to justice. However, when several months later he was approached by Human Rights Watch, his position had drastically changed due, he said, to the pressure exerted on him and his family by the district police authorities. He did not specify what this pressure was, but said that he recently retracted his original testimony and informed the police and the prosecutor's office that the fire had been caused by a lit candle that had fallen over during the night.

Consequently, the police closed the investigation.

Sugaip S. told Human Rights Watch, "Complaining only makes it worse. So, forget it. I don't want any help. It [raising the case with the authorities] only made things worse because everything, all the information, made it back to the police. So, we had visitors from the police quite a few times. They were threatening us, accusing us of complaining. My sons were detained several times. We decided we'd be better off if we just keep this quiet."

A neighbour of Sugaip S. also told Human Rights Watch that police pressured him to testify that he had not seen any strangers approaching the Ss.' house during the night of the fire and that the fire was caused by a candle. In May 2009, in response to a letter from Memorial, the Chechnya prosecutor's office stated that in November 2008 three family members testified that the fire was caused by "careless handling of fire," and therefore there were no grounds for opening a criminal case.

(Source: Human Rights Watch, ["What Your Children Do Will Touch Upon You": Punitive House-Burning in Chechnya](#), 2009)

Appendix 2: Case Studies, Action Taken with Regard to European Court of Human Rights Judgments

The Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe provides the following case studies of the way in which the Russian authorities have responded to judgments from the European Court of Human Rights on the North Caucasus:

- 1) Khalid Khatsiyev and Kazbek Akiyev were killed on 6 August 2000, when a Russian military helicopter opened fire, without apparent reason, on a group of men who were cutting grass near the village of Arshty in Ingushetia, near the Chechen border. In its judgment in 2008, the Court saw no plausible justification for the use of firearms in the circumstances and, accordingly, ruled that Russia had violated the victims' right to life.⁵² The military prosecutor's office established the identity of the pilots only after a year-long investigation but did not identify the superiors who ordered the attack. The Court strongly criticised the lack of an effective investigation. Within the framework of the execution of this judgment, the military prosecutor's office reopened the investigation, only to suspend it one month later, on the day when the victims' families received the letter notifying them of the reopening of the procedure. They are still waiting for justice to be done.

- 2) In the *Bazorkina* case,⁵³ Russian television showed video footage on 2 February 2000 of the federal forces arresting a young man, Khadzi-Murat Yandiyev, whose mother, Fatima Bazorkina, instantly recognised him. General Baranov is seen and clearly heard to say to the soldiers: "Go on, go on, take him away, finish him off, shoot him, damn it". The Russian soldiers are then seen to take Yandiyev away; he has never been seen since. Despite the Court judgment, finding a violation of Article 2 and strongly condemning the lack of an effective investigation, the Russian authorities have refused to open an investigation concerning General Baranov. In a letter of 24 March 2008 sent to Mrs Bazorkina's representatives, the military prosecutor's office stated, with no further explanation, that in the course of the "preliminary" investigation into Yandiyev's disappearance "all the violations of the European Convention pointed out in the Court's judgment have been rectified." In another letter dated 3 April 2009 (in reply to Mrs Bazorkina's request on 20 February 2009 to open a criminal investigation concerning General Baranov's actions) the military prosecutor's office replied that "no evidence has been established during the investigation of potential involvement of Major-General A.I. Baranov in the abduction and killing of Kh-M.A. Yandiyev. In this connection, the request to launch a criminal investigation [in relation to Baranov] has been denied."

(Source: Council of Europe Committee on Legal Affairs and Human Rights, [Legal remedies for human rights violations in the North-Caucasus Region](#), 4 June 2010)

⁵² *Khatsiyeva and others v. Russia*, Application No. 5108/02, judgment of 17 January 2008, paragraph 139.

⁵³ *Bazorkina v. Russia*, Application No. 69481/01, judgment of 27 July 2006.

