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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED “HUMAN RIGHTS COUNCIL”**

**Written statement* submitted by the International Federation of Human Rights
Leagues (FIDH), a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is
circulated in accordance with Economic and Social Council resolution 1996/31.

[28 February 2007]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

FIDH expresses its deepest concern at the serious rollback of the rule of law and human rights in Russian Federation.

Chechnya

Extra-judicial killings, enforced disappearances, torture and looting are still ongoing in Chechnya. Impunity is still high, and only few crimes are followed by a proper investigation. FIDH observed last year that torture is still a key element of the anti-terrorist activity of security services in Chechnya and the decisions of courts on the cases related to terrorist activity or participation in illegal armed formations in a great number of cases are based on evidence extracted under torture and self-accusations.

Nearly all witnesses declare that grave human rights violations, including torture, murders and disappearances are carried out against the civilian population by law-enforcement bodies, especially paramilitary « ethnic Chechen » units belonging to the Russian enforcement structures, which benefit from an ever present impunity.

Illegal places of compulsory detention created from the very beginning of "counter-terrorist operation" remain the place where the use of torture is particularly widespread. Prisoners of unofficial places of detention fail to be officially registered either as detained or arrested people, and many detainees disappeared from these unlawful prisons without trace. FIDH is particularly concerned about allegations of torture and ill-treatments of detainees in the Second Operational Investigative Bureau (ORB-2) and its sub-offices in the Chechen Republic.

The unresolved nature of the Chechen conflict is tremendously affecting the human rights and humanitarian law situation in three neighboring republics of Chechnya: Ingushetia, North Ossetia and Kabardino-Balkaria. The wide range of systemic human rights violations and the impunity of security forces for their criminal acts contribute to the overall deterioration of the security situation in the entire Northern Caucasus region.

Freedom of expression

Freedom of expression and above all of the media is increasingly violated. Pressure is exerted on the national TV channels preventing live broadcasting, free political debates with opposition parties, free information about the Russian political situation. The organized stifling of expression also concerns the written press, as a growing numbers of titles have been bought by financial companies close to the president or state controlled (Gazprom), such as the recent transfer of ownership of the critical daily newspaper *Kommersant*. The tragic murder of Anna Politkovskaya is a recent example.

Human rights defenders

Attacks on Human Rights Defenders are increasing alongside restrictions of their rights. Many organisations are subject to legal proceedings, to regular tax inspections, threats, attacks and theft of data.

In April 2006 a law entitled “**Amendments to Some Federal Laws of the Russian Federation**”, came into force addressing all non-profit organisations, including those working on the defence of human rights. This law restrains the capacity of international or foreign NGOs acting in the country, to toughen the registration conditions for NGOs, and to strengthen the powers of the authorities to interfere in their activities.

The new legislative obstacles to freedom of association and the ensuing exploitation of the judicial system continue to be combined with many smear campaigns, orchestrated at the highest official level, and aim at discrediting the independent organisations and their members. For example, on January 22 and 23, 2006, Mr. Sergei Ignachenko, official representative of the Russian secret services (FSB), accused several human rights NGOs, including the Moscow Helsinki Group, the Nizhniy-Novgorod Committee against Torture, the Centre for Democracy and Human Rights and the Eurasia Foundation, of being funded by the British Secret Service. Similarly, on September 27, 2006, Mr Ramzan Kadyrov, President (former Prime Minister) of the Republic of Chechnya, said in an interview with *Novosti*, that human rights organisations in Chechnya lacked objectivity in that they only “defended terrorists” without “caring about the fate of their kin”. Such accusations are a real danger to defenders insofar as they still provide their violators with a certain “legitimacy” and, in addition, they stigmatise them in the eyes of the general public.

In her annual report published in March 2006, **Hina Jilani**, Special Representative of the Secretary General on the situation of human rights defenders reiterated her « *concerns regarding the personal safety and security of human rights defenders in the Russian Federation* ». Furthermore, she said she was « *concerned regarding the restrictions on freedom of association and expression allegedly being imposed on human rights organizations and the labeling of those connected with these NGOs as terrorists* ».

Racism and radical nationalism

For several years observers have noted the development of radical nationalist and racist movements and attacks in Russia. The bomb explosion thundered on August 21, 2006 on the **Cherkizovskiy market** in Moscow killed 10 people instantly, and wounded more than 50 individuals. As the investigation demonstrated, terrorists belonged to nationalistic groups and this crime was racially motivated since the market employees are often ethnically non-Russian.

Mass riots took place on 2 and 3 September 2006 in a small town of **Kondopoga** in the North of St. Petersburg between Chechen and Russian inhabitants. Many people were beaten, two Russian ethnic men were killed, two more died – presumably - in the hospital, some others were seriously injured.

On April 7, 2006, Mr. **Samba Lampsar**, student and active member of the NGO African Unity, was assassinated by an unknown person in Saint-Petersburg. The presumed weapon of the crime, which was decorated with a swastika and the inscription “White Power”, was found nearby.

FIDH notices that efforts to combat the hate offences continue to lag behind the radical nationalist activity. Furthermore, the proceedings are extremely long, the sentences are often probational and, indeed, many racist offences are never detected.

Law enforcement bodies

Moreover, law enforcement bodies, especially police, continue to be a source of human rights violations. Arbitrary detentions, torture, humiliating and cruel treatment, falsification of evidence are still current issues. Effective mechanism of control over the law

enforcement structures are lacking. The situation of the penitentiary system is also preoccupying.

Situation in the Russian army

FIDH also notes with a great concern the extremely serious situation in the Russian army. A practically established system has grown up of hazing young soldiers who have been recruited for military service which leads to their murder, torture, inhuman and degrading treatment and other human rights violations. Psychological torture is used, as are refined methods of extorting money, intimidation and humiliation but typically there is no action by the commanding officers and the crimes and offences in the unit are concealed. The *Prokuratura* and military authorities cannot and will not provide an effective investigation into cases of torture in the RF Armed Forces, particularly with regard to the existing procedure of preliminary inquiry by the commanding officers of military units. On their return to civilian life, young men bring a violent and even criminal type of behaviour. The lack of rehabilitation for victims of violence and their perpetrators means that more serious crimes are committed.

Recommendations

FIDH requests the Council on Human Rights to recognize the gravity of the situation prevailing in the Russian Federation, notably in Chechnya, and ask the authorities to inter alia:

- condemn on-going grave violations of human rights in Chechnya, in particular extra-judicial killings, enforced disappearances and torture in and around the Republic and impunity of authors of these violations, and urge Russian authorities to put an end to the practice of illegal prisons, disappearances and all acts of violence against civilians;
- remind Russian authorities that all legislative or institutional reform must comply with principles of democracy and the Rule of Law, particularly the representation of all trends making up society and urge them to comply with human rights instruments on freedom of the association;
- guarantee the physical and psychological integrity of human rights defenders and stop immediately all acts of violence and harassment towards them, stop all acts of defamation against human rights defenders, carry out a complete and impartial investigation on cases of attack and harassment;
- urge Russian authorities to fight racism through the adoption of appropriate statutes and creation of efficient mechanisms;
- improve conditions of the military service and carry out an independent investigation into the widespread systematic practice of torture in the Russian army;
- invite the Human rights council's special procedures that have requested a visit, according to their terms of reference, including the SRSG on human rights defenders, the SR on the right to freedom of opinion and expression and the SR on freedom of religion or belief;
- More generally comply with the provisions of the Declaration on Human Rights Defenders, as adopted by the United Nations on December 9, 1998 and other international mechanisms.