



9th European Country of Origin Information Seminar

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COUNTRY PROFILE – RUSSIAN FEDERATION

The views and opinions stated in this report do not necessarily reflect the views of the organizers of the workshop. This paper is not, and does not purport to be, fully exhaustive with regard to conditions in the country surveyed, or conclusive as to the merits of any particular claim to refugee status or asylum.

Russian Federation



Country Name:

Conventional long form: Russian Federation

Conventional short form: Russia

Local long form: Rossiyskaya Federatsiya

Local short form: Rossiya

Former: Russian Empire, Russian Soviet Federative Socialist Republic

Capital: Moscow

Location: Northern Asia (that part west of the Urals is included with Europe), bordering the Arctic Ocean, between Europe and the North Pacific Ocean.

Area: 17,075,200 sq km

Population: 143,420,309 (July 2005 est.)

Ethnic groups: Russian 79.8%, Tatar 3.8%, Ukrainian 2%, Bashkir 1.2%, Chuvash 1.1%, other or unspecified 12.1% (2002 census)

Religions: Russian Orthodox, Muslim, other

Languages: Russian, many minority languages

Country Report - Russian Federation

Literacy: definition: age 15 and over can read and write
total population: 99.6%
male: 99.7%
female: 99.5% (2003 est.)

Independence: 24 August 1991 (from Soviet Union)

Constitution: adopted 12 December 1993

Suffrage: 18 years of age; universal

Executive Branch:

Chief of State: President Vladimir Vladimirovich PUTIN (acting president 31 December 1999 - 6 May 2000, president since 7 May 2000)

Head of Government: Premier Mikhail Yefimovich FRADKOV (since 5 March 2004); First Deputy Premier Dmitriy Anatolyevich MEDVEDEV (since 14 November 2005), Deputy Premiers Aleksandr Dmitriyevich ZHUKOV (since 9 March 2004) and Sergey Borisovich IVANOV (since 14 November 2005)

Cabinet: Ministries of the Government or "Government" composed of the premier and his deputies, ministers, and selected other individuals; all are appointed by the president

Elections: President elected by popular vote for a four-year term; election last held 14 March 2004 (next to be held March 2008); note - no vice president; if the president dies in office, cannot exercise his powers because of ill health, is impeached, or resigns, the premier serves as acting president until a new presidential election is held, which must be within three months; premier appointed by the president with the approval of the Duma

Election results: Vladimir Vladimirovich PUTIN reelected president; percent of vote - Vladimir Vladimirovich PUTIN 71.2%, Nikolay KHARITONOV 13.7%, other (no candidate above 5%) 15.1%

Legislative Branch:

Parliament: Bicameral Federal Assembly or Federalnoye Sobraniye consists of the Federation Council or Sovet Federatsii (178 seats; as of July 2000, members appointed by the top executive and legislative officials in each of the 88 federal administrative units - oblasts, krays, republics, autonomous

okrugs and oblasts, and the federal cities of Moscow and Saint Petersburg; members serve four-year terms) and the State Duma or Gosudarstvennaya Duma (450 seats; currently elected by proportional representation from party lists winning at least 7% of the vote; members are elected by direct, popular vote to serve four-year terms)

Elections: State Duma - last held 7 December 2003 (next to be held NA December 2007)

Election results: State Duma - percent of vote received by parties clearing the 5% threshold entitling them to a proportional share of the 225 party list seats - United Russia 37.1%, CPRF 12.7%, LDPR 11.6%, Motherland 9.1%; seats by party - United Russia 222, CPRF 53, LDPR 38, Motherland 37, People's Party 19, Yabloko 4, SPS 2, other 7, independents 65, repeat election required 3

Judicial Branch:

Constitutional Court; Supreme Court; Superior Court of Arbitration; judges for all courts are appointed for life by the Federation Council on the recommendation of the president.

Political Parties and Leaders:

Communist Party of the Russian Federation or CPRF [Gennadiy Andreyevich ZYUGANOV];
Liberal Democratic Party of Russia or LDPR [Vladimir Volfovich ZHIRINOVSKIY];
Motherland Bloc (Rodina) [Dmitriy ROGOZIN];
Union of Right Forces or SPS [Nikita BELYKH];
United Russia [Boris Vyacheslavovich GRYZLOV];
Yabloko Party [Grigoriy Alekseyevich YAVLINSKIY]

Economy:

GDP – per capita
(purchasing power parity): \$10,700 (2005 est.)

Exports: \$245 billion (2005 est.)

Imports: \$125 billion (2005 est.)

Currency (code): Russian ruble (RUR)

Sources:

CIA World Fact Book 2006



Map No. 3840 Rev. 2 UNITED NATIONS
 January 2004

Department of Peacekeeping Operations
 Cartographic Section

<http://www.un.org/Depts/Cartographic/map/profile/russia.pdf>

Joint Presentation by Mr. Steve Crawshaw, Human Rights Watch and Mr. Jean Paul Cavalieri, UNHCR Office, Moscow

The Refugee Documentation Centre was not in a position to separate the two respective presentations of Mr. Steve Crawshaw and Mr. Jean Paul Cavalieri. Please note that UNHCR's contribution was primarily based on the UNHCR Paper on Asylum Seekers from the Russian Federation in the context of the situation in Chechnya (February 2003). Readers may also like to consult the following documents in conjunction with this paper - UNHCR's Paper on Russian Asylum Seekers from the Russian Federation in the Context of the Situation in Chechnya - (January 2002) and UNHCR Position regarding Asylum-Seekers and Refugees from the Chechen Republic, Russian Federation (22 October 2004)

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1. Historical and Political Background

First, I would like to put everything into some historical perspective. If one asks what are the great problems of Russia today one needs, to some extent, to take into account the historical perspective, remembering that less than 15 years ago, certainly 20 years ago, this was simply a straight forward one party state. There were lots of problems caused by a repressive regime. People were simply being locked up for having different opinions than the state. There were lots of things in the constitution that meant one simply was not allowed to have different opinions from the one party state. Within that one party state it has to be said it was a secure state. One did not expect violence on the streets of Moscow. Security generally was not a problem for the citizens. The only security problem was that of the security apparatus, who if one had a different view to that of the government, would pick one up and lock one up.

After the collapse of the Soviet Union the state went through various stages. Gorbachev was seen as a hero in the west in many ways but for the Russians he was still the representative of the communist regime. Yeltsin followed him and helped break up the communist one party state, which Gorbachev had still hesitated to do.

The Yeltsin era had enormous amounts of violence and the lawlessness, which we all know about, which accompanied the new developing free market business. It was very much a case of 'the wild east' as it was then known. Shootings were common place in Moscow, and shootings also took place on a regular basis in many of Russia's major cities.

The Putin era began in 1999. To some extent he sold himself successfully. To western politicians he was the man who was going to bring law and order and discipline in the sense of laws being obeyed. Everything would have a proper structure, and that has certainly been proved true. The old Russia had structure, much too much of it. It was a leader-oppressive regime. With the Yeltsin era there was no structure and it was entirely anarchic in many ways. Then Putin said in effect, 'I will bring order and things will be fine'. That was how he sold himself to the west, to his own voters and dismayingly, successfully, what he often managed to persuade the rest of the world he was doing.

In relation to the problems that Russia has experienced, there has been some kind of discipline achieved in the tax system. And there are all sorts of things of which people say 'things are now working'. Overall, there is less of a sense of anarchy. There have been some great and famous battles between the rich men who came to own Russia in the mid 1990s. They made deals with Boris Yeltsin of the kind, 'we will support you if you give us everything the country owns'. In effect, that was more or less the explicit deal and a result those oligarchs were giving support. Then they started to challenge Putin politically and the great clashes that we have seen erupted, especially in the last couple of years with Putin, the old KGB man, eager to break the power of the oligarchs. That immediately has a number of implications, leaving aside Chechnya which we will come to later. I want to put this in the context of other problems of the Russian Federation.

There are other problems which seem to be getting worse. Some of the issues that Human Rights Watch has focused on in particular include violence within the army. Hazing is also a huge problem across the country and a theme which again and again appears in reports from Russia. Our experience is that the authorities simply do not take seriously the problems which conscripts face.

2. The Human Rights Situation

HIV

It is quite astonishing that, although Russia is one of the richest countries in the world, a member of G8 with billions of surplus dollars, Russia has the highest rate of persons with HIV in the world. Now the life expectancy in Russia, as far as men are concerned is below retirement age. HIV and its treatment have a common pattern around the world. However, in Russia there is a belief that by harassing those who are working with people who have HIV, by banning needle exchange and by banning all the things that have been documented all across the world as proven to be beneficial, that this will somehow keep the epidemic under control. Russia has notably failed to deal with the epidemic. The most recent Human Rights Watch report on the subject which was published a few months ago, was aptly called 'Lessons Not Learned'. It makes chilling reading. There are a lot of human rights concerns of people working in that area, people who themselves have HIV or people who are at risk of HIV. These people are very much marginalized with all the difficulties that go with that.

Domestic violence

The number of persons, probably women, who are victims of domestic violence, dying of domestic violence, is in the range of several tens of thousands per year.

Religious Freedom

Religious freedom has been of concern in Russia. However, it simply does not compare to what was happening in the former Soviet Union, where one could get locked up by the state if one were too actively religious. In those times one could just about be permitted to go to a church, if one were of pensioner age and so on. Generally it was a very difficult situation. Now we have the Russian Orthodox Church, which has become almost the state religion of many of those who played leading roles in the KGB in past lives. The other main religions are also part of the state framework but they could be called new religions because of the way they are perceived in Russia. Religions that have come from the outside have had enormous difficulties, be they Baptists, Pentecostals or Jehovah's Witnesses. This has not necessarily meant that the people are being actively persecuted by the state. It is usually not a case of that but there is a climate of permissiveness for the harassment which goes on and that has been a serious problem.

Media Freedom

In the case of the oligarchs, who often had their own agenda, there was a certain media freedom. Certainly there were television stations which were able to be very outspoken about the kind of things that were going on in Russia. There was fair and accurate reporting of the first Chechen war between 1994 and 1996. In the case of the

second Chechen war, which Putin launched in 1999, the promise was that the war would be (as all these wars are always going to be) very short and successful. Talking truthfully about what is going on has now become entirely impossible. The television stations are now state controlled and state controlled means Kremlin controlled. One cannot say things that would displease the Kremlin, and if one does, one runs into serious problems. However, it is not the kind of repressive media where one simply cannot say anything. There are newspapers that exist that tell the truth as it is, but the fact is that the television stations, as in every country, are the most powerful media and the Russian media is fundamentally unable to tell it as it is.

Disappearances

The Russian forces have responsibility for the level of disappearances. The Russian forces come along in the middle of the night and people are taken away and either never seen again or if they are seen again then it is a body that is found in a ditch or in a wood. This appears to have been going on at a greater rate in the last year or so than has ever been documented in past years. It is happening in an absolute steady drip by drip basis. In one single period that Human Rights Watch documented closely last year, January and February of last year, there were 120 disappearances, which come to an average of 2 a day being removed by Russian forces. This is obviously a crime in every sense. It happens especially to young or youngish men but not only to them. It is bad in itself and it is even worse in the sense that this is happening with absolute impunity. I think that it is an enormously important message that one needs to remember, one that the Russian administration is eager to brush away, that, if these individuals are not punished, then in effect it becomes policy. This is not just some lieutenant who has decided to go and do it. It becomes part of state policy.

Amnesty

There has been an amnesty, which the Russians have created, which surprisingly has been portrayed successfully in the west, as though it were an amnesty for the rebels as if to say, 'we will start again, clean sheet, let's move on, let's see where we go now'. In practical terms it has been an amnesty not for the rebels in Chechnya but for Russian army officers and members of the Russian forces or security apparatus. The FSB, who used to be the KGB, will no longer be prosecuted for crimes. The prosecutions that there have been, have been such murky prosecutions, that they have not actually helped to clear things up. On the contrary, I would say that they have made things murkier than ever.

Internally Displaced Persons (IDPs)

The situation in Chechnya, not surprisingly, caused a huge number of people to flee the war zone in Ingushetia. There have been more than 100,000 IDPs in Ingushetia, and that was for quite a long period the so-called 'safe place' in which you could end up after fleeing Chechnya'. The circumstances in which people lived, the camps in which people lived, were extremely difficult, but it was not a place where one would expect to get picked up and vanish into the night, never to be seen again. One did not expect Russian military helicopters to come along suddenly and the gun ships start firing on a car driving, minding its own business on a country road, as was happening regularly in Chechnya until relatively recently. Ingushetia has recently become an increasingly dangerous place.

3. Chechnya

Background

The cancer really at the heart of the things is the war which has now been going on and off for the past ten years. When Boris Yeltsin first rose to power as the president of Russia he encouraged the regions to ‘take as much power as you can grasp’, which many in Russia did. When this started to be taken seriously, Yeltsin himself, let alone Putin, reacted later with violence, as we have seen. It was a brutal and bloody war from the start. It had very little to do with getting a grip on what kind of autonomy or independence or anything else a particular region of Russia should have. It could be argued that Chechnya would probably be better off in a healthy Russian Federation than as a small tiny independent and forgotten country. The fact is what the Russian Federation has done in recent years has made it impossible for Chechnya to be fully back in the Russian fold because of the alienation techniques, in other words, the killing and disappearance of people on a regular basis. The beginnings of those wars in 1994, 1999, and 2000 were marked with huge bombings and killings and of course civilians dying in vast numbers at that time. As so often in these circumstances governments say that things are ‘normal now’. But the normality of Chechen life today is absolute abnormality in every sense. It is enormously dangerous. There is no working economy and it is dangerous in every sense to be in Chechnya.

Activities of Chechen Rebels

I should say that all the abuses I have mentioned are by the Russian forces. To put it mildly, the Chechen rebels, have not behaved angelically either. They have been responsible for terrorist activities both in Chechnya and famously in the autumn of 2002. There was the hostage taking in a Moscow theatre where many people died directly as a result of the Russian forces’ actions. There had been a Chechen terrorist act which led indirectly to those deaths; and the Chechen rebels have done some very nasty stuff. The fact is what we have here, in the case of actions by the Kremlin, a respected government, which is repeatedly not just breaking all the rules but making Chechnya and, by extension, Russia itself a more dangerous place.

Chechens residing in Moscow and rest of the Russian Federation

Chechen people who flee from Chechnya and go to Moscow and the rest of the Russian Federation are not safe. If one were to do a league table, it is most dangerous to be in Grozny, it is dangerous to be in Ingushetia, it is less dangerous to be in Moscow. If one is from Chechnya one is seen as a terrorist. Human Rights Watch did a recent report on the situation of Chechens in Moscow. There is enormous harassment for Chechens in Moscow. Paperwork once again is used as an excuse so that one can get picked up without any good reason and then one will find oneself locked up for an alleged breach of some sort of regulation. There is great insecurity. Moscow or any other Russian cities are not a place that a Chechen would choose to live in. It is extremely difficult each time one’s identity card is shown, and it says born in Grozny, or nationality, Chechen. One’s face is already enough for the police or somebody else to start checking one’s I.D. documents.

Akhmat-Khadzhi Kadyrov and Ramzan Kadyrov

One of the odd curiosities of the Chechen conflict as a whole, has been the different violence perpetrated by different groups within. I certainly have to say that the assassination of Kadyrov reminds us of how incredibly unstable everything is, but the idea that Kadyrov is dead and the idea that Kadyrovness dies out, I think is unlikely. I am not sure that it is a contradiction, but certainly I find it interesting that you have people with official positions within the Ingush administration who are enormously unhappy about the violence that is being carried out by the Russian forces. The same goes for the Chechen administration. That is part and parcel of the ongoing violence against the civilians and so it is not always ‘the Russians do this and the non Russians do that’. One talks about Moscow and the Kremlin as they are the central string pullers, but it is certainly a great deal more than that. President Putin put a lot of effort in restoring Akhmat Kadyrov and strengthening his power. Therefore it is likely that he will want to avoid a power vacuum inside Chechnya. This is a place where one does not want to have a power vacuum. Some measures have been taken immediately. Ramzan was put in as deputy, but that is quite temporary, we do not know what is going to happen. The Kremlin wants the elections next on the agenda. The second thing is considering the circumstances of the life attempt on Kadyrov, the way in which the bomb was planted beneath the cement in such a highly secured place. It is reported that it is likely to be an inside job. So until we have clarified who is currently among the circle of those close to the power, it is unlikely to give us a clear indication of who is going to be in charge next. I think there is a little bit of foreign investigation and clearing up to be made.

Discrimination of Chechens

The harassment of Chechens in, for example, Moscow, is based on ethnicity because it starts with the colour of the skin. This is the reason people are stopped in the street. The question is, ‘I think you are from there so what are you doing here?’ The Russian, for example, does not have that problem. Among Russians there is the cliché perception that any Russian living in Chechnya faces the terrible problems of living with these terrible Muslim terrorists who he is surrounded by. The practical terms of being a Russian living in Chechnya are very, very different. Many of the horrors were committed by the Russian forces over the past decade. Russians living in Chechnya have suffered just as much. Both Russians and Chechens living together in Chechnya have felt under assault by the brutality of the Kremlin forces. Once you got to Moscow you were a Russian so you would have a problem.

Nature of War in Chechnya

It is absolutely not a terrorist war but of course the Kremlin will portray it entirely as that. It is certainly not a conventional war on terror even if they seek to portray it as that and nor is it a shooting war on both sides. There is a hit and run element from the rebel side and the rebels frequently, but not always, have little regard for those who may get killed in those hit and runs. Many would describe as terrorist acts by the rebels where not just a military lorry is blown up but where it is clear that civilians will die in the attack.

This is a war which probably some of the Kremlin know they are not winning and cannot win in this way. Because of this sometimes the option is taken of banging on someone’s door at 3.00 a.m., removing them, torturing them a bit and then finally killing them, without learning anything from them. What this is doing of course is

alienating the population, if possible alienating them even more than they were already.

The earlier stages of the war were closer to what could be called ‘classic war’, though very brutal and breaking all the international laws of war because of the large numbers of civilians killed. As you know, the international laws of war mean that one must not have disproportionate civilian loss of life. That was happening because of the very heavy bombing campaign. Now heavy bombing campaigns are not happening and the official Moscow line is things are almost back to normal. The way that things are described on Russian TV is that everything is fine and then occasionally there will be some mad man who will blow up a police station or an army lorry and there are these awful problems.

There is reputedly a single place in Grozny now where Russian TV correspondents who go to Grozny do their stand up pieces, where if you frame it just right, it looks as though it is a perfectly normal landscape of houses and shops and a capital city behind you. If the camera were to turn two degrees to the right or two degrees to the left, you would begin to see the reality, which is devastation. The official version is that everything is ok, with a few terrorist problems. The reality is this drip by drip problem of insecurity, which is war, simply because one has no other way to describe it.

Reaction of Political Leaders

The reaction of UK Prime Minister, Tony Blair, is mirrored across many other countries. Tony Blair was concerned not to address the issue of Chechnya on meeting President Putin on a visit to London last year. There was a planned question and it was going to be on Chechnya. Human Rights Watch had private conversations with Downing Street, where it was considered the organisation had got some way towards wording something Tony Blair might say to send at least a message about Chechnya. Not necessarily the kind of thing Human Rights Watch might say but at least a diplomatic message saying that, ‘yes, terrorism is a problem’. I always say that it is a question of syntax. Instead of saying, ‘yes, human rights is a problem, but then you have terrorism’, if you merely reverse that sentence you have something that begins to make sense, that is, ‘yes, terrorism may be a problem, but don’t forget about the human rights because otherwise you are making things worse’. I thought we had moved towards a sound bite that the prime minister might actually deliver. In fact, what happened was that when the BBC tried to ask a question about it but they didn’t get the opportunity. There are normally three questions for either side from TV stations and then the leaders leave. When the BBC were asked what question they were going to ask they asked what the other questions were that were being asked and said, ‘If there is nothing about Chechnya then we will ask it’. A few minutes later they were told, ‘I’m sorry there was no time for the BBC question’. There was, however, time for a quite different question that happens to be a Downing Street question but not the BBC question. To be honest it applies in many other countries. Gerhard Schroeder would be equally happy to play the same game, let alone President Bush and other leaders too. It is dismaying that the things that matter so much are constantly ignored.

4. Situation in Ingushetia

Forced Removal

Ingushetia has become more dangerous and there have been two processes going on at the same time, which could be said to be connected. The Russians are forcing the closure of camps in Ingushetia and insisting that things are now safe enough to go back to Chechnya. Sometimes ‘forcing’ takes the form of literally closing the place down. The place one was sleeping until yesterday no longer exists. Another very common pattern is one of harassment, which in effect becomes driving out. If at a certain moment one’s paper work is not precisely in order, then one cannot be in Ingushetia. One must go back to Chechnya or one is threatened that otherwise things may happen to one’s family or oneself. There are all sorts of explicit and implicit threats made, where the idea is that being back in Chechnya becomes the lesser evil. In context we need to remember that these are not people who have chosen to live in the lap of luxury somewhere. Choosing the Ingushetia version was never the preferred version, but people had been forced to choose between a rock and a very, very hard place.

Violence

A couple of recent Human Right Watch reports documented the growing violence in Ingushetia. One of the examples mentioned in one of the reports tells the story of a helicopter gun ship which comes in and strafes a car. I cannot remember what the people in the car were doing but they were minding their own business and were innocent. A woman in the car was badly injured and her son stayed behind to look after her. The other passengers fled from the Russian forces that were also arriving on foot. However, the man who was less injured was found, beaten and finally shot to death. His body was buried or hidden in nearby woods. The survivors found the body very quickly because they guessed that this might have happened and then they had literally traced the blood trail where the body had just been dragged across and dumped.

A lot of the Russian actions take place of course in the context of the war on terror and 9/11. As everyone knows, we are facing a terrible problem of terrorism worldwide. Two points need to be made on that: Firstly, a lot of this was going on before 9/11 ever happened and the Russian tactics were quite similar then. The second point to note is the Al Qaeda connections, if the connections have ever been there. It has been murky and full of unproven allegations from beginning to end, even though it must be said that there are some extremely nasty characters amongst the Chechen rebels. But the Al Qaeda connections have been tenuous at the very best.

The key point on all this is that many of those who are at most risk and those who died most recently clearly had nothing to do with, nor were they ever properly accused of having anything to do with any kind of terrorist activities. Even if they were terrorists, they clearly should have faced due process, but actually there is not even a thought of that. The situation is that one can be dragged out and left in a ditch to die and crucially, whoever left one in the ditch to die is not going to have to face any difficulties.

Little Media Attention for Ingushetia

The situation in Ingushetia is one that Human Rights Watch feel has received far too little attention. I think that at least the name of Chechnya is vaguely known. The fact of the dangers of Ingushetia and the growing dangers of Ingushetia are I would say not very well known. In the meantime, no matter how much I think about it, I still find baffling that Western Governments refuse to focus on what is happening. In the last few years we have had condemnations at the United Nations Commission on Human Rights in Geneva. This is good, as we always welcome it when those condemnations have happened. The brutal truth of it is that they get very little public media play. And even these resolutions are not the strongest cards the Western governments are able to play. Clearly we do welcome the resolution regarding the condemnation of what is happening in Chechnya in the last couple of years. We have not even had that since 9/11. Last year it did not get through and this year it disastrously did not get through. It was voted down; it was not considered something that was of sufficient concern to be worth condemning publicly. The Russian government did what it has often done in the past, and the Soviet Government did it very successfully in its time. The government of the Russian Federation has learnt the same tricks, what I call 'playing poker with very few cards'. It is remarkable how democratic governments actually never seem to play the strong cards that they have in terms of the pressures they can use. Western politicians are ready to back off rather quickly.

Effects of Conflict in Chechnya and Ingushetia

One can look at the media freedom issues, one can look at the religious freedom issues, one can look at a bunch of other problematic violent issues but I think the really key point is the violence that is happening in Chechnya and Ingushetia against completely uninvolved people. These are people who never wanted to be involved in any kind of conflict but who may well be driven into a conflict because of the madness that surrounds them and this is very, very difficult to overstate. It has also had knock on effects in terms of the brutalization of society into broader Russian Federation and broader Russian society. More than a million young men have gone through Chechnya in past years and are now back in their towns, villages and cities, bringing with them all that experience of that brutalization, not just of a war. You could say all war is brutalizing but this is not a war in the conventional sense as we know it, this is a war where rules are quite simply ignored.

5. Conscripts

Post Traumatic Stress Disorder

There was a fairly reputable analysis which reckoned that around 80% of the conscripts coming back from the Chechen conflict have Post Traumatic Stress Disorder. This will not surprise anybody. Needless to say they received no type of back up of any kind. The mixture of drink, violence against others, inside their family and outside their family and all the other problems you might expect, go with that situation. That may be some of the regrettable problems in Russia today. The length of army service in Russia is two years, and after a six month induction, conscripts may be sent to what are called conflict zones, Chechnya being one of them. One sees a lot a contract soldiers in Chechnya and experienced soldiers, who have volunteered

to go to these conflict zones. Provisional soldiers volunteer because of the benefits attached to it.

Lack of training

In relation to conscripts, the situation is that there is no training. One goes off and suddenly one find that one is in Grozny. It is bad enough being a Chechen civilian, but frankly it is far worse to be a Russian conscript in those circumstances. The lack of information is absolutely shocking. People arrive in Chechnya, not knowing that they are going there. The pattern there is similar as in many countries. It is those who have least clout, least power, who are the ones that end up at the rough end. If one is a nicely brought up boy, one will probably find ways of paying someone off. This is a pattern we have seen in other countries, Vietnam included. The people who do not have the clout end up going there and they have no information about where they are going and they have no power at any stage and no training of any kind.

Conscientious Objectors

The alternative, conscientious objection is not theoretically illegal in Russia but in practical terms it is very difficult. The law allows that, perhaps for every two years of conscription one has four years of quite difficult experience for a conscientious objector. Who would do this? As regards the law on conscientious objectors, it was passed two years ago. The law is along the same lines as the article of the constitution that allows for it. The law only entered into force on 1 January 2004. Previously the people who objected to military service could only refer to the principle of the constitution. It was up to the judges to see to what extent this applied in each particular case. The principles enshrined in the constitution could be directly applicable. A lot of cases were decided by the court and a lot of people have been detained pending a decision by the court, which sometimes was just to deny the possibility of doing their service within the axis of the law. There was absolutely no consistency within the courts across Russia as to how to implement the constitution in the absence of law and when the law was passed, in the absence of ability to enforce the law. It is probably too soon to comment on it.

Draft Evasion

In principle, if one is a Chechen and one's place of residence is Chechnya but one does not live in Chechnya, but, for example in Dagastan as an IDP, there is little the army can do to conscript one if one is not properly registered at one's place of sojourn. But one would be in trouble if one goes back to Chechnya and one has missed the draft. If one is properly registered at one's place of sojourn, the law provides that the draft should happen in the place of permanent residence, that is, a place where one is registered and is one's place of residence. One is drafted at one's place of domicile but one may be sent to serve in any place in Russia. What we see in Ingushetia, is when the authorities go into the camp, the young people try not to show up because they are afraid of being asked what their situation is in regard to the military. What we have not noticed in Ingushetia, as far as we know, or Dagastan, is any active policing by the military authorities to arrest people and send them to the draft. The problem in Ingushetia is of a different nature but we have not seen any active policing or searching of people who have not evaded the draft but not presented themselves. If one has lived, for example, in a Moscow apartment block or a Rostoff apartment block for many, many years and one is part of the community, the fact of

one having lived somewhere for ages is not going to give one absolute protection. It is the youngish men who are most exposed to the harassment. There is a degree of scale here. If one is seen as having recently arrived in Moscow, then in some way one can be seen as more of a threat, a possible terrorist's envoy, whereas, if everyone knows one has lived at, for example, Ivanoff Street for the past 25 years then there may be less suspicion, but it does not give one absolute protection. The very fact of being a Chechen is also a problem.

6. Registration and Residency

In Russia, one can be a citizen of the country and still be an illegal resident where one is. Each and every citizen has to be registered at his or her place of residence. This is where one was born, owned one's house or where one lived permanently. If, as a citizen, one happens to leave this place to work somewhere else, study somewhere else, visit family or just want to visit the country, then within seventy two hours one has to register at one's place of sojourn. It is a different type of registration; it is not a residence registration but a sojourn registration with the local police. If a Chechen from Chechnya possesses a resident's registration in Moscow, that is, if he was able to cancel his old registration in Chechnya and register permanently in Moscow, it is said he has at least legal protection. He may face a lot of I.D. checks but when it comes to what the police can particularly do to them, it is the understanding of the UNHCR that these persons are protected by the law. The position is slightly different for those who possess a sojourn registration because a sojourn registration is issued for a temporary period of time. Depending on the region, it may or may not be renewed and is extremely precarious.

If a Chechen came with a resident's registration to Moscow or to a place other than Chechnya, it means that he has the right to reside there and he has the right in principle for legal protection. One can be fined in Russia for being caught not having a sojourn or resident registration. Having proper documents, i.e. one's I.D. but not police registration can also result in a fine. Large urban centres like Moscow are every year deporting thousands of citizens who are non-residents out of the city boundaries because they happen to be non-residents and are not legally registered with the local authorities. Of course there are some constraints around this, such as the protection of the labour market. The fact remains that one can still find oneself an illegal resident although one is a Russian citizen.

7. Forced Migrants' Status within the Russian Federation

Migrant status is the status that is given to an internally displaced person. There is no such term in Russian legislation as internally displaced person. There is a word for the concept of forced migrant. Article 1 of the 1995 law on forced migrants stipulates that the status of forced migrant is granted to one who has been displaced from his or her place of permanent residence to another within the Russian Federation, for reasons due to..... and then there is exactly the same definition as the refugee definition, given in the Geneva Convention. Another part of Article 1 states, 'all displaced by generalized violence or massive violation by public disorder'. That is

interesting because the first part of Article 1 is about the individual's perspective, the same type that one would apply in context to Article 1 of the Geneva Convention relating to the status of refugees. The second part is more the OAU type of refugee protection convention, which is in the broader definition. It is not so much in the individual profile of a person but based on the generalized violence of the location where he or she lives. Interestingly, IDPs, ethnic Chechens from the second conflict have hardly got access to forced migrant status, which is not a protection status. After all, we are talking about citizens. It is more like a status which will allow people to locate somewhere else and receive social and economic benefits that help them relocate or resettle in another part of the Federation. It is quite an important status but sadly it is not available to ethnic Chechen IDPs from the second conflict. However, it has been very widely available to the IDPs from the first Chechen conflict, 1994-1996, the majority of whom just happen to be ethnic Russians or at least non-ethnic Chechens, those who have permanently settled in other parts of the Russian Federation. What is quite interesting to see are the decisions of the Russian authorities, denying or rejecting applications for forced immigrant status, such cases which are being confirmed at a judiciary level. First of all, the individual's perspective cannot really be alleged. The majority of IDPs are people who fled on a massive scale because a bomb has landed on their roof and their house is on fire and some of the family members have died and they had to leave things behind and just take what they could. These are the people who fear for their life because of indiscriminate bombing and general unrest in Chechnya. One would think that this description fits perfectly under the definition in paragraph two of Article 1, generalized unrest. The argument of the authorities to deny these persons is to argue that the current situation in Chechnya is defined by the anti-terrorist campaign. It is framed by the law; there is a law against terrorism and under the auspices of which the current activities of the government take place, so it is framed by the law on fight against terrorism. Therefore it cannot be alleged that those forces that are there to establish order and combat terrorism, can be accused of violation to the public order. It would be a paradox. That is the kind of stretched legal argument, if you wish, that is being used by the authorities to deny the granting of forced migrant status to IDPs, and that is quite confirmed by the statistics when looking at who has it and who does not have it. It is quite unfortunate but that is the situation.

8. Ethnicity and Language

Not everyone from Chechnya speaks Chechen. It is on the record as being so. This is for different reasons, Russian will often be there, but Chechens should speak Chechen. I am hesitant, all I would say is Russian is often the language of communication, Russian is the predominant language of communication. (Steve Crawshaw)

9. Repatriation from Member States

We are not informed when it comes to repatriation from abroad to the Russian Federation and we are not following up on that. We can talk about returns to

Chechnya from Ingushetia because we are involved, to some extent in monitoring the returns. (Jean Paul Cavalieri)

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