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Human rights situations that require the Council's attention

Written statement* submitted by the Society for Threatened Peoples, 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.

[15 February 2010]

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

Urgent matters of great concern: Russian Federation

During its 97th session, the UN Human Rights Committee reviewed the sixth periodic report of the Russian Federation on the implementation of the International Covenant on Civil and Political Rights. In the concluding observations, the Human Rights Committee highlighted numerous concerns, urging Russia to take concrete action to address them. In its ongoing session the Human Rights Council should pay attention to these concerns and take notice of the following grave and systematic human rights violations. The area with most human rights violations remains the North Caucasus with its three republics Chechnya, Ingushetia and Dagestan. A 30% increase in terrorist activities in 2009 as reported by the Russian government is ample proof for the fact that Moscow's policy of the recent years has failed.

Instead of stabilizing the republics, violence against power agents, officials but also the civilian population is on the rise. Those who try to defend human rights, raise awareness about injustice and violence were in increased danger in 2009. Not only in the North Caucasus but in all of the Russian Federation, officials demonstrate a deeply hostile attitude towards civil society actors, be it human rights defenders, independent journalists or lawyers.

Harassment and murder of human rights defenders

The sad climax in a wave of murders was the killing of Natalja Estemirowa, a leading human rights defender who worked for the well-known organization "Memorial" in Chechnya on July 15th 2009. Following her murder, human rights defenders and especially the Memorial staff were harassed and intimidated. This is why many of them left the Republic and the Russian Federation. Shortly, after the murder of Estemirowa, on 10 August, Zarema Sadulayeva and her husband, working for "Save the Generation" were abducted and found murdered the next day.

In October, Maksharip Aushev, a civic activist in Ingushetia and prominent member of the opposition, was murdered. Subsequently, numerous members of his and his wife's family were murdered, the latest on 30 January 2010. Harassment of human rights defenders continues day-to-day. Only on 8 January 2010, three members of a Russian human rights organization were arrested in the Shali region of Chechnya. They were held in confinement for 15 hours and later released, officially claimed as a routine check. Society for Threatened Peoples is convinced that genuine human rights work is not possible anymore in Chechnya and that people who report on human rights abuses are in great danger. The harassment has become systematic and needs to be addressed with all urgency possible.

Death squadrons, secret prisons and disappearances in the North Caucasus

According to a recent UN report and interviews with the UN Special Rapporteur Manfred Nowak, the system of "death squadrons" established by Russian Forces in Chechnya is still functioning and has spread to the republics of Ingushetia and Dagestan. In secret prisons people are tortured systematically. "Nobody else other than the men of the Caucasus were so afraid to talk to us", said Nowak after many talks with former prisoners in secret prisons all over the world. Secret prisons are still in place in Tsenteroy, Gudermes, Shali and Urus-Martan. According to estimates by the human rights organization Memorial, some 3,000 people have disappeared "without a trace". The number of those who have been kidnapped, tortured and later released is much higher. With the consent of the Russian leadership a

system of fear and impunity was established in the republics of the North Caucasus. Victims of human rights violations and their relatives won't tell anybody about their fates because they fear further repression. Even refugees who are now in Europe fear that they are not safe. In this respect the situation has worsened dramatically compared to the beginning of this decade. Without the victims' testimonies it is even harder to bring the perpetrators to justice. In over 120 rulings, the European Court of Human Rights has held Russia responsible for serious human rights violations in Chechnya. Even though Russia has regularly paid the compensation and legal fees forced upon it in the judgments, it has rarely if ever punished those of its officials who are guilty of these crimes or changed its policy in this area. Now Russia has prevented the Council of Europe's officials charged with preparing the report on secret prisons from entering the Russian Federation.

Racially motivated crimes

Society for Threatened Peoples is concerned about the number of racially motivated crimes in the Russian Federation and about the judicial response to this problem. According to the leading organization in this field, the "Sova Center", 60 persons were murdered on racially motivated grounds in 2009. 306 were injured. The organization registered 114 cases of vandalism, 22 against Jewish institutions alone, 15 against the Orthodox Church and 7 against Muslim organizations. Migrant workers from central Asian states were the group mostly targeted. 14 Uzbeks were murdered and 12 of them injured, making them the biggest group of victims from one country. Even though slight improvements can be acknowledged as to the legislative response to this problem, some court decisions are still scandalous. On 6 January 2010 for example, the court of Novosibirsk came to the following decision in the case of Abdulatip Tursunov who was murdered in October 2008 by a group of skinheads. He suffered 29 stab wounds leading to his death. Only one of the perpetrators was sentenced. The others were released on parole. Society for Threatened Peoples regards this as a decision that will not prevent others from the same crime.

Indigenous peoples

Indigenous peoples in the Russian Federation, the so-called small numbered peoples of Siberia, the North and Far East are – apart from migrant workers – victims of the global financial crisis which had serious effects on the Russian economy. The Russian state tries to exploit as much of Russia's rich natural resources in this time of crisis as possible. Fishing quotas have been raised to such an extent that the fish population of rivers and streams is in danger; oil and gas mining have been promoted in a number of sensitive environments. This has extremely negative effects on the indigenous population. The rights granted to indigenous peoples in the Russian constitution are systematically broken in respect to the indigenous peoples in the areas concerned. Two examples shall demonstrate the urgency of the situation:

The Yamal Nenets, a group of semi-nomad reindeer breeders on the Yamal peninsular, which reaches out into the Kara Sea, fear that gas-mining will lead to extensive and lasting destruction of the environment. Eight parallel running pipelines have been planned, but they will divide up the migration paths of the reindeer and divide the winter pastures from the summer ones. The Nenets report that the construction grounds are soiled and that animals have already died at construction sites. The Nenets demand that an expert ecology monitoring is established. Neither the Russian government nor the companies involved have reacted to their protests.

The Evenks on the lower Tunguska River fear for their land and the region's ecosystem. RusHydro, a state-controlled company, plans to build Russia's largest hydropower plant. The dam - now renamed Evenkia - is part of Russia's plan to double its hydropower production by 2020, and with a projected capacity of 8 gigawatts to 12 gigawatts it would be one of the world's largest hydropower stations. The Evenks, however, have decided not to wait. The indigenous group is federally recognized as one of 40 in Siberia and the Far East with less than 50,000 people, a designation that guarantees them the right to remain on their ancestral land. "The project is totally destructive to the Evenk people," Stanislav Uvachan, who coordinates a local association of Evenks, said. The Evenkia reservoir would displace up to 7,000 of them from five villages as well as Tura, including 5,000 who still are committed to the traditional lifestyle of fishing and deer herding.

The dam on the Lower Tunguska River would flood about one million hectares of primary forest, which would alter climatic processes locally and throughout Russia. Additionally, the decomposing trees would remove oxygen from the water, killing the river's fish and plant life, and the flood zone would cover a site used in the 1970s for underground nuclear testing.

Society for Threatened Peoples calls on the Human Rights Council to:

1. Openly address the described severe human rights violations with the representatives of the Russian government and particularly to demand the:
 - Invitation of the UN Special Rapporteurs on torture and other cruel, inhuman or degrading treatment or punishment to the Russian Federation and guarantee access to the North Caucasus and the illegal prisons there.
 - Invitation of the UN Special Rapporteurs on human rights defenders, racism and the situation of human rights and fundamental freedoms of indigenous peoples.
 2. To address the problem that the decisions of the European Court of Human Rights are not implemented.
 3. To transmit to the Russian government that the indigenous population of the Russian Federation is particularly vulnerable and needs to be protected as guaranteed in the Russian Constitution and international legislation.
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