



Fédération internationale des ligues des droits de l'Homme

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EU/Russia consultations on Human rights

4th Round, November 2006

Briefing note

The International Federation for Human Rights (FIDH) expresses its deepest concern at the serious rollback of the rule of law and human rights in Russian Federation since the previous round of the EU Russia consultations on human rights held in March 2006:

- FIDH is very concerned about the deterioration of fundamental freedoms in the Russian Federation and the hardening of the position of the federal authorities towards independent *civil society*. Indeed, these authorities are either directly responsible of acts of reprisals against *human rights defenders* or fail to protect them by failing to put an end to the impunity of authors of violations against them; (see pp. 2-4)
- Growing infringement of the *freedom of the media, and freedom of expression* develops; (see p. 5)
- The problem of **torture** by law enforcement bodies is also a matter of alarm, especially in the context of the continuing war in *Chechnya*, but also within the *army*, or in violation of the principle of *non-refoulement*. (see pp. 6-10)
- *Xenophobia and racism* are on the rise, and the State *discriminates* against some minorities and/or foreign citizens, in particular the *Georgian* minority. (see pp. 11-12)

These issues must be addressed by EU member states in their talks with the Russian authorities, as well as a specific *list of recommendations*, that the present note concludes upon. (pp. 13-14)

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Human Rights defenders : rising insecurity, violence, and legal harassment¹

In the recent months and weeks, new threats and serious acts of repression against human rights defenders and organisations in the Russian Federation have been committed.²

Assassinations and threats

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* ».

This appreciation takes even more dramatic sense after the killing of **Anna Polikovskaya**, a prominent journalist, correspondent of the *Novaya Gazeta*, **in Moscow**, on October 7, 2006. This tragic event, which raised considerable emotion inside and outside Russia is very illustrative of the constant and progressive increase in violence against all those who dare to criticize the authorities or express over the last years, in particular those involved in denouncing human rights violations perpetrated in Chechnya.

On October 12, 2006, Mrs. **Lida Yusupova**, a lawyer and head of the office of Memorial in Grozny (Chechnya), was threatened with death by a man speaking Chechen, who called her on her mobile phone and said: “*You are pleased to be a nominee of the Nobel Peace Prize ? Presuming you’ll still be alive then!*”

A commemoration of the second anniversary of the Beslan massacre, organised on September 3, 2006, in Moscow, and calling for the prosecution of those responsible of the Beslan massacre, including political and police authorities, was violently repressed. On this occasion, twenty human rights defenders and activists were arrested by members of the special forces, taken to the nearest police station and released soon afterwards. Amongst them, Mr. **Lev Ponomarev**, Executive Director of the organisation All-Russian Public Movement “For Human Rights”, was condemned on September 26, 2006 to a three-day prison term for having organised this demonstration without any official authorisation, while, according to the “Federal Law on Assembly, Meetings, Demonstrations, Processions and Pickets” (June 2004), organisations only have to inform the authorities.

Moreover, on October 16, 2006, in Nazran, the security forces of the Interior Ministry of Ingushetia violently repressed a peaceful meeting in commemoration of Anna Politkovskaya.

¹ This section is based on information collected by the Observatory for the protection of Human Rights Defenders, a joint programme of FIDH and the World Organisation against torture (*hereafter the Observatory*)

² See the statement made on October 10, 2006, by the Observatory, on the occasion of the Human Dimension Implementation Meeting of the Organisation for Security and Cooperation (OSCE).

Several persons were injured, including **Ekaterina Sokerianskaya**, collaborator of Memorial in Nazran, who was severely beaten and whose nose was broken. Several persons who organised this meeting were arrested and lead to the police station. This was in particular the case of **Albert Khantygov**, **Fatima Yandieva**, **Zoya Muradova** and **Zarema Mukusheva**, representants of Memorial, and of **Magomed Mutsolgov**, leader of the Association of the Relatives of Disappeared Persons “March”. All of them are charged with “organisation of a non authorised demonstration”.

Anti-fascist activists defenders of the rights of minorities have been particularly targeted by this violence. For example, on April 7, 2006, Mr. **Samba Lampsar**, a student and an active member of the NGO “African Unity”, was murdered in Saint-Petersburg when returning from a celebration of inter-cultural friendship between Russians and foreigners. Even if, in this case, the authors of the killing were identified and arrested a few weeks later on the eve of the G8-Summit, the general absence of official reaction in conducting effective investigations is tantamount to a blank cheque handed to the perpetrators of these violations³.

Besides, defenders are frequently targeted by threats disseminated by ultra-nationalist groups through the Internet. For example, in August and September 2006, an ultra-nationalist group called “The Russian Will”, published a list of 89 persons, considered as “traitors to the Nation” or “Friends of foreigners”. The group, which disseminated the addresses and personal data of these persons, was calling for their physical elimination. The list included the names of several human rights defenders, such as **Mrs. Svetlana Gannushkina**, President of the Committee of Civic Assistance, who was on the top of the list and also received death threats on the phone, or **Mr. Sergey Kovaliov**, a former well-known dissident and one of the founders and leaders of the Memorial Society. The Prosecutor decided not to open a judicial investigation, claiming, in particular, that he could not find charges corresponding to the case; this is particularly illustrative of the quasi-total impunity enjoyed by the authors of such acts.

The persistence of defamation campaigns against human rights defenders also represents a source of danger and threat for defenders, in addition to contributing to discrediting them to the eyes of the population. For instance, on October 13 2006, *NTV*, one of the main television channel in Russia, broadcasted a documentary in which defenders were presented as terrorists. In particular, **Timur Aliev**, coordinator of the *Institute for War and Peace Reporting* for Chechnya and chief-editor of the independent newspaper Chechen Society, was presented as a collaborator of Chamil Bassaev, a former Chechen war chief, killed in July 2006.

NGO Legislation

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

³ See the report of the fact-finding mission of the Observatory, *Attacks on human rights defenders in Saint-Petersburg, Russian authorities guilty of negligence*, March 2006, http://www.fidh.org/article.php3?id_article=3100

and to the theft of data (*See the Annual report 2005 of the Observatory for the protection of human rights defenders*). 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 protection and defence of human rights. Even though several restrictive provisions were finally withdrawn from the draft, the law, as adopted in third reading on 23 December 2005, remains in blatant violation of the right of freedom of association, demonstrates a determination to control and silence independent organisations, and to limit the presence of international NGOs on Russian territory. (See the note of the Observatory for the protection of human rights defenders *Russian Federation: Amendments to Federal Laws regulating the activity of civil society*, January 20, 2006).

FIDH documented in details in previous reports precise cases of harassment, including the one of the Russian-Chechen Friendship Society and of its executive manager, **Mr. Dmitrievsky**, - who was condemned in February 2006 in Nizhny Novgorod and whose organization have been suddenly closed down on October 13, 2006 by the court of Nizhny Novgorod, under circumstances that did not allow the the RCFS to organize its defense before the court⁴.

October 18, 2006 was the deadline for re-registration of NGOs, both domestic and foreign ones, a requirement under the new legislation on NGOs. On October 19, several prominent foreign NGOs could not meet the necessary requirements to get the registration and thus, are *de facto* forced to cease their activities and operations in the Russian territory. Even if official statements tried to appease the fears by declaring that the current decision did not mean a closing of the organizations, many NGOs, especially those critical to the government and committed to human rights fear that the failure to register is a first step towards close down. What is true for prominent western NGOs is also the case for many small local organisations that are submitted to the arbitrary rule of regional authorities who can easily rely on the absence of transparency of the new rule to authorize or deny registration according to their interest.

⁴ Rising Fear and Insecurity for Human Rights Defenders http://www.fidh.org/article.php?id_article=3725

Freedom of expression, freedom of speech, democratic rights:

Freedom of expression and above all freedom 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 number 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 murder of Anna Politkovskaya is the last and dramatic example of other similar cases, since a total of 12 journalists, have been murdered in Russia, in almost total impunity, over the past six years.

Respect of citizen's right of vote again faced some alarming developments. In early June 2006, Russian Parliament eliminated an option «against all the candidates» which appeared on ballots on every type of elections and permitted the expression of discontent and protest. This new interference by authorities comes within the context of systematic violations of the right of citizens to express themselves through their votes. Indeed, in June 2004 citizens and political opposition parties lost the right of initiating a referendum. In October 2004, the election of the governors by the universal suffrage was abrogated and replaced by the direct designation by President of the Russian Federation.

An other sphere of democratic rights, the rights to protest and to demonstrate, has been targeted in the past months. On the eve of the G8 summit of St Petersburg, dozens of participants to the second Russian Social Forum, that was authorized to take place in St Petersburg, have been harassed in various ways, from threatening to be fired from university to brutal arrest and detention in trains and buses. In many regions of the Russian Federation, activists willing to participate were prevented to reach the event, by being preventively and unlawfully arrested and detained, their houses searched and their relatives threatened. ⁵

⁵See Chronicle of Political Persecution in Present Day Russia, *All-Russian Non-governmental Movement "For Human Rights"*, <http://zaprava.ru/>

Chechnya : stabilisation of the nightmare:

Extra-judicial killings, enforced disappearances, torture and looting are still ongoing in Chechnya. Impunity is still high in Chechnya, few crimes are followed by a proper investigation. 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 extorted under torture and self-accusations. Places of illegal detention are still widespread all-over the Chechen Republic. These facts are monitored by FIDH and the Human Rights center Memorial in a joint report to be presented to the UN Committee Against Torture⁶.

Only this year the *Human Rights Center Memorial* was able to record 125 cases of kidnapping, with 45 people having disappeared and 8 bodies found with traces of torture and violent death. For the previous four years *HRC Memorial* recorded 1802 cases of kidnapping, with 986 persons having disappeared and bodies of 181 persons found later (it is important to note that the monitoring conducted by the *HRC Memorial* covered around 25-30 per cent of the Chechen territory, thus the real number of kidnappings and homicides is significantly higher).

The case of freelance journalist **Elina Ersenoeva** is particularly revealing of a policy of systematic harassment leading to disappearances. The young Chechen journalist, who was reportedly married to Chechen rebel warlord Shamil Basaev since autumn 2005, was abducted at gunpoint, apparently by pro-Moscow Chechen security forces, in August 2006. Her mother **Rita Ersenoeva**, who had previously received anonymous threatening calls, was abducted on October 11 from the village of Stary Atagi in Chechnya by a group of people wearing camouflage uniforms, as she was trying to find information about her daughter's whereabouts.⁷

Responsibility of Chechen law enforcement agencies in abductions, torture and summary executions

Nearly all witnesses point at Chechen law enforcement agencies groups as the main perpetrators of Human Rights violations. These groups include the forces of the Prime Minister **Ramzan Kadyrov**, the so-called "**Kadyrovtsy**" : they are organized in different groups, among which are the "**Iug**" and "**Sever**" groups, which are officially linked to the Internal Troops of the Russian Ministry of Internal Affairs (MOI). Among Chechen law enforcement groups are also the "**Zapad**" and "**Vostok**" groups, which are included in the 42nd

⁶ FIDH-Memorial, *Torture in Chechnya: Stabilisation of Nightmare*, November 2006. See also *In the atmosphere of fear: Political Process and Parliamentary elections in the Chechen Republic* <http://www.memo.ru/newsarc.htm> ; http://www.fidh.org/article.php3?id_article=2876 and « Elections parlementaires en Tchetchenie : un climat de terreur » http://www.fidh.org/article.php3?id_article=2878

⁷ *Chechnya Weekly* Volume VII, Issue 39 October 12, 2006 and Volume VII, Issue 35, September 15, 2006

division of the Ministry of Defense (MOD) of the Russian Federation and carrying out the tasks of the Chief Investigation Department (GRU) of the MOD. These groups have been accused of kidnapping, torture, and summary executions.

On May 31 2006 in **Stanitsa Nesterovskaya** in Ingushetia, a "special operation" was carried out by law enforcement forces of Chechnya – the agents of the 7th company of the 2nd regiment of special militia forces of the Chechen Ministry of Interior (MOI)-. They surrounded the village and a house where alleged militants were hiding. After an exchange of gun-fire, they captured **Rizvan Khaïkharoev**, born in 1987, from the Chechen town of Bamut. He was shot in the head in front of local residents and MOI servicemen of Ingushetia, who were not informed of the operation and came with delay. The critics made by one of Ingush militiamen nearly led to an armed clash between the two groups.

This confrontation was not the only one between Chechen and Ingush law enforcement agencies. On September 13, 2006, armed clashes occurred at a check point near the Chechen border, after the Chechen militiamen refused to allow the Ingush MOI servicemen to check a vehicle carrying a person captured on the territory of Ingushetia and taken back to Chechnya. The incident led to deaths on both sides and more than twenty militiamen were injured.

FIDH wants to stress that these groups, although acting often according to private interests⁸, are formally members of the federal state law enforcement agencies⁹. Thus the responsibility of the highest authorities of the Russian Federation in the process going on in Chechnya is engaged. They are accountable for the violations committed by the Chechen law enforcement bodies.

Impeded access to Chechnya for the international community

Even though Russian authorities have been speaking of "stabilisation" and "normalisation" of the situation for a long time now, free access to the Chechen territory is still denied to independent international observers. Neither OSCE nor Council of Europe experts, who used to have monitoring activities in the region, do not work any more on a permanent basis in Chechnya.

At the end of June, 2006 the **International Committee of the Red Cross (ICRC)** made public its decision to stop its visits to isolators and jails of the Northern Caucasus because of

⁸ On September, 18, 2006 the group of fighters of a battalion "East" led by the commander Soulim Yamadaev abducted the director of a meat-processing enterprise "Samson" in Moskovsky district of Saint Petersburg. The director, native of the Chechen Republic, Hamzat Arsamakov was strongly beaten and taken to the hospital. The next day he resigned, on the official ground of the « ... impossibility at this post to provide safety to [his] family ... ».

⁹ It can also be stressed that these groups are chosen to represent the Russian Federation abroad: On October, 4, 2006 the head of the Russian MOD Sergey Ivanov informed, that battalions "East" and "West" from structure of the 42nd division billeted in the Chechen Republic, that they were sent to Lebanon for the protection of the Russian bridge-constructing battalion.

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the refusal of Russian authorities to grant them access to all prisoners without exception, in a regular fashion and in the absence of witnesses.

The **UN High Commissioner on Human Rights** visited Northern Caucasus twice (Mary Robinson in April 2000, Louise Arbour in February 2006). The UN Special Rapporteur on Internally displaced persons visited in 2003, and the UN Special Representative on violence against women in 2005.

Yet, the **UN Special Rapporteur on Torture** has still not been granted the possibility to visit according to his own terms of reference. A visit was due to take place in October 2006, but was cancelled after the Russian authorities declared that he could not make unstated visits and have private conversations with the detainees in places of compulsory detention.

During its last visit to Chechnya, the **European Committee on the Prevention of Torture** (ECPT), which repeatedly visited the Chechen Republic between 2000 and 2006, was denied access on May 1st, to the village of Tsentoroj, home of the Kadyrov family and suspected to be a place of illegal detention and torture. The fact that it could access to the village on the following day raises doubts about whether the village was previously "cleaned" of illegally detained persons.

Finally, the FIDH notes with satisfaction that ECHR has stated in favour of applicants in new cases of HR violations in Chechnya in the past months¹⁰, but points out with concern that the Court decisions show that the authorities fail to carry out effective and adequate investigations into the crimes committed in Chechnya (art. 2) and deny the victims' relatives the right to an effective remedy (art. 13).

¹⁰ See for instance Bazorkina and Estamirov recent cases

<http://cmiskp.echr.coe.int/tkp197/view.asp?item=3&portal=hbkm&action=html&highlight=chechnya&sessionid=9045404&skin=hudoc-pr-en> and
<http://cmiskp.echr.coe.int/tkp197/view.asp?item=1&portal=hbkm&action=html&highlight=chechnya&sessionid=9045404&skin=hudoc-pr-en>

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Torture

Situation in the Russian army

FIDH also notes with great concern the extremely serious situation in the Russian army. A practically established system has grown up of hazing young soldiers who have been called up 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 Procuracy and military authorities is often prevented to make effective investigation into cases of torture in the Russian Federation Armed Forces because the current procedure requires a preliminary inquiry by the commanding officers of the military units. Several cases, such as the Sytchev cases lead to a few condemnations.

On their return to civilian life, young men bring with them a violent and even criminal type of behaviour. Victims of violence lack rehabilitation. Though the Russian authorities have publicly acknowledged the problem, the cycle of violence and impunity has not been broken.

In a report presented to the Committee Against Torture on its November 2006 session, FIDH and the Soldiers' Mothers of Saint-Petersburg¹¹ document 11 deaths of army conscripts in peace times, some of them after hard beatings. Out of 500 interviews recorded by the Soldiers mothers, every second case involved an attempted suicide, all linked with the phenomenon of *dedovshchina* (hazing), beatings, sleep deprivation. It documents also the lack of access to adequate medical supplies, the harsh conditions for servicemen held in custody and racial hostility. The Soldier's Mothers also stress the problem of forced labour in the Russian army: 15 conscripts are documented carrying out work in factories, farms, building private houses and *dachas*, and even working in nuclear power stations. In all these situations, the commanding officers receive the salaries and wages for the work carried out and no contract of employment is made with the soldiers. This practice can be likened to slavery.

Non-refoulement

Russian Federation continue to pass besides its international obligations and to privilege the treaties on the judicial cooperation between the OSI countries which allows the extradition of persons to countries using tortures and the death penalty. The recent *rapprochement* between Russia and Uzbekistan has led to increased cooperation between the two countries' security services.

¹¹ "Soldiers' Mothers of Saint Petersburg" Report to the Committee for the Prevention of Torture and Other Inhumane and Degrading Treatment or Punishment, October 2006

On October 24, 2006, Uzbek citizen **Mr Rustam Muminov** was returned by force from Moscow in Uzbekistan where he faces charges for his membership to Hizb-ut-Tahrir, an Islamic organization which is banned in Uzbekistan and Russia. This deportation happened in spite of an order to stop the deportation issued by the European Court of Human Rights whose decisions are legally binding on Russia.

On June 29, 2005, Russian national of Uzbek origin Mr **Alisher Usmanov** was deported to Uzbekistan. According to local human rights defenders, Mr Usmanov is detained now in Namagan's prison where he is facing torture and ill-treatments.

In the Russian town of **Ivanovo**, the application for refugee status of 14 ethnic Uzbekistani detained last June by the Russian authorities were rejected after the Russian Federal Migration Service received an extradition request from Uzbekistan on the basis of accusations that they were involved in the events in the eastern Uzbekistani city of Andizhan on 13 May 2005. The refusals to grant refugee status have been taken despite a finding by the United Nations High Commissioner for Refugees (UNHCR) that the men fall under the competence of UNHCR as 'mandate refugees' and are thus entitled to international protection.

FIDH reminds that the return of any person to a country where they would be at risk of torture is prohibited under the UN Convention against Torture, the European Convention on Human Rights to which Russia is a state party. According to the 1951 Convention relating to the Status of Refugees, the deportation of individuals in need of international protection is also prohibited.

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Rise of xenophobia and racism:

For several years observers have noted the development of radical nationalist and racist movements and attacks in Russia. Thus, only in the 9 first months of 2006, 36 people were murdered, victims of racial attacks in Russia, and 286 beaten and injured according to the statistics of the SOVA Centre, specialist in the field of racial discrimination, which admits that these figures are not exhaustive¹².

On August 21st 2006, a bomb exploded on **Tcherkizovskiy market** in Moscow, killing more than 10 people at once, and wounding more than 50. As the investigation showed, terrorists belonged to nationalistic groups and this crime was racially motivated.

On September 2nd and 3rd 2006 mass demonstrations occurred in the small town of **Kondopoga** in the North of St. Petersburg. They were sparked by an incident on August 30 with a fight of drunken people in a restaurant leading to, the same evening, a mass fight between Chechen and Russian inhabitants. Many people were beaten (some of them had not taken part in the first conflict), two Russian ethnic men were killed, two more died – presumably - in the hospital. Others were seriously injured.

FIDH welcomes the recent efforts to bring those responsible for hate crimes to justice and the subsequent condemnations. However, these efforts continue to lag behind the development of radical nationalist activity. Furthermore, many racist offenses are never detected, the proceedings are extremely long and the sentences are often probational, if not acquittal. At the end of October 2006, a St-Petersburg Criminal court acquitted four young nationalists who had were accused of murdering, a Vietnamese student, **Vu An Tuan**, leaving the crime unresolved.

Extremists movements such as “**Movement against illegal immigration**”, are on the rise, and spreading all over the Russian territory. Their development has not met any infringement, although their ideology, discourse and actions violate several principles of both Russian Law and International provisions.

¹² <http://xeno.sova-center.ru/6BA2468/6BB4254/8187B08>

Discrimination acts by the State:

FIDH expresses its deep concern at the deliberate campaign against **Georgian citizens** living in Russia. The campaign was initiated by the authorities in October, after Russian officers have been theatrically arrested by Georgian authorities in Tbilissi and charged with spying. In spite of the fact that officers were released and handed to OSCE, Russia reacted by cutting road, air and postal links with Georgia, and stopped issuing visas to Georgian citizens..

In Russia, law enforcement agencies especially focused on businesses run by Georgian nationals, searching, controlling and closing many of them. This campaign also led to a vast propaganda in the mass media, targeting the market owners, names with georgian intonations. In some instances, local authorities searched for children with Georgian names in schools.

V. Putin asked to increase regulation and control on markets «so as to protect the interest of Russian producers and of Russia's native population» and spoke against the control of markets by bandit group «with national colour»¹³. Russia's federal migration service said that it will not give any more quotas authorising Georgian citizens to live or work officially on the territory of the Russian Federation, and have organised several deportation flights from Russia. The General Procurator of Russian Iuri Chaika refused to react to a demand of several Russian HR organisations to stop a campaign which is encouraging racial hatred, saying that law enforcement agencies acted strictly in the framework of the law.¹⁴

The official discourse of the highest authorities can be regarded as real incitement to ethnic discrimination as well as blank cheque for extremists movement to act against illegal migrants¹⁵.

The situation of the **Roma population** is also a matter of deep concern, with evidence of discrimination and acts of intimidation of Roma by law enforcement bodies. In the Kaliningrad province, Roma people were massively evicted and their houses destroyed.¹⁶ In some parts of Northwest Russia local politicians decided to use anti-Roma sentiments as a catalyst in their election campaign.

¹³ See http://www.interfax.ru/r/B/politics/2.html?id_issue=11600045,
<http://grani.ru/society/Xenophobia/m.112434.html>

¹⁴ See <http://lenta.ru/news/2006/10/06/chaika/>,

¹⁵ See for example from Sova center <http://xeno.sova-center.ru/29481C8/80E63BD?print=on>

¹⁶ see *Roma on the crossroads of discrimination*, Memorial / FIDH, Paris, 2004, www.fidh.org. In search of happy gypsies, Persecution of pariah minorities in Russia, ERRC, Budapest, 2005, www.errc.org

Recommendations

FIDH urges the European Union to address these concerns to the Russian authorities in the framework of the EU-Russian consultations on human rights, and express its serious concern at the degradation of the situation since the beginning of the consultations, and in particular,

- condemn the 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, to ensure the prosecution of such acts, and to provide compensation to the families of the victims;
- 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 association;
- repeat to the Russian authorities the EU's expectation that an independent and impartial investigation into the murder of Anna Politkovskaia be made, 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 the creation of efficient mechanisms, as recommended in 2003 by both the UN Committee on the Elimination of Racial Discrimination (CERD/C/62/CO/7) and the UN Human Rights Committee (CCPR/CO/79/RUS), such as the definition of racism in the criminal code, the prosecution of media or public officials that incite to racial hatred as well as the prosecution and subsequent ban of racist groups;
- urge Russian authorities to improve the situation of the Roma people, and implement in this respect the recommendations addressed to the Russian authorities by the UN Committee on Economic Social and Cultural rights (E/C.12/1/Add.94);
- improve conditions in the military service, in application of recommendations of the UN Committee on Economic Social and Cultural rights (E/C.12/1/Add.94), carry out an independent investigation into the widespread and systematic practice of torture in the Russian army, enable preliminary investigations in cases of allegation of torture and ill-treatment in the army to be carried out by independent bodies, in conformity with international human rights law;

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- respect the principle of *non-refoulement* of the UN Convention against Torture, the European Convention on Human Rights to which Russia is a state party;
- urge the Russian authorities to conform with its obligation and commitment as a member of the UN Human Rights Council, and invite the Human rights council's special procedures that have requested a visit, according to their terms of reference, including the Special Rapporteur Against Torture, 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;
- enable unimpeded access to places of detention by the ICRC, according to the Committee's own terms of reference;
- follow-up and implement all decisions on individual cases of the European court for Human Rights as well as under the Optional Protocol to the UN Covenant on Civil and Political Rights, and in particular, ensure non-refoulement, and/or independent and impartial prosecution in cases that have been highlighted by these bodies.

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