

# PROFILE OF INTERNAL DISPLACEMENT: RUSSIAN FEDERATION

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#### **PROFILE SUMMARY**

#### Russian Federation: government ignores its obligations towards IDPs

The authorities in the Russian Federation continue to deprive the victims of displacement in the northern Caucasus of adequate protection. Two consecutive armed conflicts in Chechnya since 1994 have sent hundreds of thousands of civilians onto the roads fleeing large-scale violence and human rights abuses by security forces and Chechen rebel groups. Since the second conflict began in 1999, the priority of the federal authorities has been to contain the displacement crisis in Chechnya, by denying IDPs access to safety elsewhere and even pressuring IDPs to return there from neighbouring Ingushetia, where most had found temporary refuge. As a result, about 60 per cent of the 340,000 IDPs in the Russian Federation are located in Chechnya, despite widespread insecurity and destitution. It is only thanks to the humanitarian assistance provided by the international community that the condition of IDPs in Chechnya and in neighbouring republics has somehow stabilised since the early stages of the conflict. However, even this fragile achievement is threatened by the absence of prospects for a political solution to the conflict and the spreading of violence outside Chechnya. The killing of the Chechen leader Aslan Maskhadov by federal forces in March 2005 is expected to further aggravate the situation. Chechen IDPs elsewhere in the Russian Federation face widespread discrimination and have been denied access to essential services and benefits by the federal and local authorities.

#### Background and main causes

Internal displacement in the Russian Federation is mainly the result of ten years of armed violence and conflict in Chechnya, a small territory with a population of approximately one million people on Russia's southern border in the Caucasus mountains. Annexed by Russia in the late 18th century, it was an "Autonomous Republic" during the Soviet Union. In the wake of the Perestroika reforms of the 1980s, Chechen leaders proclaimed the territory's independence in November 1991, shortly before the collapse of the Soviet Union. Russian troops entered the rebellious republic in December 1994. Fighting between federal forces and secessionist armed groups in Chechnya ended in 1996, when an agreement was signed between Chechen leaders and President Boris Yeltsin providing for the withdrawal of federal forces and postponing the decision on the future status of Chechnya to 2001. This conflict took the lives of 30,000 civilians and displaced as many as 600,000 people (Hansen 1998).

The resumption of armed hostilities between federal military forces and Chechen separatists in 1999 plunged the northern Caucasus into a new humanitarian disaster and a large-scale displacement crisis. Both sides have conducted armed operations in disregard of humanitarian law, using disproportionate force, indiscriminate attacks, arbitrary arrest, torture and inhumane treatment. This catalogue of abuses, which human rights organisations attribute mainly to the federal forces, had compelled up to 600,000 people to leave their homes by the end of 1999. The majority of those internally displaced remained within Chechnya but a significant number of them (up to 200,000 persons) fled to the neighbouring republic of Ingushetia during the winter of 1999-2000, the only escape route left open by the federal authorities (USCR 2001).

Most ethnic Russians, who often held high-level positions in local industries and infrastructure, and other non-ethnic Chechen people left Chechnya and other north Caucasian republics during the first conflict and resettled elsewhere in the Russian Federation (UNHCR, February 2003).

A smaller conflict in North Ossetia, another republic in Russia's Caucasian border area, displaced several thousand people in 1992. Tensions between the Ingush and Ossetian communities in the Prigorodny district of North Ossetia triggered the displacement of the ethnic Ingush population to neighbouring Ingushetia. An agreement of cooperation signed in 1992 between North Ossetia and Ingushetia provided for the return of

the displaced ethnic Ingushetians. However, more than 10,000 people originating from North Ossetia are still waiting to go home in Ingushetia.

#### Key statistics

Total IDP population (estimate): 340,000 (December 2004)

Population of the Russian Federation: 148 million

#### Second Chechen conflict (from 1999):

- IDPs in Ingushetia (February 2005): 33,650 (UNHCR, Danish Refugee Council)
- Total population in Ingushetia: 350,000
- IDPs in Chechnya (June 2004): 209,600 (government)
- Total population in Chechnya: 1 million (official 2002 census)
- IDPs elsewhere in the Russian Federation: 48,000 (UN estimate)

Conflict in the Prigorodny district (North Ossetia) (1992) and first Chechen conflict (1994-1996)

IDPs with "forced migrant" status: 46,400 (December 2004)

All figures are based on information available in the Russia country profile

#### **Destitution and uncertainty**

Although the level of violence has not reached the levels recorded in the early stages of the conflict, guerrilla activities, reprisals against civilians, human rights abuses and the devastation in Chechnya continue to keep more than 300,000 people away from their homes. The authorities have alleged since 2001 that they have regained control of most of Chechnya and that conditions have been met for an early return of IDPs from neighbouring territories. Pressure on IDPs in Ingushetia has resulted in significant return movements to Chechnya but most IDPs have remained displaced within the republic upon return. As a result, about 60 per cent of the total IDP population in the Russian Federation is displaced within Chechnya itself (UNHCR, 23 February 2005).

The security conditions for the civilian population, including the displaced, remain extremely precarious, and the killing of the Chechen leader Aslan Maskhadov during a raid by federal forces in March 2005 increased the risks of an upsurge of violence in the region. Maskhadov, elected president of Chechnya in 1997 but subsequently branded a terrorist by Moscow, had consistently called for negotiations with the federal government and opposed attacks on civilians. His death has left the field open to the more radical field commander Shamil Basayev, who remains at liberty and continues to perpetrate terrorist attacks and raids (RFE/RL, 8 March 2005). The policy of "Chechenisation", whereby the federal authorities have partly transferred the burden of Chechnya's pacification to pro-Moscow Chechen forces, has failed to stabilise the situation. The installation of a pro-Moscow Chechen administration has been a very fragile process (see chronology). Alu Alkhanov was elected Chechen president in August 2004 after his predecessor, Aslan Kadirov, was killed by a bomb. Tensions are reported between Alkhanov and Kadirov's son, who commands a "presidential security force" of 2,000 to 8,000 men (the "kadirovsty"), feared for their brutality among civilians (RFE/RL, 10 December 2004).

The conflict in Chechnya has also spread to other northern Caucasian republics, raising fears of increased violence and attacks on civilian populations (see chronology). There have been reports of hundreds of young men joining Basayev's militants, after the arbitrary arrest of their relatives by federal security and police forces, and their subsequent disappearances (RFE/RL, 11 February 2005). This violence has further degraded the fragile condition of displaced Chechens and other minorities outside Chechnya, and fuelled tensions between ethnic groups in the northern Caucasus (RFE/RL, 9 September 2004; US DOS, 28 February 2005, sect. 2d)

Chronology: Violence in Chechnya and neighbouring republics

5 October 2003: Aslan Kadirov elected president of the Chechen Republic

9 May 2004: Kadirov killed in an attack at the Grozny Stadium

21-22 June 2004: Rebel attack on law enforcement agencies in Ingushetia (98 people killed)

29 August 2004: Alu Alkhanov, former Interior Minister of Chechnya, elected president

1-3 September 2004: 1,000 schoolchildren taken hostage at a school in Beslan (North Ossetia) (350 people killed)

December 2004: Rebel attack against the offices of the federal drug agency in Nalchik (Kabardino-Balkaria)

January 2005: Offensive by pro-Moscow Chechen troops against rebel groups in Dagestan

8 March 2005: Chechen rebel leader Aslan Maskhadov killed by federal forces

#### No safety for IDPs

The physical security and personal liberty of IDPs in the northern Caucasus remain under constant threat, as violence in Chechnya continues to claim several hundreds victims every year. Although the number of large-scale raids by security forces has fallen, serious human rights violations, such as arbitrary arrests, disappearances and extrajudicial executions, continue to be committed during more targeted security operations against single houses or buildings. These types of abuses have also been increasingly reported in other northern Caucasian territories, in particular Ingushetia. Safeguards announced by the Russian authorities in 2002 to curb the violence during military operations in Chechnya (presence of a prosecutor, identification of forces involved) have not been complied with and do not apply to other security forces. Impunity remains the rule for the crimes committed by federal or pro-Moscow armed forces (AI, 24 June 2004). Chechen rebels have also been a major threat to the security of civilians in Chechnya and elsewhere in the northern Caucasus, with reports of terrorist attacks, killings, forced labour, and use of civilians as human shields (US DOS, 28 February 2005).

IDPs are particularly exposed to security operations conducted by military and security forces, often in response to rebel attacks. This pattern of violence has been reported in IDP settlements in Ingushetia, as for example in June 2004 following a large-scale rebel offensive, or in collective centres in Chechnya. During these police operations, arbitrary arrests, beatings, and violent interrogations have been reported (Memorial 2004; IHF, 4 August 2004). Landmines and unexploded ordnance also endanger IDPs and returnees as they move through or resettle in affected areas (UN, October 2004).

#### Assistance needs

The social-economic vulnerability of IDPs has remained a concern to humanitarian organisations in northern Caucasus. Most displaced households in Chechnya and Ingushetia continue to be dependent on external food aid, despite a relatively good harvest in 2004. Half of the population in Chechnya lives below the poverty level, and unemployment or under-employment affects 90 per cent of IDPs in Ingushetia. Health indicators in Chechnya and Ingushetia are generally below the average in the Russian Federation and have only stabilised thanks to the concerted efforts of local health structures and international

organisations. Displacement, violence and social-economic deprivation have increased the exposure of the population in Chechnya and Ingushetia to tuberculosis and HIV/AIDS. Conditions in IDP settlements and camps also expose women and children to serious health risks (UN, October 2004). A high number of displaced children living in collective centres in Chechnya do not attend school (Memorial 2004).

Shelter conditions for the vast majority of IDPs are deplorable. In Ingushetia, 35 per cent of IDPs continue to live in so-called spontaneous settlements, such as factories, farms and wagons, with insufficient access to utilities and inadequate protection against extreme climatic conditions. In Chechnya, about 35,000 IDPs live in Temporary Accommodation Centres (TACs) opened by the authorities to accommodate IDPs returning to Chechnya, often in unsanitary and overcrowded conditions (Memorial 2004, MSF August 2004).

Chechen IDPs elsewhere in the Russian Federation are denied access to registration, depriving them of access to essential services and rights. One main problem for these IDPs is their inability to register their residence or temporary sojourn. Despite the abolition of the system of residence permits inherited from the Soviet period (the so-called *propiska* system), de facto limitations on free choice of residence remain in place in numerous regions, including major urban centres such as Moscow or St Petersburg. Furthermore, Chechens displaced by the current conflict have not been able to gain the "forced migrant" status, granted in federal law to victims of forced displacement from their original republic, but denied by the authorities to persons exposed to violence committed by federal forces. Deprived of registration and any humanitarian status, most displaced Chechens in urban centres have been unable to access essential services and social benefits and have been exposed to harassment from police forces and local authorities (UNHCR February 2003; Memorial 2004; Petrosyan, 2 November 2004).

Access of humanitarian organisations to the victims of displacement in the northern Caucasus remains serious hampered by the lack of security. Human rights defenders who voice their concerns about the situation in Chechnya have increasingly become victims of serious abuses, including killings, disappearances, ill-treatment, harassment and intimidation (AI, 9 November 2004). Bureaucratic obstructions, such as restrictive issuance of permits, clearance procedures at checkpoints, and the lack of authorisation to use radio frequencies for communications, also affect the ability of NGOs to work inside Chechnya (COE, 20 September 2004; UN, October 2004). As a result, humanitarian organisations do not maintain any permanent international presence inside Chechnya, and access of humanitarian organisations to mountainous areas remains impossible. In Ingushetia, the rebel raid in June 2004 forced humanitarian organisations to suspend their operations during a short period (UN, October 2004).

#### **Policy of premature return**

The closure of IDP camps in Ingushetia and the consequent return of IDPs to Chechnya dominated the agenda of the humanitarian community in 2004. The policy of accelerating the return of Chechen IDPs from Ingushetia, where the majority had found refuge in the early stages of the second conflict, was officially endorsed by the federal, Ingush and Chechen authorities in a plan adopted in May 2002. As a result, the last three tent camps in Ingushetia were closed down in 2004, with reports of undue pressure exerted on IDPs to go back to Chechnya, including intimidation, removal from humanitarian distribution lists, denial of registration to newly-arrived IDPs and disruption of utilities in camps. The compensation scheme for lost properties created in 2003 has also been a factor motivating IDPs to go back to Chechnya, despite its poor implementation (see below) (UN, October 2004).

Upon the insistence of the international community that return should remain voluntary, alternative shelter solutions were made available to those IDPs not willing to return to Chechnya. It is estimated that 23 per cent of the IDPs living in tents in 2004 relocated to these alternative shelters (UN, October 2004). The pressure on IDPs in Ingushetia has not ceased with the closure of the tent camps and seems to be redirected at IDPs living in spontaneous settlements, where utility cuts and eviction threats have been reported (OCHA, 22 November 2004; AI, 23 June 2004).

#### **Inadequate national response**

Despite their official support of the Guiding Principles on Internal Displacement, federal authorities have failed to fulfil their responsibility towards the victims of displacement in the northern Caucasus. On several occasions, the government of the Russian Federation has signalled its acceptance of the Guiding Principles as a "helpful" tool for the protection of IDPs, as during the visit of the Representative of the UN Secretary-General on IDPs, Francis Deng, to the Russian Federation in September 2003 or within the framework of the OSCE (UNCHR, 24 February 2004; OSCE 2003). However, the reality on the ground shows a lack of concern for the fate of IDPs from Chechnya. The humanitarian assistance provided by the government in Ingushetia and Chechnya remains largely insufficient to cover the needs of IDPs, such as food or shelter (WFP 2003; UN, October 2004). As illustrated by the premature return of IDPs from Ingushetia to Chechnya, the authorities do not give priority to the protection of IDPs from violence and human rights abuses. No serious efforts have been conducted to curb the violence perpetrated against civilians by the military and security forces in Chechnya.

The authorities' policy of supporting the political and social-economic reconstruction of Chechnya has shown very limited results to far. Since a controversial referendum on a new constitution for Chechnya in 2003, the new Chechen institutions have remained very fragile. Several reconstruction plans have also been adopted since 2001, but their impact has been limited, in particular as a result of embezzlement of federal funds earmarked for Chechnya. The compensation scheme for lost property, launched in July 2003 by the federal government, is one example of the controversial response in support of the integration of returnees. According to human rights organisations, the criteria for compensation lack transparency and compensation can only be received upon payment of considerable bribes to intermediaries (Memorial 2004).

#### International humanitarian aid and protection

The role of the international humanitarian community in filling the gaps of the government's response to the plight of IDPs and other civilians affected by the conflict in northern Caucasus is crucial. With the support of OCHA, the UN humanitarian coordinator facilitates dialogue between UN agencies, government institutions, and NGOs about assistance and protection needs in the northern Caucasus. The UN Consolidated Appeal for 2005 continues to focus on the humanitarian gaps, as instability and lack of transparency deters donors from supporting the authorities' long-term rehabilitation plans for Chechnya (UN, October 2004). However, attention is increasingly devoted to the sustainable integration of IDPs, as demonstrated by UNDP's plans to support durable solutions for IDPs in areas of displacement initiated in Ingushetia and North Ossetia in 2004, through an "area-based" support for the recovery of local economies (UNDP, 21 December 2004). As lead agency for the protection of IDPs in the northern Caucasus, UNHCR has set up a network of local NGOs in Chechnya and Ingushetia to monitor population movements, and provide legal and social assistance to IDPs and returnees (UNHCR 2004). Federal authorities have informed the UN humanitarian coordinator that there would be no consolidated appeal for 2006 (OCHA, 17 February 2005).

The insistence of the federal authorities on portraying the military operations in Chechnya as a contribution to the global coalition against terrorism has made third states rather reluctant to voice their concerns about the human rights crisis in the northern Caucasus, as illustrated by the failure of the UN Commission to adopt any resolution on the matter since 2001 (HRW 2004). The Russian Federation also opposed the continuation of the presence in Chechnya of OSCE, which closed down its mission there in December 2002. However, various human rights institutions, such as UN treaty bodies and the Parliamentary Assembly of the Council of Europe, remain seized of the situation in Chechnya (UNCHR, 6 November 2004; COE, 20 September 2004, 7 October 2004). In February 2005, the European Court of Human Rights released its first judgement against the Russian Federation in cases related to the conflict in Chechnya. The Court held that military operations were conducted without "the requisite care for the lives of the civilian population", including proper evacuation plans and protection for population in flight (ECHR, 24 February 2005).

Note: This is a summary of the Global IDP Project's country profile of the situation of internal displacement in the Russian Federation. The full country profile is available online <a href="here">here</a>.

#### CAUSES AND BACKGROUND

### The conflicts in Chechnya

#### Background to the conflict: Chechnya recent history (1922-1998)

- Russian expansion in the Caucasus meets fierce Chechen resistance throughout the nineteenth century
- Forced collectivization and attempts at "Russification" by the Bolsheviks led to renewed unrest and rebellion in Chechnya, culminating with brutal repression during the Stalinist 1930s
- Chechens and Ingush deported en masse to Soviet Central Asia and other far reaches between 1944-1957
- In 1957, Khrushchev decreed their return
- With Ingushetia opting to remain within Russia, Chechen leader Djohar Dudayev, a former Soviet Air Force General, proclaimed Chechen sovereignty on November 2, 1991
- As a result of the declaration of independence, some 100,000 Russians left Chechnya
- December 1994-August 1996: Russian troops undertake a military intervention in the republic; up to 400,000 people flee to other areas of Chechnya and the Russian Federation
- 1997-1999: Chechnya remains unstable; insecurity and hostage-taking oblige to a reduction of international humanitarian aid; Sharia law introduced by the President of the Chechen republic

"Chechnya experienced 21 months of warfare between December 1994, when some 40,000 Russian troops entered the rebellious republic, and August 1996 when a cease-fire took hold. An estimated 50,000 people, mostly civilians, were killed. Indiscriminate bombing and artillery attacks destroyed large areas of the Chechen capital Grozny in the first two months of the war, forcing up to 400,000 people to flee to other areas of Chechnya and to the frontier regions of Ingushetia, Daghestan, North Ossetia, and southern Russia. As the war continued into the surrounding countryside and southern mountain areas, entire villages were destroyed, resulting in further displacement.

The war was the most recent manifestation of the historical inability of Chechnya and Russia to find a workable modus vivendi. Chechnya's history over the past 200 years has been defined largely by Russian and Soviet attempts to subdue the Caucasus. In Czarist times, an uncontrolled northern Caucasus was considered to be Russia's Achilles' heel against incursions from the Persian and Ottoman Empires. From the second decade of the nineteenth century, Russian armies began their push into the mountains meeting fierce, well-organized, and Islamicized Chechen resistance. During a 25 -year campaign of resistance led by the Imam Shamil between 1834-1859, Russian forces opted for a scorched earth strategy, destroying the lands and villages that gave the Chechen fighters sustenance and forcing the population to flee to the relative safety of the mountains. Russian armies won a titular military victory in 1859 with Shamil's capture, but resistance continued for the remainder of the century and well into the next. In modern times Shamil, who was an ethnic Avar from Daghestan, remains a venerated folk hero in both Chechnya and Daghestan.

Upon the collapse of the Russian Empire in 1917, Bolsheviks promised independence, cultural autonomy, and religious freedom to Chechens and others in the northern Caucasus. However, the Soviet Red Army consolidated its power in the Caucasus soon afterward. Forced collectivization and attempts at Russification led to renewed unrest and rebellion in Chechnya, culminating during the Stalinist 1930s with

brutal repression, forced famine, mass arrests, exiles, and killings. Chechnya was united with Ingushetia as an ASSR in 1934. The Ingush and Chechens, who together comprise the Vainakh people, are ethnically related, speak a similar language, and often share kinship ties.

With the advent of World, War II, as German forces advanced into the Caucasus, small numbers of anti-Soviet guerrillas mounted attacks against Soviet forces. This provided Stalin with a pretext to punish the 'unreliable' ethnic groups of the northern Caucasus. With great loss of life, Chechens and Ingush were deported en masse to Soviet Central Asia and other far reaches, and their lands were divided up among Russians, the Laks of Daghestan, and North Ossetians. The Chechens and Ingush remained in exile until 1957, when it was decreed by Khrushchev that they could return to their homes. The return was badly managed, however, and recurring clashes between the returnees and settlers continued for many years.

Perestroika in the late 1980s allowed for the resurgence and open expression of national identities in the Caucasus, leading in Chechnya as elsewhere to a declaration of independence from Russia. With Ingushetia opting to remain within Russia, Chechen leader Djohar Dudayev, a former Soviet Air Force General, proclaimed Chechen sovereignty on November 2, 1991, shortly before the collapse of the Soviet Union. Relations between the struggling democracy in Moscow and the Chechen capital Grozny were difficult from the outset. Moscow refused to recognize Chechnya's secessionist aspirations and mounted both covert and overt operations to weaken Dudayev's position and replace him with a more tractable regime.

In Chechnya, the pervasive socioeconomic ills brought about by the collapse of the Soviet system and Dudayev's own increasingly autocratic style of leadership sent the territory into a spiral of fragmentation and instability. These conditions were exacerbated by the emptying of jails, the proliferation of small arms, and burgeoning criminal activity. Like his successor Aslan Maskhadov, Dudayev's challenge was to impose a hierarchical state system atop a society more closely organized along lateral, clan-based relations. Amid a worsening breakdown of law and order, some 100,000 Russians, many of them holding highly skilled, essential jobs in Chechnya's infrastructure and industry, departed for more hospitable surroundings. Russian military leaders promised Yeltsin that Chechnya could be quickly subdued. Amid protests from Ingushetia and liberal circles in Moscow, a Russian invasion force was mustered in the northern Caucasus and entered Chechnya on December 11, 1994.

 $[\dots]$ 

Although an OSCE mission with fewer than 10 diplomats and military observers was dispatched to Grozny in June of 1996, the mission's political marginalization by OSCE member states and its size meant that it could achieve little tangible result over the course of the war. Russia was given largely free reign by the international community in its prosecution of the war, in deference to Russian sovereignty and its key roles in other pressing international foreign policy issues. Fighting eventually ended in August 1996, following an all-out attack in Grozny on Russian forces, who were forced out in a humiliating defeat by a much smaller separatist force. Russian President Yeltsin's national security advisor at the time, former Soviet general Alexander Lebed, concluded a cease-fire agreement with the separatist leadership. The terms of the cease-fire stipulated the withdrawal of Russian forces and a five-year hiatus for discussions on Chechnya's future political relationship with Russia.

From the cease-fire to [June 1998], Chechnya has remained unstable. Despite presidential and parliamentary elections and repeated accommodations of radicals and militants by the elected leadership, the warlords and factions rather than politicians have continued to control events. Criminality has deepened in Chechnya following the cease-fire, partly a consequence of large numbers of unemployed former fighters and the destroyed economy. Specifically, humanitarian actors have been increasingly targeted for attack, the most tragic instance of which was the assassination, with possible political motives, of six expatriate ICRC employees and the serious wounding of a seventh in an ICRC hospital compound south of Grozny on December 17, 1996, just prior to elections. Although the aid community drastically scaled back its presence in response, a rash of hostage takings targeting expatriate aid agency staff continued in and around Chechnya to February 1998, when the kidnapping of the UNHCR head of office in Vladikavkaz, North Ossetia, led to a further reduction of humanitarian action in the northern Caucasus. Since the scaling down of international aid operations, the Russian Federation has responded with emergency assistance to

several ecological disasters in Chechnya. Insecurity has precluded any comprehensive assessment of postwar need." (Hansen 1998, pp. 20-22)

"In February 1999 [January 1997 elected President] Maskhadov introduced Islamic law into the republic by presidential decree. He also stripped the parliament of its legislative powers and abolished the post of vice-president. Maskhadov ordered the drafting of a new constitution based on the Koran and created a *Shura* (State Council), as an advisory body which the opposition was invited to join. The opposition wad crated an alternative *Majlis Shura* (Supreme State Council), to which they elected themselves and in which they allocated a seat to Maskhadov, but on condition that he resigned as president, claiming that presidency is incompatible with *Sharia* law. The parliament, once the base of support for Maskhadov, refused to recognize the presidential initiatives as legitimate and continued to function as before. This created a triarchy, although no one possesses ultimate political authority over the entire republic." (Matveeva 1999, pp. 94-95)

#### The military operations in Dagestan and Chechnya (September 1999 - March 2000)

- Russian military intervention in Chechnya follows bomb explosions in Moscow attributed to Chechen terrorists and a Chechen incursion into the neighbouring republic of Dagestan (August-September 1999)
- After advancing quickly through northern Chechnya, Russian forces encountered fierce resistance as they approached the Chechen capital Grozny (November-December 1999)
- Chechen rebel forces abandon Grozny; military operations continue in Southern Chechnya; Chechen leader calls for a guerrilla war against the Russian forces (February-March 2000)

"On September 5 [1999], Russian military forces began a month-long air assault on Russia's self-ruled, separatist republic of Chechnya, displacing more than 80,000 civilians by month's end. What began as a campaign to defeat Chechen-based armed Islamic 'Wahhabi' guerrillas who seized several villages in Chechnya's neighboring republic, Dagestan, in August and early September, quickly turned into an offensive resembling the 1994-1996 Russian-Chechen war [...].

Throughout September, Russian forces widened the bombing campaign from sites along Chechnya's eastern border with Dagestan to targets throughout the republic. They reportedly targeted the Wahhabi guerrillas, who they claimed bombed several apartment buildings in Moscow, Dagestan, and other areas of the Russian Federation. On September 28, after several failed attempts to engage Russia and stop the escalating war, President Maskhadov condemned 'the Russian aggression' and enlisted Shamil Basayev-former Chechen commander and leader of the Wahhabi guerrillas--to lead Chechnya's new war against the Russian Federation. (Unlike the 1994-1996 war in which many ethnic Chechens fought for independence, most Chechens reportedly oppose the fundamentalist ideology of the Wahhabi guerrillas and their attempts to infiltrate Dagestan.)

By the end of September, villages surrounding Chechnya's capital, Grozny, lay in ruins, hundreds of civilians had been killed by wayward bombs, and more than 80,000 displaced Chechens sought shelter in neighboring Ingushetia, Dagestan, and North Ossetia." (USCR October 1999)

"After advancing quickly through northern Chechnya, taking several towns without a fight, including Chechnya's second largest city of Gudermes, Russian forces encountered fierce resistance as they approached the Chechen capital Grozny. In November, Russian troops fought hard to encircle the city and cut off supply lines from the south, with towns and villages to the south of Grozny the scene of very heavy fighting. By early December, Russian forces had more or less encircled Grozny.

Russian commanders initially ruled out a ground offensive into Grozny, in an apparent attempt to avoid repeating the mistakes of December 1994 and January 1995, when hundreds of Russian soldiers entering

the city in columns of tanks proved to be easy targets for the Chechen rebels. Russian forces began a relentless bombing and shelling campaign on the city in late November 1999. On December 6, the Russian military announced an ultimatum to all civilians in Grozny to leave the city by December 11 or face 'elimination.' Leaflets dropped from Russian planes instructed civilians: 'Those who remain will be viewed as terrorists and bandits and will be destroyed... Everyone who does not leave the city will be destroyed.' The ultimatum was eventually retracted, apparently under pressure from the international community.

Countless civilians fell victim to the continuing bombing and shelling campaign. On various occasions the Russian government and military announced safe exit routes for civilians wishing to flee from the city but continued to target those very routes. An estimated ten to fifty thousand civilians, often the elderly, poor, and infirm, remained trapped in Grozny's basements.

In mid-December, Russian forces started the ground offensive on Grozny. In Grozny, Russian soldiers met fierce resistance from Chechen rebel fighters intimately familiar with the city. During the offensive, the number of casualties among Russian soldiers rose very quickly. In one episode reminiscent of the 1994-1995 offensive on Grozny, Associated Press and Reuters correspondents reported that, on December 16, a column of tanks trying to enter the center of the city was surprised, and Russian troops were slaughtered by Chechen fighters. Maria Eismont of Reuters and Ruslan Musayev of the Associated Press said they had counted the bodies of more than one hundred Russian soldiers. The report was vehemently denied by the Russian government. In interviews with foreign and Russian journalists, however, numerous Russian soldiers who had fought in Grozny admitted that many soldiers from their units had died. Several soldiers described how each step on the streets of Grozny posed a threat as Chechen snipers were hiding all over the city and claimed the lives of many Russian soldiers. In mid-January, Chechen snipers killed General Malofeyev, one of the commanders of the invasion of Grozny, in a major setback for the Russian army. Russian troops were unable to recover his body until five days later.

The Russian government initially denied reports in the Russian and international media that claimed that the casualty rate among soldiers had soared. In mid-January, officials reported that 700 soldiers had died since the beginning of the fighting in Dagestan in August. On January 25, the Russian government said that in fact 1,173 soldiers had died. Many independent observers, however, believe even these numbers severely understate the real casualty figures, and some have estimated that as many as 3,000 Russian soldiers may have died in the Chechnya campaign so far.

In early February, Chechen rebel forces abandoned Grozny. One group apparently tried to bribe Russian officers for a safe passage but walked into a mine field which left many rebels dead and many more wounded. On February 7, Russian Acting President Vladimir Putin claimed that his troops had taken control of all of Grozny. In an interview with a Spanish daily, Chechen President Aslan Maskhadov said that 'for the time being we have given up [Grozny].'" (HRW February 2000)

"Civilians continue to flee villages in southern Chechnya amid reports of widespread destruction of property and a continuing military push by Russian troops. Newcomers report that virtually all homes in the Komsomolskoe village in Southern Chechnya have been destroyed. The number of people fleeing Chechnya has remained steady at about 1,000 people a week." (UNHCR 28 March 2000)

"The Russian authorities at present claim to have control over the vast majority of the territory of Chechnya: however, military operations continue in the mountains in the south of the Republic. The media have put the number of Chechen combatants at approximately 3 000. The Russian forces have captured a leader of the Chechen fighters, Mr S. Raduyev, who has been taken to Moscow for trial.

This fighting still causes significant loss of life among civilians and military personnel alike. There is no evidence that the belligerents have changed their way of conducting the military operations. Mr Maskhadov has called for a guerrilla war against the Russian forces, and attacks on Russian military targets are increasing in the territories formally controlled by the Russians." (COE Parliamentary Assembly 4 April 2000, paras. 20-21)

For a detailed chronology of events in Chechnya from August 1999 to January 2000, see Annex IV of the report on the conflict in Chechnya presented to the Parliamentary Assembly of the Council of Europe (25 January 2000) [Internet]

## Violations of humanitarian law by the Federal Forces led directly to the displacement of the civilian population (1999-2000)

- The indiscriminate use of force (air power and artillery) by the federal forces resulted in the displacement of up to 200,000 persons and widespread civilian casualties
- Reports of summary executions, arbitrary detention, torture and rape by the federal forces
- Early December 1999, ultimatum by the Federal forces requests civilian population to leave Grozny despite absence of safe corridors

"The indiscriminate use of force by government forces in the conflict with separatist elements in Chechnya resulted in widespread civilian casualties and the displacement of up to 200,000 persons, the vast majority of whom sought refuge in Ingushetiya.

Estimates vary of the total number of civilian casualties caused by bombs and artillery used by government forces. The number of civilian casualties cannot be verified, and figures vary widely from several hundred to several thousand. Government officials argue that they are employing 'high precision' tactics against separatist and terrorist targets in Chechnya. However, a wide range of reporting indicates that government forces are relying mainly on unguided rockets and other low precision weapons.

In September and early October, government forces launched air and artillery attacks against numerous Chechen villages along the republic's eastern border with Dagestan in the territory controlled by Chechen field commander Shamil Basayev. Basayev led attacks in Dagestan in July and August and was believed to have retreated to this region in Chechnya. Villagers living in the region under attack claimed that they were not supporters of Basayev.

Attempts by government forces to gain control over Chechnya's capital, Groznyy, were characterized by indiscriminate use of air power and artillery, which destroyed numerous residential and civilian buildings. Up to 140,000 Russian military and security personnel in the Northern Caucasus region were involved in the current conflict in Chechnya, far more than during the 1994-96 conflict in Chechnya. On September 24, government aircraft reportedly bombed a bus with refugees near Samashki, resulting in the deaths of eight persons. Human Rights Watch confirmed that on September 27, Russian aircraft allegedly bombed a school and residential areas in Staraya Sunzha, a suburb of Groznyy, killing 7 civilians and wounding another 20, including schoolchildren. Human Rights Watch confirmed an attack by Russian airplanes on Urus-Martan, 15 miles south of Groznyy, on October 3, which resulted in the deaths of 27 civilians. On October 5, a government tank fired on a bus near Chervlyonnaya, reportedly killing some 28 civilians. According to NGO reports, on October 7, government troops attacked the village of Elistanzhi, killing some 48 civilians. On October 21, explosions killed scores of civilians in Groznyy's downtown market and a local hospital. Western press organizations reported at least 60 civilian deaths and 200 persons injured, although Chechen government officials claimed that at least 118 persons died and more than 400 were injured. Russian officials offered contradictory explanations for the explosions; some denied any government complicity and blamed Chechen separatists. However, Ministry of Defense officials claimed on October 22 that special forces units had attacked a weapons market, but without using artillery or air power. The ICRC reported that two-thirds of Groznyy's 150,000 residents fled the city as a result of the military campaign. On October 27, government forces subjected Groznyy to the heaviest attacks up to that point as government aircraft bombed the city and killed dozens of Chechens. Chechen defense officials claimed that 116 persons were killed in the attacks that day. Also on October 27, government forces shelled the village of Samashki,

killing at least 5 persons and injuring dozens. On November 1, government troops that had taken positions in a psychiatric hospital near Samashki overnight opened fire on the doctors and other medical staff who reported to work that morning, resulting in injuries to three staff members. Troops prevented hospital staff from returning to care for their patients for several days, and the condition of the hospital's patients remains unknown. On November 16, government troops surrounded and shelled two large towns near Groznyy, Achkhoy-Martan, and Argun. The attacks prompted criticism from international human rights organizations for indiscriminate attacks against civilian settlements.

According to human rights NGO's, government troops raped civilian women in Chechnya in December in the village of Alkhan-Yurt and in other villages.

Early in December, government forces airdropped a series of leaflets over Groznyy that warned civilian residents and rebel fighters to leave the city. In one leaflet directed at Chechen fighters, the command of the Combined Group of Federal Forces in the Northern Caucasus warned that any persons remaining in Groznyy after December 12 would be destroyed by air and artillery strikes. Amid international criticism of the leaflets, government officials later qualified the leaflets' language and denied that they had imposed an ultimatum on the city's inhabitants." (U.S. DOS 25 February 2000, sec. 1g)

### Insecurity and violence hamper government's plans of normalization in Chechnya (2000-2002)

- Russian troops regain nominal control over most of Chechnya by the spring of 2000, allowing the cessation of large-scale hostilities
- Security operations against the Chechen guerilla continued however to target civilians and hamper any large-scale return of the displaced in 2000 and 2001
- In 2002, casualties among the federal troops has reverted to the levels known at the early stage of the conflict
- A political resolution to the conflict is unlikely to take place in the near future
- The adoption of a new constitution and presidential elections in Chechnya in 2003 could exacerbate the situation
- Two terrorist attacks perpetrated by Chechen rebels in Moscow and Grozny (October-December 2002) demonstrate that the conflict has not ended

#### Overview

"By the spring of 2000, Russian troops had established nominal control over most of Chechnya and large-scale hostilities ceased. As Russian troops moved further into Chechen territory, they conducted numerous so-called sweep operations to seek out rebel fighters and ammunition depots in villages and towns, often arbitrarily detaining large numbers of Chechen civilians along with captured fighters, and beating and torturing them in detention. Subsequent months marked the gradual transition from a conventional military operation into a classical 'dirty war,' where the targeting of civilians and not the taking or defense of territory are the hallmarks.

As Russian troops pursued their 'dirty war' in Chechnya, Nikolai Koshman, a deputy prime minister of the Russian Federation and the temporary civilian leader of Chechnya, started setting up new administrative and law enforcement structures, and tried to revamp the defunct educational system. The Russian government appointed loyal Chechens to head local administrations and, in June 2000, appointed Akhmad Kadyrov, a Chechen religious leader, as the head of the administration for all of Chechnya. In January 2001, Kadyrov appointed a former head of the Stavropol region in southern Russia, Stanislav Iliasov, as prime minister of Chechnya and asked him to form a new Chechen government.

Eager to convince an increasingly skeptical domestic public and a critical international community that the war was over, Russian government agencies sought to implement measures traditionally associated with the end of armed conflict in the first half of 2001. They announced a new military strategy that involved small-scale operations against specific rebel leaders, a significant cutback in troops, and the return of the Chechen government to Chechnya's capital, Grozny. They also actively sought the return of internally displaced persons from neighboring Ingushetia to Chechnya. However, the republic's harsh realities-with a continuing 'dirty war' against civilians by Russian troops, increasingly bold and abusive rebel tactics, and a complete lack of trust in Russian government agencies among civilians-quickly proved these measures premature.

In January 2001, President Vladimir Putin told his government in a televised meeting that the armed forces had 'completed their main tasks' in Chechnya. Announcing the partial withdrawal of troops, he handed control in Chechnya to the Federal Security Service (FSB), which has to continue the operation 'with the use of different means and forces and with a different emphasis.' A spokesman clarified that the FSB had been tasked to conduct 'special operations to search for and neutralize the ringleaders of the bandit formations and their adherents.'

In February, Russian and Chechen government officials announced that they sought the return of all internally displaced persons (IDPs) to Chechnya before the end of the year. They said conditions were being created for Chechens to return, including temporary settlements for the displaced in various towns and villages in Chechnya. A few months later, in April 2001, the pro-Russian government of Chechnya announced that it would move its seat from Chechnya's second city Gudermes back to the capital Grozny, calling this a 'symbolic event' that was to promote 'stabilization.'

Most of the announced changes, however, appeared to be dictated by the need for a new public relations offensive and took little account of Chechen realities. As Chechen rebel attacks on Russian positions and assassinations of Chechen administrators continued unabated, the scheduled withdrawal of Russian troops ceased before it truly started. Federal forces, meanwhile, continued to conduct large-scale sweep operations that were no less abusive than those in earlier months. In such circumstances, most internally displaced persons-aware of the continuing abuses and guerrilla warfare-decided to await an improved security situation before returning home. Daily security incidents in Grozny forced the Chechen government to move its seat back to Gudermes after only two weeks in the capital." (HRW February 2002, pp. 4-5)

"In 2001, abuses by Russian forces continued to be an integral part of the daily life of civilians in Chechnya. In villages and towns throughout Chechnya federal forces conducted dozens of sweep operations. Ostensibly designed to seek out rebel fighters and their supporters and ammunition depots, sweeps are usually reactive, following Chechen military actions such as ambushes on Russian military columns or attacks on Russian checkpoints. They are routinely the occasion for abuse, particularly arbitrary detention and subsequent torture, ill-treatment, and 'disappearances'. Soldiers also killed numerous civilians, both during and beyond the context of sweep operations, in indiscriminate shootings. Masked soldiers conducted numerous nightly raids, detaining men who subsequently 'disappeared'." (HRW 18 March 2002, p. 3)

For more details on security operations conducted by the Russian forces and security threats for the civilian population, see "Civilian population in Chechnya continuously exposed to major threats to their physical and personal security (2001-2002)" [Internal link]

See also FEWER, "Policy Brief: Chechnya - Low Intensity Conflict persists", 20 December 2001 [Internet]

#### Developments in 2002

"Hostilities in Chechnya have intensified considerably over the past two months, particularly in the mountainous southern areas close to the border with Georgia. Casualties, especially amongst the Russian

federal troops, have reverted to the levels seen in Spring 2000. Hit-and-run acts of violence, most likely perpetrated by militants, continue unabated throughout the republic. There are very few signs that a political resolution or accommodation is likely in the next 12-18 months. Nevertheless, Moscow and the Chechen administration have proceeded to draft a new constitution (on which a referendum is to be held in October), while presidential elections are planned for 'some time next year'. These two measures, if implemented before a political accommodation has been reached, could well exacerbate the already critical situation in Chechnya. Crime - often associated with the kidnapping of officials or with groups enriching themselves illegally by taking advantage of the republic's oil reserves - is rife." (IASC-WG 10 September 2002)

"Two incidents in late 2002 that caused enormous loss of civilian life demonstrate vividly that the armed conflict in Chechnya has not ended. On October 23, about fifty Chechens took hundreds of civilians hostage in a Moscow theatre, an act that, as already noted, resulted in the deaths of 129, mostly due to the effects of a debilitating gas that Russian special forces used in their rescue operation. On December 27, Chechen forces blew up the main government building in Grozny, killing at least seventy-two civilians and wounding 210. Chechen forces also are believed to be responsible for continuing pattern of assassinations of village administrators and other civil servants working for the pro-Moscow government in Chechnya. At the same time, abuses of Russian forces in Chechnya – forced disappearances, extrajudicial executions, looting, and arbitrary detention – have continued unabated." (HRW January 2003, p. 2)

"Russian officials have set 23 March as the date for the breakaway republic of Chechnya to vote in a referendum on a constitution that strengthens ties with Moscow. The vote is a forerunner to eventual elections of a Chechen president and parliament. The Kremlin announced that presidential elections are likely to be held in Chechnya in November or December [2003]." (RFE/RL 15 January 2003)

For more information on the prospects for peace, see:

"A useful war", by Pavel Baev, in Russia and Eurasia Review, Volume 1, Issue 14, 17 December 2002, Jamestown Foundation [Internet]

Radio Free Europe/Radio Liberty, "Is Russia hell-bent on war 'to the last Chechen'?", 29 September 2002 [Internet]

See also: Government of the Russian Federation, "There are no plans to reinforce the military in Chechnya in response to the worsening situation in the North Caucasus", 3 October 2002 [Internet]

### Review of population movements between Chechnya and Ingushetia (September 1999-December 2000)

- Most of the displaced arrived in Ingushetia n September 1999, mainly from Grozny and other major cities affected by the conflict
- Significant return movements were reported following the fall of Grozny in February 2000
- The intensification of military operations from July 2000 triggered new flows of displaced into Ingushetia

"At the start of the last quarter of 1999, about 100,000 refugees were registered in Ingushetia. In two months that population almost doubled to reach 186,000 in December 1999, according to the HCR. That result, far below the level put forth by the Ingushetian migrations department, which put out a figure of 275,000 refugees, is probably closer to reality in view of the host country's desire to obtain an additional volume of aid. However, until February 2000 the fighting intensified constantly, and on that date it was estimated that almost 260,000 Chechens were refugees in Ingushetia.

During this period, the majority of the refugees came from Grozny and its surroundings, but also from a few other large cities (Ourous-Martan) which were still the only ones affected by war.

Generally speaking all of these refugees, exhausted, waited for hours at the border stations. On several occasions, the border was closed for several days. Even evacuation of the injured was then impossible, and the refugees remained in the rain and the mud, sleeping in trenches, without food.

- The return of the refugees to Chechnya following the fall of Grozny in February 2000

It was not until after the fall of Grozny (between 31 January 1999 and 2 February 2000) that the refugees began to return to Chechnya, leaving their precarious camps or housing, short of money for the tenants, in the hope of a normalisation of the situation.

That return movement was not on a large scale, little by little the number of refugees in Ingushetia declining to reach a population of less than 200,000 in May 2000 (175,000 according to the authorities).

Numerous refugees are multiplying their reconnaissance trips, and there are many of them (particularly the Grozny inhabitants) who found that they had no home left to which to return.

Others make business trips (mainly women coming to get supplies at the market in Nazran, the capital of Ingushetia, to resell them on a retail basis in the stalls in Chechnya), and the majority travel because the families have become separated and it is first of all necessary to try to reconstruct.

- New flow of refugees into Ingushetia in June / July 2000

Since the beginning of July, the intensification of military operations, repression and Russian exactions related to the multiplication of military actions carried out by the Chechen fighters on their territory have brought a population shift back toward Ingushetia. Thus on 13 July 2000, the HCR recorded the passage of 400 families at the Kavkaz border station, as against fewer than 50 in the other direction. The next day the queue of refugees stretched out for more than two kilometres.

The majority of the new arrivals are still registered with the Ingushetian authorities, who have since received an order not to register anybody else.

Mid-July: according the manager of the Migrations department, 152,000 persons are officially registered compared with 210,000 in January. 35,000 of them are not Chechens (the majority being Ingushetians), and, benefiting from specific aid, they will not return to Chechnya. 67,000 Chechens are said to have left, by way of personal networks, for the other regions in the Russian Federation, and 100,000 others are "parked" in two provisional housing centres.

#### - A delicate situation since the summer of 2000

At present, the population movements seem to be stabilising, since about 150,000 officially registered persons are refugees in Ingushetia. 2,000 of them make very frequent round trips between Ingushetia and Chechnya to check on the possibility of re-settlement or to care for old people who are unable to travel. On the other hand, few definitive departures are registered. That is because of the present refusal on the part of the Migrations department to register the new arrivals or to re-register persons who have left Ingushetia a first time. The refugees' reluctance to leave that host republic is also explained by their fear of losing their place in a tent or in a carriage, this applying both to the official camps and to the informal ones.

To the 150,000 persons officially registered by the HCR, one should add an indefinite number of "clandestines". The fact is that the last few months the Russian military has laid siege to the mountains and to new villages, a fact that risks giving rise to a new flow of Chechens toward Ingushetia. The arrival of winter will probably increase the number of refugees.

A reign of terror is largely maintained by the Russian military which since summer has been multiplying bombardments of forests and fields, but also of homes using heavy artillery, exactions, sacks and installation of anti-personnel mines. In addition, a very large number of young men considered potential fighters have been arrested in the last few months. Last summer, some 'cleansing' operations also took place in the Ingushetian camps: Russian soldiers, supported by the Ingushetian militia, surrounded several camps and arrested all young men, particularly the ones who had spoken in the filtration camps.

The multiplication of such acts and their widespread distribution among the population of the camps maintain this climate of terror for the purpose of dissuading the Chechens from returning to their country. In addition there is the deterioration of the situation between the Chechens and the Ingushetians, the latter finding it ever more difficult to tolerate the presence of the refugees on their territory." (MDM December 2000)

### Violence and insecurity continue to trigger displacement in Chechnya and Ingushetia (2001-2002)

- Sweep operations conducted by the federal forces push terrorized civilians to flee temporarily to neighbouring Ingushetia
- Civilians in rural areas move to the capital Grozny in search of physical and material safety during the winter 2001-2002

#### Displacement from the Urus-Martan district (August 2002)

"A large number of Chechen refugees arrived today in Ingushetia. Almost all of them live in villages in the Urus-Martan district where Chechen fighters came this morning. Commanders of the Chechen armed groups told the civilians that in line with their order they have to stay in the villages for three days.

In order to avoid civilian casualties, Chechen fighters asked the villagers to leave their homes. In the early morning, resident of Martan-chu, Roshni-chu, Gekhi-chu and Shalazhi started hastily leaving their villages. Witnesses said that the refugees were carrying everything they could to save it from fighting." (Prague Watchdog 16 August 2002)

"The situation in the Urus-Martan district remains unstable. Since September 1 the Komsomolskoye village has been surrounded by Russian servicemen and armoured vehicles. The goal and the reasons for the unexpected concentration of military resources near the village are not clear. The local administration head has not been informed as well.

The inhabitants of Komsomolskoye, who have the experience of March 2000 when fierce fighting between the Russian military and Chechen fighters led by field commander Ruslan Gelayev completely destroyed the village and caused death to civilians, are silently leaving Chechnya. Several families, especially males and young people, have arrived in Ingushetia already." (Prague Watchdog 4 September 2002)

#### Displacement in Ingushetia (September 2002)

"On 26 September military operations began in the Galashki village of Ingushetia, bordering with Chechnya and Georgia (about 30 km distance). One military helicopter was shot down and casualties among the soldiers were reported. Most of the village's 6,000 inhabitants fled to other areas of Ingushetia. The IDP camps in Sleptoskaya and UN offices in Nazran are about 20km away from the Galashki village. This is the first time in three years that such fighting erupted in the Republic of Ingushetia." (WFP 27 September 2002)

See also Radio Free Europe: "Chechnya: Armed foray in Ingushetia adds fuel to Russian-Georgian dispute", 27 September 2002 [Internet]

#### Displacement following sweep operations: the example of Sernovodsk and Assinovskaya (July 2001)

"In July [2001] following an explosion that killed five federal soldiers riding in a jeep, a particularly severe cleansing action took place in the villages of Sernovodsk and Assinovskaya. Males between 14 and 60 were lined up in the courtyards of houses in which they had been found. Some were able to buy their way out by paying an immediate levy, depending on the validity of their identification documents; cleansings also are a means for military and police personnel operating in Chechnya to supplement their incomes. Federal forces interrogated several hundred others who were unwilling or unable to pay the levies. During these interrogations federal forces beat and tortured the detainees by administering electric shocks. Private and public buildings were looted and destroyed. Federal forces took approximately 100 persons to filtration camps, but eventually released them with the exception of 4 or 5 persons who disappeared. The cleansing caused a temporary outflow of several thousand persons from the villages to refugee camps in neighboring Ingushetiya." (U.S. DOS 4 March 2002, sect. 1 g)

#### Rural-urban movements in Chechnya (winter 2001-2002)

"DRC reported that many people have left rural areas to go to Grozny before the upcoming winter. The Chechen Administration confirmed that the population of Grozny has increased by several thousands and expects numbers to continue to increase." (WFP 16 November 2001)

"In Chechnya, DRC reported that a large number of people have moved from rural areas to Grozny city due to security problems and looking for a better living condition. As a result, the number of WFP beneficiaries, has increased from 44,000 to 55 in Grozny alone." (WFP 22 February 2002)

"The situation in the region has not changed significantly. Occasional attacks by the Chechen armed formations are usually followed by the so-called mopping-up operations conducted by the Russian army. These operations are however officially referred to as 'sting operations' or 'addressed operations'. Nevertheless, no major changes in the attitude of the Russian soldiers to civilians during these operations was noted, whatever their name.

With warmer days in February and March more people appeared in the streets of Grozny although no outflow of IDPs from Ingushetia was reported. According to unofficial data from the Committee for Forced Migrants (with the Government of the Chechen Republic), which so far could not be verified, IDPs have actually returned mainly from two camps (Yuzhny and Severny) near Znamenskoye because the government had prepared temporary accommodation for them in Staropromyslovski district of Grozny.

Appearance of more Grozny dwellers is reflected in the DRC registration database which has been "swelling" every month with new beneficiaries. The growing number is most likely due to the fact that the internal IDPs in Chechnya are trying to resettle to and register in Grozny because of easier access to humanitarian aid there." (PNIF 10 April 2002)

#### Federal authorities fail to stabilize the situation in Chechnya (2003)

- The situation in Chechnya has shown no signs of stabilization, despite authorities' claims
- Measures adopted in 2003 (amnesty law, property compensation, constitutional referendum and elections) have not changed the dynamics of the conflict
- Human rights observers express serious doubts about fairness of constitutional referendum and presidential elections
- Instead of advancing stability, the announcement of presidential elections seem to have incited a new escalation of violence
- IDPs continue to move to Chechnya at least temporarily, because of insecurity
- Violence has spread outside Chechnya to neighbouring republics and Moscow

"For more than a year, Russian authorities have been claiming that the situation in Chechnya has normalized and that the people displaced by the conflict can safely return home. In reality, the situation in Chechnya has shown no signs of stabilization—the republic remains an active conflict zone, with both sides responsible for serious human rights and humanitarian law violations.

In 2003, Russian authorities took several steps that were supposed to advance the stabilization process. They adopted an amnesty law encouraging the surrender of rebel forces, [34] and promised to pay compensation for houses and property destroyed during the war. [35] The constitutional referendum held in March 2003 and presidential elections scheduled to take place on October 5, 2003 have been hailed by the government as the major landmarks on the way to a political solution of the Chechnya problem.

None of these steps has visibly changed the dynamics of the conflict, however.

The amnesty did not prompt a large-scale surrender of rebel forces—according to the Chechen procuracy, only 126 former fighters were amnestied as of August 18, 2003. [36]

The number is insignificant, considering that several thousand rebel fighters are currently operating in Chechnya. [37] Instead of welcoming the gesture, Chechen forces marked the announcement of the amnesty with the largest open attack on federal troops since the beginning of this year, storming the town of Argun. [38] At the same time, by extending the amnesty to federal servicemen, the Russian government has created yet another tool for shielding its troops from accountability for crimes committed in Chechnya. [39]

As mentioned above, the promises to pay compensation appear to have been designed as an effective measure for pressuring internally displaced persons to return to Chechnya, rather than as a remedy for past abuse or a step toward normalization.

As for political stabilization, many independent observers, including leading Russian human rights defender Liudmila Alekseeva, believed that the March referendum was flawed and expressed serious doubts that the October elections could be fair and democratic. [40] Moreover, although the number of abuses, especially forced disappearances, had decreased slightly during several weeks before and after the referendum, it then skyrocketed again. The Chechen minister of internal affairs admitted that in the month following the referendum nearly fifty people disappeared in Chechnya. [41] In mid-August he released new figures, saying that nearly 400 people disappeared in Chechnya since the beginning of the year. [42] During its missions to the region, Human Rights Watch as well as other human rights organizations, continued to document cases of summary executions, torture, arbitrary detention, and looting in Chechnya. [43]

Instead of advancing stability, the announcement of presidential elections seemed to have incited a new escalation of violence in Chechnya. In the summer of 2003, reports of armed clashes involving large groups of rebels and leading to numerous deaths on both sides appeared virtually every day. Official field reports confirmed that the situation was far from stable. For example, in a weekly report on August 11, 2003, representatives of the United Federal Group of Forces reported that federal positions came under fire on twenty-one occasions, nine armed clashes took place, and about 140 explosive devices were disarmed. Federal forces, for their part, reportedly killed thirty-six rebel fighters and arrested fifty others. SU-24 fighter-bombers and SU-25 ground attack aircraft completed thirty-four missions, and helicopters completed about 500. [44]

Recent developments in Chechnya clearly demonstrate that Russian authorities cannot guarantee the security of returnees, and by compelling internally displaced to leave Ingushetia, the authorities deliberately put their lives and safety at risk."

[Footnote 34: Decree "On the announcement of amnesty in connection with the adoption of the Constitution of Chechen Republic," adopted by Russian State Duma on June 6, 2003, Rossiiskaia gazeta,

June 7, 2003. The amnesty granted immunity from prosecution to Chechen rebels who surrendered before September 1, 2003, as well as to federal servicemen. It did not apply to those accused of "grave offenses," such as premeditated murder, rape, or hostage-taking.

Footnote 35: Government of the Russian Federation, Decree 404 "On the procedure of paying lost housing and property compensation to permanent residents of the Chechen Republic who suffered during the settlement of the crisis in its territory," July 4, 2003.

Footnote 36: Statement by Chechen prosecutor Vladimir Kravchenko, cited by ITAR-TASS World Service, August 18, 2003. Unwillingness of Chechen forces to surrender may be attributed both to the limited character of the amnesty and to the controversial results of the previous Chechnya amnesty adopted in 1999. The Moscow Helsinki Group has alleged that out of 500 who turned in their weapons under the law, most have since been killed or disappeared. See Matt Bivens, "War Amnesty Is Well Wide of the Mark," *The Moscow Times*, June 2, 2003.

Footnote 37: According to Chechen Prime Minister Anatoly Popov, there are currently 2,000-3,000 rebels operating in Chechnya. See, "2,000-3,000 Rebels operating in Chechnya – PM," Interfax, August 26, 2003.

Footnote 38: Alexander Raskin, "Argun breakthrough," *Izvestia*, June 9, 2003.

Footnote 39: One of the cases documented by Human Rights Watch proves this allegation. See below, case of Imran Guliev.

Footnote 40: See for example, Ivan Sukhov, "Intriguing Arithmetic," *Vremia Novostei*, August 13, 2003. The officially reported turnout during the March constitutional referendum was 85 percent, out of which 95.97 percent approved the new Constitution, consolidating Chechnya's status as part of Russian Federation. The figures sharply contrasted the eyewitness accounts of deserted polling stations and cast doubts on the fairness of the electoral process. Lord Judd, the Council of Europe's rapporteur on Chechnya, resigned in protest at the conditions in which the referendum took place. See also Natalie Nougayrède, "La Russie organise un simulacre de référendum en Tchétchénie," *Le Monde*, March 25, 2003; "The vote of the dead souls—Chechnya's flawed referendum on a new constitution," *The Economist*, March 29, 2003.

Footnote 41: The figure was released by Alu Alkhanov, Chechen interior minister. See "Chechen kidnappings continuing despite referendum: officials," Agence France Press, April 24, 2003.

Footnote 42: "Nearly 400 people disappear in Chechnya this year," ITAR-TASS, August 17, 2003.

Footnote 43: For details, see Human Rights Watch, "Into Harm's Way;" Human Rights Watch, "On the Human Rights Situation in Chechnya." See also regularly updated chronicle of the events in Chechnya and Ingushetia published by the Memorial Human Rights Center, available at: http://www.memo.ru/hr/hotpoints/caucas1/index.htm (retrieved August 24, 2003).

Footnote 44: Cited in: Viktor Paukov, "When guns go off, the police are silent," *Vremia Novostei*, August 12, 2003.] (HRW September 2003, pp. 8-9)

The situation of IDPs inside Chechnya remains precarious. There is a small but regular flow of people continuing to flee Chechnya to Ingushetia, citing especially a lack of security and basic living conditions. Many of the IDPs say they are fleeing fighting in their place of origin and are intent on remaining in Ingushetia only temporarily. (UN 24 June 2003, p. 5)

#### Violence spreading outside Chechnya

[T]he war is spreading across the borders of Chechnya and into the neighboring republics and even to Moscow, which has become the site of terrorist attacks emanating from Chechnya. Ingushetia, long exempted from military clashes and attacks, have become the site of several clashes between federal forces

and Chechen fighters. In September 2002 there was an incursion into Ingushetia by a group of Chechen fighters led by the commander Ruslan Gelayev who clashed with federal troops near the village of Galashki. The incursion seemed an isolated incident, but in the summer of 2003 there have been new attacks against federal targets in the vicinity of Galashki, a village in the south of Ingushetia, following sweep operations by the federal forces in the area (for instance in the village Arshty on 6 and 7 June). At the same time, federal forces, sometimes in conjunction with representatives of Ingush and Chechen law enforcement structures, have carried out a number of operations in IDP settlements, sometimes resulting in disappearances and deaths. (IHF September 2003, p. 19)

#### The Presidential elections in Chechnya

The Chechen Electoral Commission announced the victory of Akhmat Kadyrov in the presidential elections in the Chechen Republic of 5 October. According to the commission, the turn out was 87,7 % and Kadyrov won 80.8% of votes. The Electoral Commission Chairman, Abdul-Kerim Arsakhanov, said that there had been no complaints from observers, which could influence the ballot outcome. However, human rights groups reported instances of ballot stuffing, voting by unregistered voters, and pressure from local authorities. Commenting on the elections outcome, the European Union Presidency expressed the hope that the political settlement process in Chechnya continues, while noting 'negative development as the lack of real pluralism of candidatures to the presidency and the absence of independent media". (UN OCHA 21 October 2003).

#### Amnesty law

"According to the latest figures of the Chechen Prosecutor's office, 204 people, including former rebels and Russian military and law-enforcement officers have been amnestied in Chechnya. Official Russian sources estimate the number of active rebels in Chechnya at around 2,000 and 3,000." (COE 20 October 2003, para. 51)

#### See also:

Guerilla fighting continues in Chechen mountains, Prague Watchdog, 2 November 2003 [Internet]
"More Russian military personnel than Chechen militants benefit from the amnesty", Radio Free
Europe, 19 September 2003 [Internet]
After the Chechen Referendum: What next?, Radio Free Europe, 31 March 2003 [Internet]

#### No hope for a peaceful solution to the conflict in Chechnya (2004-early 2005)

- Instability and insecurity persist in Chechnya, with reports of armed confrontations and acts of terrors spreading to neighbouring republics
- Political stabilisation remained under threat as shown by the killing of President Kadyrov in April 2004
- Reconstruction policy remained under the control of federal authorities, after reports of embezzlement
- The responsibility for eradicating the rebel forces has been transferred from federal military and police to pro-Moscow forces
- The killing of rebel leader Maskhadov (March 2005) raises fear of an upsurge of violence

"In 2004, the fifth year of this Consolidated Appeal Process, the situation in Chechnya and its neighbouring republics continued to be complex and unstable. A staggering and unpredictable series of violent confrontations and acts of terror hit the North Caucasus during the first nine months. Among them were an attempt to assassinate the President of Ingushetia in April, the killing of the President of Chechnya in May, a large-scale attack against security forces and government offices in Ingushetia in June, intensified fighting in Chechnya in August, and finally the disastrous hostage taking (including over 1100 children,

teachers, and parents) at a school in North Ossetia-Alania in September. As a result of the attacks, hundreds of people were killed and injured, including many civilians as well as law enforcement officials and non-state combatants. Apart from these major acts of violence, human rights violations, including arbitrary arrest, extra-judiciary executions and torture, continued to be reported by human rights organisations and eyewitnesses in Chechnya. This unstable environment limited improvements to the humanitarian situation.

The Federal Government attempted various measures to stabilise the situation and rehabilitate the infrastructure of Chechnya. In February the functions of Federal Minister for the Coordination of Socioeconomic Development of Chechnya were handed over to the Administration of the recently elected President of the Republic, Akhmad Kadyrov. However, soon thereafter President Kadyrov was assassinated, and this brought further adaptation of Federal programs. Russian President Putin visited Chechnya in the wake of the assasination and observed that 'although something is being done there, it looks terrible from a helicopter.' This came amid public accusations of mishandled federal resources meant for Chechnya reconstruction. President Putin announced that the Federal Ministry of Economic Development and Trade (MoEDT) would take over supervision of the financing of Chechnya's recovery and rehabilitation. [...]

On the political side the Government organized extraordinary elections of the President of Chechnya, with Alu Alkhanov, the former republican Minister of the Interior, being elected on 29 August. The early-September Beslan crisis brought to light at about the same time other delicate political equations in the surrounding republics. President Putin announced on 13 September a series of initiatives to consolidate state administration, including changes in appointment/elections procedures and in residency processes. A new Government Commission for coordinating Federal activities in the Southern Federal Region was established under a Presidential Plenipotentiary Representative, and complementary appointments were made to reinforce state capacity." (UN October 2004, p. 3)

"The number of people killed, wounded and disappeared in Chechnya has declined, but there were still several hundred people killed and missing in 2003 according to various sources. These figures are still shocking and cannot be regarded as part of normalization in Chechnya. In the summer of 2004 – June, July August and September – there has been a clear escalation of violence and political terrorism. Two weeks at the end of August and early September cost the life of more than 500 people in Russia." (COE 17 September 2004, para. 6)

"Nor has President Putin's reliance on the policy of 'Chechenization', first advocated by political scientist and North Caucasus expert Emil Pain in January 1995, brought about the desired 'normalization' of the political situation in Chechnya. As Yeltsin did in 1995-1996, Putin has installed a succession of loyal Chechen politicians to head a pro-Moscow administration. But unlike Yeltsin, Putin sought to give those appointments some semblance of legitimacy by organizing two successive elections in which all respected rival candidates were barred from running and the final outcome was blatantly rigged.

The first of those appointees, former mufti Akhmad-hadji Kadyrov, miraculously survived countless assassination attempts before being killed in May 2004 in a terrorist bombing for which Basaev (again) claimed responsibility. His successor, former Interior Minister Alu Alkhanov, appears to be increasingly sidelined by Kadyrov's psychopath son Ramzan, who commands a 'presidential guard' numbering several thousand men who have become a byword for brutality.

In addition, Putin is scaling back the Russian troops presence in Chechnya and has transferred part of the responsibility for eradicating the resistance to Kadyrov's presidential guard and the Chechen police force -- which is composed to a large extent of former resistance fighters who took advantage of successive amnesties to surrender.

Meanwhile in Moscow, the Russian government has adopted a series of blueprints for the reconstruction of essential infrastructure in Chechnya and earmarked billions of rubles to finance such work. For years,

however, the lion's share of such funds has been embezzled, frequently with the connivance of the pro-Moscow Chechen administration.

Assuming that Maskhadov and Basaev remain at liberty, the current situation of low-level guerrilla activity on the part of the resistance and punitive reprisals against Chechen civilians by the Russian military and the 'kadyrovtsy' could continue indefinitely -- unless or until Basaev makes good on his recent threat to attack civilian targets in Western countries that have failed to condemn Russian atrocities in Chechnya or pressure Putin to withdraw his troops. Should that happen, Putin might succeed in recruiting his own 'coalition of the willing' to solve the 'Chechen problem' once for all time. On the other hand, killing or capturing Basaev and Maskhadov would demolish the international community's hopes for a political settlement to the conflict, as there would be no resistance leader of stature and influence to negotiate with.

Whatever happens, a swift end to the unimaginable suffering of an entire nation remains a remote, if not utopian prospect. And already, the war in Chechnya threatens to destabilize neighboring Ingushetia, from where hundreds of young men whose relatives have been killed or abducted by the FSB are flocking to fight under Basaev's banner." (RFE/RL 10 December 2004)

Chechen leader and resistance commander Aslan Maskhadov was killed on 8 march [2005] in a special operation in Tolstoi-Yurt, north of Grozny, Russian agencies reportes, quoting Colonel Ilya Shabalkin, spokesman for the Russian federal forces in the North Caucasus.

The Chechen State Defense Committee of which Maskhadov was chairman has issued a statement, posted on chechenpress.co.uk, saying that it assumes full executive and legislative power in accordance with the Chechen Constitution. AFP on 8 March quoted Zakaev as saying that the committee will meet within days to name a new chairman. Kavkazweb.net quoted Zakaev as explicitly excluding the transfer of power to radical field commander Shamil Basaev, the next in seniority and experience after Maskhadov, and the commander most qualified and able to coordinate and control future resistance activities in the North Caucasus. Zakaev pointed out that Basaev is no longer a member of the State Defense Committee, but he added that it is essential to take into account Basaev's authority with the various resistance detachments, which are capable of operating autonomously for months at a time. Zakaev denied that any split in the ranks of the resistance is imminent, pointing out that a similar situation arose in 1996 following the death of then Chechen President Djokhar Dudaev.

But regardless of who assumes overall command of the resistance forces, Maskhadov's death effectively demolishes the last remaining hope that the ongoing conflict in Chechnya can be resolved peacefully, at the negotiating table. While Maskhadov sought repeatedly to obtain Russia's consent to a peace settlement that would guarantee the security of the Chechen people within the Russian Federation, Basaev has made it clear that he has no interest in peaceful coexistence with Russia. Moreover, it is possible that other, as yet unknown or little-known figures will emerge in the months to come to challenge Basaev for that role, or to operate independently of him." (RFE/RL 8 March 2005)

#### See also:

"Is it too late for peace talks in Chechnya?", Radio Free Europe, 11 February 2005 [Internet]

#### Continued human rights violations by the Chechen rebel forces (2004)

- Chechen rebel forces continue to commit serious crimes against civilians in Chechnya and elsewhere, including killings, use as human shields, and forced labour
- A number of terrorist acts involved suicide bombing
- In September 2004, terrorist groups took an estimated 1,200 children and adults hostage in a school in Beslan (North Ossetia)

 Civilians working for the pro-Moscow authorities in Chechnya are also targeted by the rebel violence

"Chechen rebel fighters also committed serious human rights abuses. According to observers, Chechen fighters usually operated independently in small groups; however, the June attacks on Nazran suggested they were capable of operating in larger groups under a more centralized command. According to various reports, they committed terrorist acts against civilians in Chechnya and elsewhere in the country, killed civilians who would not assist them, used civilians as human shields, forced civilians to build fortifications, and prevented refugees from fleeing Chechnya. In several cases, Chechen fighters killed elderly ethnic Russian civilians for no apparent reason other than their ethnicity. As with the many reported violations by federal troops, there were difficulties in verifying or investigating these incidents. According to Chechen Minister of Internal Affairs Ruslan Alkhanov, 120 attacks that he characterized as terrorist were committed in Chechnya during the year, but it is unclear what methodology was used to identify the number of terrorist acts. Alkhanov said this figure was lower than in 2003.

A number of the terrorist acts committed by Chechen rebels during the year involved suicide bombings. On February 6, a suicide bomber killed 40 persons by blowing up a Moscow metro passenger car. Terrorist Shamil Basayev claimed responsibility, and in March, terrorist Abu al Walid stated that further attacks should be expected. On August 24, suicide bombers from Chechnya were believed to have carried out the near simultaneous downing of 2 aircraft, killing 89 persons. On August 31, a suicide bomber killed 10 persons at the Rizhskaya metro station.

On September 1, terrorists took an estimated 1,200 teachers, children and parents hostage at School Number 1, in Beslan, North Ossetia. Hostage takers reportedly killed 15 to 20 adult men on the first day of the seizure. They held the hostages for 58 hours, during which they denied them food and water. The siege ended violently; according to press reports, an explosive rigged by the terrorists detonated, and in the ensuing panic, they began shooting hostages who were attempting to flee. Security forces and armed relatives of the hostages returned fire and stormed the school. At least 338 hostages died, many of them trapped in the gymnasium when its roof collapsed. Security forces subsequently killed all or most of the hostage takers in a firefight that lasted several hours. According to some reports, a mob lynched one terrorist captured by security forces. Another was arrested and held by the authorities.

In other incidents, rebels took up positions in populated areas and fired on federal forces, thereby exposing civilians to federal counterattacks. When villagers protested, the rebels sometimes beat them or fired upon them. Chechen fighters also targeted civilian officials working for the pro Moscow Chechen Administration. In May, Chechen President Akhmed Kadyrov was assassinated while attending a Victory Day celebration in Groznyy. Chechen fighters also reportedly abused, tortured, and killed captured federal soldiers. Rebels continued a concerted campaign, begun in 2001, to kill civilian officials of the government supported Chechen administration. According to Chechen sources, rebel factions also used violence to eliminate their economic rivals in illegal activities or to settle personal accounts.

Chechen rebels continued to launch attacks on government forces and police in Ingushetiya during the year.

Rebel field commanders reportedly were responsible for funding their units, and some allegedly resorted to drug smuggling and kidnapping to raise funds. As a result, it often was difficult, if not impossible, to distinguish between rebel units and criminal gangs. Some rebels allegedly received financial and other forms of assistance from foreign supporters of international terrorism. Government officials continued to maintain that there were 200 to 300 foreign fighters in Chechnya." (U.S. DOS 28 February 2005, sec. 1g)

### Other causes of displacement

### Ethnic Russian population leaves North Caucasian republics in a context of ethnic antagonisms

"Immigration into the North Caucasus grew from 1989 (when there was anti Caucasian violence in Central Asia) and reached its peak in 1995 when a massive displacement occurred within the region as a result of fighting in Chechnya. From 1996 emigration overtook immigration and at present the migration balance is negative. Those who are leaving are the local intelligentsia and Russians, a rapidly shrinking minority.

In the nationalist conflicts among the indigenous groups, concessions to accommodate new demands were made at the expense of the local Russians. There is no official pressure on Russians to leave; in fact, measures are taken to encourage them to stay. In reality, however, all the important economic and socially prestigious positions, as well as viable political appointments, are being monopolized by indigenous groups. Only token Russians remain in formal positions, while the real power lies firmly with representatives of the titular groups. Moreover, many Russians used to work in the numerous defence enterprises in the region. They were left unemployed in changing economic circumstances when heavy industries collapsed and economic activities started to concentrate mainly around the trade and service sectors. Their ability to adapt to the new situation has also been hampered by the absence of extended family networks and lack of free capital. Moreover, Russians more readily consider emigration as few have roots in the North Caucasian republics and some have places to go back in the rest of Russia.

The Russian community in Chechnya is a special case. According to various estimates, between 30,000 to 50,000 still [June 1999] live in the republic, mostly in Naruski and Shelkovskii raions. They are subject to widespread abuse, pressure to give up their houses, robbery and murder, while the Chechen law enforcement structures are unable to offer effective protection. The Russian community has petitioned the federal authorities to organize an urgent evacuation of Chechnya for resettlement assistance, but their appeals have fallen on deaf ears. It is hypocritically assumed that Chechnya is a part of the Russian Federation and therefore Russians cannot face any specific problems." (Matveeva 1999, p. 58)

See also movements of Ethnic Russians leaving Chechnya prior to the first conflict in Chechnya in "Background to the conflict: Chechnya recent history (1922-1998)" [Internal link]

## Displacement resulting from the inter-communal conflict in the Prigorodny district (1992-1998)

- Administrative and practical obstacles prevented the return of deported Ingush to the Prigorodny district in North-Ossetia after 1956
- Between 30,000 and 60,000 Ingush and 9,000 Ossetians forced to leave the Prigorodny district as a result of violent conflict in 1992
- Only the Ossetians have been able to return since

"The conflict area of Prigorodnyi Raion extends from the suburbs of Vladikavkaz in North Ossetia east to the present Ingush border, less than 20 minutes from Chechnya. Like the Chechens, the Ingush were forcibly deported under Stalin in 1944. When Khrushchev signed a decree rehabilitating the deported peoples in 1956, the lands presently comprising Prigorodnyi Raion, which had been ceded to North Ossetia, were not returned to the newly reconstituted Chechen-Ingush Autonomous Soviet Socialist Republic

(ASSR) despite their 90 percent Ingush makeup prior to the deportations. Administrative and practical obstacles, many of them engineered by Ossetian authorities, prevented many Ingush from again taking up residence on their former lands.

Tensions between the Ingush and Ossetians rose and fell through the 1970s and 1980s but exploded into the open with perestroika. Mass demonstrations and growing unrest led the Ossetian authorities to declare a state of emergency in Prigorodnyi in April 1991. Intercommunal violence rose steadily in the area of Prigorodnyi east of the Terek river, despite the introduction of 1,500 Soviet interior troops to the area. On April 26, 1991, in the last months of the Soviet Union, the Russian Supreme Soviet passed the Law on the Rehabilitation of Repressed Peoples that pledged a return to predeportation boundaries. Fearful of losing Moscow's support for a return of Prigorodnyi, Ingushetia opted to remain in Russia when Chechnya claimed independence. By this time, some 16,000 refugees from the conflict in South Ossetia, but who had primarily lived in other parts of Georgia, had fled north and took shelter in Prigorodnyi, significantly adding to the prevailing tensions. Ingush-Ossetian violence worsened and both sides began arming in earnest. According to human rights investigators, many of the worst incidents of intimidation and forced eviction of Ingush occurred at the hands of South Ossetian refugees. In some cases, North Ossetian locals protected Ingush from those refugees.

Open warfare broke out in October 1992. Approximately 500 people died in a week of concentrated violence during which many homes, primarily belonging to ethnic Ingush, were destroyed or taken over. Russian interior forces actively participated in the fighting and sometimes led Ossetian fighters into battle. Estimates of displacement from Prigorodnyi vary widely, but between 34,500-64,000 Ingush were forced to flee to Ingushetia and 9,000 Ossetians to North Ossetia. Most Ossetians had returned as of 1998, but only a handful of Ingush had done so. IDPs from Prigorodnyi who found refuge in Ingushetia would later compete for space and aid with massive influxes of Chechen IDPs.

The conflict in Prigorodnyi Raion remains frozen amid low-level, back-and-forth violence against police officers and civilians, widespread hostage taking, and deepening animosities. New hope for peace and resettlement was kindled in 1997 with Russian-brokered agreements that set out plans for return and resettlement. However, at the time of this writing, IDP returns have been stalled by continued violence and have been further undermined by the curtailment of UNHCR's presence due to untenable security conditions." (Hansen 1998, pp. 19-20)

For more details on the conflict, see also Human Rights Watch/Helsinki Report "The Ingush-Ossetian Conflict in the Prigorodnyi Region" (May 1996) [Internet]

#### Meskhetian Turks under pressure to leave their settlements in Krasnodar (2004)

- Meskhetian Turks, expelled from Uzbekistan in 1989-1990, settled in Krasnodar Kray and the Kabardino-Balkariya Republic.
- They continue to be denied citizenship and are subject to pressure to leave by authorities in Krasnodar

"According to the Moscow Helsinki Group's 2001 human rights report, during 1989-90, approximately 90,000 Meskhetian Turks, an ethnic group many of whose members had been deported from the Soviet Republic of Georgia during World War II, were forced by ethnic conflicts to leave the Soviet Republic of Uzbekistan where they had settled. At the end of the year, an estimated 60,000 Meskhetian Turks remained in the Russian Federation. Of these, more than 13,000 had settled in Krasnodar Kray, and approximately 700 had settled in the Kabardino-Balkariya Republic. Authorities in Krasnodar Kray and the Karbardino-Balkariya Republic continued to deny the Meskhetian Turks the right to register, which deprived them of all rights of citizenship, despite provisions of the Constitution that entitled them to citizenship. Meskhetian Turks living in Krasnodar, like other ethnic minorities, were subject to special registration restrictions; for

example, they were required to register as 'guests' every 45 days. The administration of Krasnodar Governor Tkachev appeared to be attempting to use economic measures to force the Meskhetians to leave the territory. According to Memorial, in the winter of 2001-02 the authorities prohibited them from leasing land and cancelled existing leases for the 2002 crop season. Other measures imposed on them included a prohibition on employment or commercial activity in local markets." (U.S. DOS 31 March 2003, sect. 2d)

"Krasnodar Kray authorities continued to deny between 10,000 to 12,000 Meskhetian Turks the right to register, which deprived them of all rights of citizenship despite provisions of the Constitution that entitled them to citizenship. While the authorities in most other areas generally did not prevent the Meskhetian Turks from registering, the Meskhetian Turks and some other smaller ethnic minorities living in Krasnodar were subject to special registration restrictions; for example, they were required to register as 'guests' rather than as residents, and reregister every 45 days. In addition, in an effort to force them from the territory, the Krasnodar Kray administration repeatedly announced plans to create 'unbearable conditions' for the Meskhetian Turks and other 'illegal migrants.' In July, Governor Tkachev publicly welcomed the prospect that some Meskhetian Turks were accepting an offer to emigrate to another country, signaling it as a way to rid the region of them.

The Krasnodar authorities also attempted to use economic measures to drive out the Meskhetian Turks. According to Memorial, the Krasnodar authorities continued to prohibit the Turks from leasing land, gaining employment or engaging in commercial activity in local markets. The Meskhetian Turks have subsisted by leasing land primarily in other districts of Krasnodar Kray or even other regions, such as Rostov, Volgograd, and Kalmykia.

Memorial reported that in August and September, a relatively small scale campaign against Meskhetian Turks was carried out in Krymsk district and in Novorossiysk, both in Krasnodar Kray. The police stopped and checked persons who looked like Meskhetian Turks, immediately releasing those who declared their intention to emigrate and penalizing the others." (U.S. DOS 28 February 2005, sec. 2d)

#### **Definitions**

#### Internal displacement in the CIS region: A wide range of categories

- Internally displaced persons have been officially recognised by governments of the CIS and international agencies as part of the scope of the June 1996 CIS Conference
- The Russian Federation does not collect statistics based on the IDP definition but the category of
  "forced migrant", a status created to provide protection to ethnic Russians and others, coming
  from former Soviet republics (or "involuntary relocated persons", according to the terminology
  adopted by the CIS Conference), and internally displaced persons
- It is possible to distinguish IDPs in statistics for forced migrants on the basis of the place of origin
- Other categories defined in the context of the CIS Conference may also encompass internally displaced persons, such as the "formerly deported persons" or "ecological migrants"; those categories are not documented in this profile

### <u>Categories of population movements identified by the CIS Conference which can include internal</u> displacement (CIS Conference 11 June 1996)

"Internally displaced persons (4) are persons or groups of persons who have been forced to flee their homes or places of habitual residence suddenly or unexpectedly as a result of armed conflict, internal strife, systematic violations of human rights or natural or man-made disasters and who have not crossed an internationally recognized State border.

Note (4) Working definition used by the Representative of the UN Secretary-General on Internally Displaced Persons (Document No. E/CN.4/1995/50 of 2 February 1995.)"

"Involuntarily relocating persons (7) are persons who are forced to relocate to the country of their citizenship as a result of circumstances endangering their lives, such as armed conflict, internal disorder, inter-ethnic conflict or systematic violations of human rights and who are in need of assistance to resettle in their countries of citizenship.

Note (7) In the Russian Federation, such persons are included in the category "forced migrants", which may also include 'internally displaced persons'."

[Ed. Note: UNHCR continues to refer to IRPs in its programme documents for the Russian Federation. UNHCR planning figures for 2000 includes a total of 965,000 IRPs, which include some 170,000 persons who left Chechnya during the 1994-1996 conflict. The figure of 965,000 corresponds to the caseload of forced migrants, as defined in the Russian law (see below). (UNHCR December 1999, p. 193)]

**"Formerly deported peoples** are peoples who were deported from their historic homeland during the Soviet period. Some of the persons belonging to this category may be stateless."

[Ed.Note: The current country profile covers only internal displacement within the Russian Federation. Displacement from former Soviet Republics whose independence has been internationally recognized since then is not covered in the profile. This is the case of the Crimeans Tatars and the Meskhetians]

"Ecological migrants are persons who are obliged to leave their place of permanent residence and who move within their country, or across its borders, due to severe environmental degradation or ecological disasters."

[Ed. Note: Internal displacement as a result of human-made or natural disasters is not documented in this profile.]

### <u>Definition of a forced migrant, Law 20 December 1995 On The Introduction Of Amendments And Additions To The Law Of The Russian Federation "on Forced Migrants"</u>

"A forced migrant shall be a citizen of the Russian Federation who was forced to leave his/her place of permanent residence due to violence committed against him/her or members of his/her family or persecution in other forms, or due to a real danger of being subjected to persecution for reasons of race, nationality, religion, language or membership of some particular social group or political opinion following hostile campaigns with regard to individual persons or groups of persons, mass violations of public order."

[Ed. Note: This category has been applied by the authorities of the Russian Federation to provide protection to ethnic Russians, Tatars, and others, coming from former Soviet republics, and persons displaced within the Russian Federation, mainly as a result of the Osset-Ingush and the Chechen conflicts. Official statistics for forced migrants indicate the place of origin of the displaced, which makes possible to distinguish IDPs. (IOM 1998, pp.10-14]

For more information on the CIS Conference, see "The CIS Conference: A regional process to address the problems of displacement (May 1996)" [Internal link]

#### POPULATION FIGURES AND PROFILE

# Population figures: displacement as a result of the second conflict in Chechnya (since August 1999)

### Displaced persons in Ingushetia: 34,500 persons according to the Danish Refugee Council (January 2005)

- Number of IDPs in Ingushetia decreased from 140,000 in 2001 to 33,000 in 2005
- 35 percent of the IDPs continue to live in collective settlements
- There were no IDP camp left from January 2004
- 54 percent of IDPs in Ingushetia are female
- More than 24,000 displaced from Chechnya are ethnic Ingush and are likely to remain in Ingushetia
- Rate of return movements to Chechnya has increased significantly since mid-2003

Total IDP population (2001-2005) - Figures from the Danish Refugee Council

	28 Feb	31 Jan	31 Dec	31 Dec	31 Dec	31 Dec 2001
	2005	2005	2004	2003	2002	
Camps	0	0	0	7,175	19,374	
Temp. settlements	12,059	12,252	12,399	23,644	27,889	
Private	21,600	22,286	22,771	36,177	55,570	
Accommodation						
Total	33,659	34,538	35,170	66,996	102,833	139,670

(DRC 28 February 2005, 31 January 2005)

IDPs in camps:

ibi s in camps.	•						
	30 2003	June	30 Sep 2003	31 Dec 2003	31 Mar 2004	30 Apr 2004	30 June 2004
A Camp	2,824		2443	Closed 12 Dec 2003	0	0	0
B Camp	1,902		Closed 29 Sep 2003	0	0	0	0
C Camp	2,937		3,198	3,539	2,246	1,745	Closed 10 June 2004
Sputnik Camp	3,587		3,171	2,506	99	Closed 2 Apr 2004	0
Bart Camp	2,506		2,014	1,130	Closed 1 Mar 2004	0	0
Total Camps	13,756		10,826	7,175	2,345	1,745	0

(Source: DRC)

#### Gender and age groups:

Sex	>1999	<=1999 - >1987	<=1987->1944	<=1944	Total	%
Female	1,445	4,796	10,678	1,458	18,377	54.6%
Male	1,473	4,837	8,171	801	15,282	45.4%
Total	2,918	9,633	18,849	2,259	33,659	100.0%
%	8.67%	28.62%	56.00%	6.71%	100.0%	100.0%

(DRC 28 February 2005)

Vulnerable groups (as of 28 February 2005)

	, ,
Vulnerability	Number
Pregnant woman	75
Lactating woman	373
Infants 2004-2005y	434
Children 2002-2003y	1239
Invalids	467
Elderly without adequate social support	70
orphans	58
Children with single-parent	437

(DRC 28 February 2005)

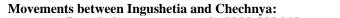
#### UN working figures for 2005:

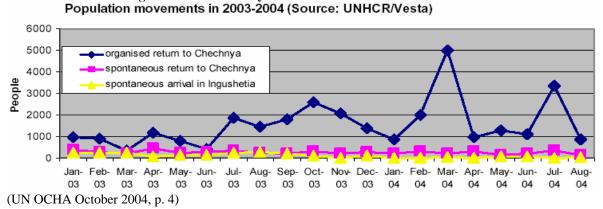
IDPs in Ingushetia from Chechnya: 40,000

#### **Ethnic Ingush displaced from Chechnya:**

"[A] total of 24,709 ethnic Ingush are registered as having fled Chechnya to Ingushetia, but 17,812 have been deregistered as IDPs with DRC for a variety of reasons (some have returned to Chechnya or left for other parts of the Russian Federation, while the remaining have received support from the government, compensation for destroyed property in Chechnya, assistance from relatives, obtained permanent or temporary residence, etc.). Consequently, they have also been excluded from the emergency aid beneficiary list. As no specific criteria/benchmarks have been developed (NB – this applies to most (re)integration situations around the world) to determine whether someone is well-integrated or not, it cannot be assumed that criteria which suffice to disallow food assistance equals integration.

The Ingush Government has stated its willingness to integrate IDPs from Chechnya in Ingushetia, notwithstanding their ethnicity. Several local interlocutors in Ingushetia estimated that the majority of the Ingush (24,709 and some Chechens (unclear) are expected to remain." (UNDP August 2004)





"From 1-30 September, the Chechen Forced Migrants Committee reported the organized return of 272 persons (62 de-registered in Ingushetia and registered for assistance in Chechnya). In addition, UNHCR's implementing partner, Vesta reported 299 individual returns and 17 from Chechnya to Ingushetia." (UN OCHA 30 September 2004)

"From 1-31 October, the Chechen Forced Migrants Committee reported the organized return of 216 persons (55 persons de-registered in Ingushetia and registered for assistance in Chechnya). In addition, UNHCR's implementing partner, Vesta, reported 223 individual returns and 23 new arrivals from Chechnya to Ingushetia." (UN OCHA 22 November 2004)

"From 1-30 November, the Chechen Forced Migrants Committee reported the organized return of 84 persons (33 persons de-registered in Ingushetia and registered for assistance in Chechnya). In addition, UNHCR's implementing partner, Vesta, reported 274 individual returns and no new arrivals from Chechnya to Ingushetia." (UN OCHA 17 December 2004)

"From 1-31 December, the Chechen Forced Migrants Committee reported the organized return of 18 persons/4 families (18 persons/4 families de-registered in Ingushetia and registered for assistance in Chechnya). In addition, UNHCR's implementing partner, Vesta, reported 260 individual returns and 43 new individual arrivals from Chechnya to Ingushetia." (UN OCHA 31 December 2004)

"From 1-31 January, the Chechen Forced Migrants Committee reported the organized return of 77 persons (21 families). In addition, Vesta, who monitors the Adler and Spartak checkpoints, reported individual returns of 211 persons (44 families) from Ingushetia to Chechnya and new arrivals of 33 persons (7 families) from Chechnya to Ingushetia. During January, 396 persons (78 families) were de-registered by DRC in Ingushetia and registered for assistance in Chechnya." (UN OCHA 14 February 2005)

### More than 200,000 IDPs within Chechnya (2004)

- Federal Forced Migration Services reports a total of about 210,000 IDPs in Chechnya as of June
- 34,000 IDPs live in 34 temporary accommodation centres, an estimated 16 percent of the total IDP population in Chechnya

"According to the data of the Migration Affairs Administration of the Chechen Republic, 235,000 IDPs are registered under form #7 on Chechen territory. Of these, 33,000 – or 5,800 families – live in 33 temporary placement points. 8,141 people – 1,434 families – have arranged private rental agreements. The rest have been relocated to residences in the private sector." (Ganushkina 2004, p. 21)

209,611 IDPs displaced in Chechnya itself (source: FMS as at 04-Jun-3004) (UNHCR 30 September 2004)

IDPs in Temporary Accommodation Centres (TACs)

TAC	Residents	Capacity
Bogdana Khmelnitskogo 133	585	318
Viborgskaya st. 4	985	1,000
Mayakovskogo st. 140	1,309	564
Mayakovskogo st. 119	1,986	700
Yaltinskaya st. 24	472	396
Novatorov st. 17	1,405	926
Ponyatkova st. 11	1,342	900
Mayakovskogo st. 111	1,164	1,150

Kirov st. 47	1,667	1,400
Michurin st. 116a	759	760
Chaykovskaya 24	1,255	450
Chaykovskaya 26	1,424	650
Chaykovskaya 28	1,258	750
Koltsova st. 150/1	1,157	670
Koltsova st. 150/2	452	221
Koltsova st. 150/4	1,312	925
Koltsova st. 150	317	291
Maglobekskaya 19	648	450
Tverskaya st. 15	827	500
Dudaeva st. 9	999	705
Derzhavina st. 289	608	450
Ippodromnaya, 5	384	200
Saikhanova-Tobolskaya	1,733	2,000
Grozny Total:	24,048	16,376
Argun, Gagarina st. TAC 1	512	479
Argun, Gagarina st. TAC 2	339	161
Argun, SPTU - 30	737	690
Argun Total:	1,588	1,330
Gudermes, Depovskaya st. 74	1,188	1,224
Gudermes, Zheleznodorozhn	279	290
Gudermes Total:	1,467	1,514
Sernovodskaya, TAC 1	2,206	1,810
Sernovodskaya, TAC 2	1,925	2,000
Sernovodskaya Total:	4,131	3,810
Assinovskaya, Sunzhensky	2,601	2,500
Assinovskaya Total:	2,601	2,500
Achkhoy Martan, TAC 1	239	600
Achkhoy Martan, TAC 2	176	400
Samashki, Greidemaya	145	150
Achkhoy Martan Total:	560	1,150
TOTAL:	34,395	26,680

Information provide by Vesta (funded by UNHCR) (UNHCR 15 November 2004)

### More than 40,000 IDPs from Chechnya live in other republics (2004)

- There are an estimated 8,000 IDPs in Ingushetia
- An estimated 40,000 people have left Chechnya and moved to other regions of the Russian Federation (excluding Ingushetia and Dagestan)

8,000 IDPs from the current hostilities displaced in Dagestan (UN's estimate) (UNHCR 23 February 2005)

### IDPs displaced since 1999: figures from the Danish Refugee Council

District	IDP
Kizlyarskiy	1301
Nogayskiy	371

Tarumovskiy	1001
Khasavyurtovskiy	1928
Total	4601

(DRC 31 January 2005)

Statistics Age/Sex						
Sex	>1999	<=1999 - >1987	<=1987 - >1944	<=1944	Total	%
Female	81	699	1,517	199	2,496	54.2%
Male	98	701	1,175	131	2,105	45.8%
Total	179	1,400	2,692	330	4,601	100.0%
%	3.89%	30.43%	58.51%	7.17%	100.0%	

(DRC 31 January 2005)

#### **UN planning figures for 2005:**

IDPs in Dagestan from Chechnya: up to 10,000 (UN OCHA October 2004, pp. 7-8)

40,000 IDPs from the current hostilities in Chechnya, displaced in other regions of the NC and in Moscow (UNHCR's estimate) (UNHCR 23 February 2005)

"The number of persons of Chechen nationality who stay in other parts of the Russian Federation is difficult to assess. The majority has sought refuge in the neighbouring regions causing concern to local authorities who fear that the presence of Chechens puts at risk the ethnic balance in their districts." (COE 20 September 2004, para. 26)

### 140,000 persons are displaced in Chechnya, the UN estimate (November 2003)

- IDPs in Chechnya have not been registered by the Danish Refugee Council since January 2003
- According to the official census, the population of Chechnya is more than one million persons, but NGOs argue that this figure is inflated
- The increase of the IDP population in 2002 is mainly due to return movements from Ingushetia

The UN Consolidated Appeal for 2004 reports a total of 140,000 persons displaced within Chechnya (UN November 2003, p. 26). From January 2003, the Danish Refugee Council no longer collects data regarding internally displaced persons in Chechnya, but focuses on vulnerable groups. However, the Danish Refugee Council estimated that there were between 80,000 and 100,000 IDPs within Chechnya, as of August 2003 (DRC 29 August 2003). In January 2003, the NGO gave the number of 143,000 displaced persons in Chechnya.

### UN working figures (for programme planning)

Residents in Chechnya: 650,000 persons IDPs in Chechnya: 150,000 persons (UN May 2003, p. 2)

Disaggregated figures (November 2002).

Female	Male	Total

	Numbers	%	Numbers	%	Numbers	%
Age Group						
0-4	5517	50,4%	5423	49,6%	10940	7,7%
5-17	20757	49,0%	21626	51,0%	42383	29,9%
18-59	42090	54,8%	34752	45,2%	76842	54,2%
60 and >	6990	60,1%	4645	39,9%	11635	8,2%
Total	75354		66446		141800	

(DRC 2 November 2002)

According to the Danish Refugee Council, the total population in Chechnya as of 1 January 2003 reaches 674,798 persons (DRC 31 January 2003).

As of August 2002, up to 182,000 persons displaced within Chechnya have obtained the Form No. 7, the registration document issued by the Federal Migration Service (FMS) to register IDPs in the North Caucasus (UN November 2002, p. 98).

For detailed data for the geographical distribution of IDPs in Chechnya, see DRC statistical table [Internal link]

UN working figures for 2003

	Number
Residents in Chechnya	660,000
IDPs in Chechnya	140,000

(UN November 2002, p. 6)

### Debate around estimated total population in Chechnya:

"Experts query accuracy of census results for Chechnya. The census conducted in Chechnya on 12-13 October has established that the republic's present population is 1,088,816, Chechen Premier Stanislav Ilyasov announced in Grozny on 14 October. Ilyasov acknowledged that that figure is higher than anticipated, and not much lower than the population of the Checheno-Ingush ASSR at the time of the last Soviet census in 1989, which was 1,277,000. The permanent population of the Republic of Ingushetia as of 1 January 2001, not counting displaced persons from Chechnya, was 460,100, according to ingushetia.ru. Preliminary census data for Ingushetia are not yet available.

Russian and Chechen human rights activists have, however, expressed doubts over the accuracy and reliability of the figures that Ilyasov cited, according to chechenpress.com on 17 October. Memorial's Aleksandr Cherkasov estimated on 16 October that Chechnya's present population is no higher than 700,000. He listed three possible explanations for that discrepancy. First, he suggested that some residents of Chechnya might have moved from one village to another to avoid reprisals by Russian troops and have been counted twice. But, Cherkasov added, that alone could not account for the fact that the census data exceed his estimates by between 40,000 and 500,000 people.

More likely, Cherkasov said, are deliberate falsifications on the part of either local or Russian government officials. Both would stand to benefit from overstating the actual population figures: The local authorities could then ask for more funds from Moscow, while the central government could adduce the figure of over 1 million residents as proof that the situation in Chechnya is 'stabilizing.'

Between the Soviet censuses of 1979 and 1989, the Checheno-Ingush ASR experienced 11 percent population growth. If that rate of increase had been maintained, one could anticipate that the combined population of the two separate republics would now be in the region of 1.42 million. Subtract the current

Ingush population and the figure is less than 1 million. But that end figure does not take into account either the casualty figures for the 1994-96 war (estimated at between 80,000 and 100,000) and the current war (estimated at 20,000-40,000), or the fact that most of Chechnya's Russian community has already fled to other regions of Russia.

Ilyasov told Interfax on 22 October, however: first, that Western estimates of war dead are far too high, and that no more than 10,000 people have died; and second, that one cannot estimate Chechnya's current population on the basis of the 1989 census results, as many people have left the republic, while others have come there. (Liz Fuller)." (RFE/RL 24 October 2002)

#### **Evolution in 2001-2002**

### Danish Refugee Council

31 December 2001	134,4540	DRC 31 December 2001
30 June 2002	139,920	DRC 30 June 2002
14 August 2002	140,150	WFP 16 August 2002
12 October 2002	141,583	DRC 12 October 2002

### UN working figures for 2002

Residents in Ingushetia	440,000
IDPs in Ingushetia	160,000

(UN November 2001, p. 8)

According to the Danish Refugee Council, the increase in the IDP population in 2002 is mainly due to the return of 5,000 IDPs from Ingushetia. These IDPs have lost their homes in Chechnya and were obliged to remain internally displaced in Chechnya upon their return from Ingushetia. (DRC 21 October 2002)

# Estimates for the internally displaced population in Chechnya range from 138,000 to 235,000 persons (February 2001)

- At least 70 % of the internally displaced population registered by the Danish Refugee Council are women and children
- Central districts in Chechnya hosts about 50% of the displaced population

### Population figures used by UN Agencies in 1999-2001:

Population	Nov 1999	Mar 2000	July 2000	Nov 2000	May 2001	Oct 2001
Residents in Chechnya	N/A	100,000	350,000	370,000	400,000	440,000
IDPs in Chechnya	N/A	100,000	150,000	170,000	160,000	160,000

#### (UN November 2001, p. 9)

#### UN planning figures for 2001

"The UN has considered various sources of information on population figures for the republics of Chechnya and Ingushetia. These include government figures from EMERCOM and the Ministry of Federation; Danish Refugee Council registrations; and discussion with major humanitarian organisations such as the ICRC. While there is fairly widespread agreement that there are a total of 300-350,000 IDPs living in Chechnya and Ingushetia, the views differ on the proportion of IDPs in each of the two republics.

The UN has compared the various sources with data from the last official census taken in 1989, and considered the number of people who have reportedly emigrated from the region, as well as known casualties, and morbidity and birth rates since 1989. As a consequence of this exercise the UN used the following figures as indicative for planning purposes."

Population	Number
Residents in Chechnya	370,000
IDPs in Chechnya	170,000

(UN November 2000, p. 8)

### Field figures

Danish Refugee Council/ASF registration of Chechnya IDPs in Ingushetia (as of 19 February 2001) (Breakdown by location)

DistrictPresent	Total	IDP
Achkhoy-Martanovskiy	75 131	17 474
Vedenskiy	21 257	1 827
Groznenskiy	86 174	13 361
Gudermesskiy	92 384	12 419
Zavodskoy	16 723	4 748
Itum-Kalinskiy	3 020	219
Kurchaloyskiy	62 646	4 656
Leninskiy	26 135	9 396
Nadterechny	45 033	7 992
Naurskiy	36 685	6 423
Nozhay-Yurtovskiy	33 785	4 092
Oktyabr'skiy	22 643	7 594
Staropromyslovskiy	27 092	6 554
Urus-Martanovskiy	91 114	14 083
Shalinskiy	108 581	23 835
Sharoyskiy	1 352	4
Shatoyskiy	8 732	1 137
Shelkovskoy	34 950	3 126
Total	793 437	138 940

DRC/ASF registration of inner IDPs in Chechnya (as of 19 February 2001) (breakdown by age & sex)

Sex/Age	0-4	5-17	18-59	60+	Grand Total
W	5 444	21 934	39 736	6 784	73 898
M	5 571	22 634	32 401	4 436	65 042
Total	11 015	44 568	72 137	11 220	138 940

(DRC 26 February 2001)

See also survey conducted by the Danish Refugee Council about the population in Chechnya from March to July 2000 [Internet]

UNHCR reports 234,000 internally displaced persons in Chechnya (of which 12,000 in camps) as of 18 February 2001 (IASC 28 February 2001)

### Population figures: other situations of displacement

# More than 35,000 persons displaced from Chechnya are still granted the status of forced migrant (December 2004)

- The vast majority of the forced migrants from Chechnya were displaced during the first Chechen conflict (1994-1996)
- Very few of the persons displaced since 1999 have been granted the status
- Up to 450,000 persons have fled as a result of the 1994-1996 conflict in Chechnya, according to governmental estimates

#### Total of forced migrants originating from Chechnya (Figures from the Federal Migration Service

31 October 2002	30 June 2003	30 June 2004	31 December 2004
67,000 persons	60,284 persons	43,406 persons	35,389 persons

#### (UNHCR 23 February 2005, 30 September 2004, 21 August 2003, 3 March 2003)

"As a result of the 1994-96 conflict in Chechnya, some 162,000 IDPs, mostly of Russian ethnicity, were granted the status of forced migrant in the 79 administrative divisions of the Russian Federation. The status of forced migrant is primarily meant to facilitate the integration of displaced persons in their new place of residence, through the allocation of special allowances, assistance with housing, job placement, loans, and related support.

At the beginning of the 2000 some 240,000 person had been displaced from Chechnya. Very few of those displaced as a result of the current conflict have been granted forced migrant status. Although precise information is not available, government statistics indicate that between 30 September 1999 and 31 December 2002 some 13,232 persons were granted forced migrant status. Because of protracted procedures, this number also includes IDPs from the 1994-96 conflict granted forced migrants status in the past few years." (UNHCR February 2003, paras. 10-11).

"The former Federal Migration Service of the Russian Federation assessed that some 450,000 persons had fled the 1994-96 conflict in Chechnya. It is further estimated that most non-Chechen IDPs did not return to Chechnya after that conflict." (UNHCR January 2002. para. 60)

"There are no separate statistics for IDPs from the first 1994-96 conflict and IDPs from the current conflict. The total number of IDPs from Chechnya officially registered as forced migrants was 87,258 as at 31 December 2001. The only way to figure-out how many of those are IDPs from the 1994-96 conflict is to deduct from this figure the number of IDPs from Chechnya who were granted the 'forced migrant' status since the beginning of the second conflict, assuming that all those who obtained FM since September 1999 are new IDPs, which is not automatically the case. Statistics from 1998 and first half of 1999 indicate that persons were still being granted the 'forced migrant' status, presumably from the previous conflict, as a result of protracted status determination procedures). So, if we deduct 12,000 IDPs who got the 'forced migrant' status from September 1999 until December 2001, to the total number of 87,258 forced migrants from Chechnya, we get approximately 75,000 IDPs from the first conflict still registered as 'forced migrants'." (UNHCR 1 April 2002)

For more information on the "forced migrant" status, see "An official category for IDPs and involuntary migrants from the former Soviet Union: the status of 'forced migrant'" [Internal link]

# At least 10,000 people remain displaced from the Prigorodny district (North Ossetia) (December 2004)

 The vast majority are still displaced within neighbouring republic of Ingushetia, where they are likely to resettle

Total number of forced migrants originating from North Ossetia: 10,704 persons (3,307 cases) (as of 31 December 2004) (UNHCR 23 February 2005)

"[T]housands of Ingush fugitives are still unable or unwilling to return to North Ossetia. The precise number is unclear. In an interview on 7 September with RFE/RL's North Caucasus Service, Chechen President Aslan Maskhadov's representative Akhmed Zakaev said that up to 40,000 Ingush fugitives from Prigorodnyi Raion still live in tent camps and trailers in Ingushetia. A whole generation of Ingush children has grown up in appalling conditions, Zakaev continued, implying that such young men are ripe for recruitment by the militant wing of the Chechen resistance. 'Nezavisimaya gazeta' estimated in February 2003 that some 28,000 Ingush still have not returned to their abandoned homes. By contrast, Russian presidential envoy to the South Russia Federal District Vladimir Yakovlev announced three months ago that some 80 percent of the Ingush displaced persons have returned to North Ossetia, according to Interfax on 17 June." (RFE/RL 9 September 2004)

There were 12,400 ethnic Ingush displaced from the Prigorodny district as of June 2002. All of them were holders of the forced migrant status. Another 8,700 forced migrants originating from North Ossetia are also registered in North Ossetia. (UNHCR 18 October 2002)

"Almost the entire ethnic Ingush population (34,000 to 64,000 people) in Prigorodnyi and about 9,000 ethnic Ossetians fled as a result of the war. Although most Ossetians returned home, about 15,000 ethnic Ingush who expressed their intention to return to the Prigorodnyi Region remained displaced in Ingushetia at year's end. Another 13,000 to 14,000 ethnic Ingush have integrated into Ingushetia, and 'are likely to settle permanently in Ingushetia,' according to UNHCR." (USCR 2001, p. 253)

According to the Federal Ministry on Federal Affairs, Nationalities and Migration Policy, 14,650 internally displaced from the Prigorodny district (North Ossetia) in Ingushetia are holders of the forced migrant status as of January 2001. (Ministry of Federal Affairs, Nationalities and Migration Policy, January 2001)

"Another 35,000 ethnic Ingush from North Ossetia remained internally displaced in Ingushetia." (USCR 2000, p. 270)

"A total of 23,009 IDPs from the Prigorodny District (North Ossetia-Alania) and 5 IDPs from Dagestan were registered in Ingushetia during the process [of registration undertaken by the Danish Refugee Council in Ingushetia in February-March 2000]." (DRC 21 March 2000)

### Caseload from the first conflict in Chechnya (as of 2000 and 2001)

• 169,000 displaced from Chechnya were officially registered as forced migrants between 1992 and 1999; about 114,000 of them remain registered as of June 2000

- Up to 300,000 ethnic Russians may have fled Chechnya during that period since not all of them were registered at their new place of residence, according to the government
- The Chechen diaspora throughout Russia may reach 500,000 persons, the government estimates

"Before October 1991 (the actual date of D. Dudaev's rise to power) Chechnya's population was over 1 million persons including 744,500 Chechens (57.8%); 229,500 Russians (23.1%); 21,000 Ukrainians; 15,000 Armenians; 10,000 Nogayans; 6,000 Tartars and other nationalities.

In 1992-1994, as a result of a determined policy of forcing out the representatives of the non-title nation and the flight of the Chechen intellectuals to other entities of the Russian Federation about 250,000 persons left Chechnya. Out of this number 83,400 inhabitants (in 1992 - 21,588; 1993 - 39,823; 1994 - 22,008) were officially registered as internally displaced persons.

In 1995-1996, 53,700 more persons were registered as internally displaced (in 1995 - 33,769; 1996 - 19,922). In the consecutive years the outflow from Chechnya continued. 32,849 inhabitants were registered as internally displaced persons (in 1997 - 15,160; 1998 - 13,007; in the first half of 1999 - 4,682). The actual number of those who have fled Chechnya was much higher since not all of them were registered at their new place of residence.

The Chechen population of Chechnya as of September 1999 was about 650,000 persons but for social, economic and other reasons about 50% of the Chechen inhabitants were practically permanently residing beyond the Republic's territory i.e. under 350,000 Chechens were actually living in the Chechen Republic.

The Chechen 'diaspora' in other regions of Russia reaches today 500,000 persons, including up to 250,000 in Moscow.

According to some estimates, the Russian population in Chechnya accounts now for no more than 20,000 persons i.e. has reduced 10 times as compared to 1991. (Government of the Russian Federation 17 January 2000)

Other neighbouring regions, namely the Republic of North Ossetia-Alanya, the Republic of Dagestan and the Stavropol region accommodate in total approximately 10 000 people displaced after the recent conflict. However, certain areas have been accommodating large numbers of Chechen IDPs since 1992. According to the Russian official figures, as many as 300 000 ethnic Russians have left the Chechen Republic since 1992. For example, in the Stavropol region alone, the number amounts to 76 000 people. The delegation visited some settlements of Russian IDPs from Chechnya in the area of Budennovsk constructed with the assistance of local communities. The Orthodox Church has largely contributed to this integration. Undoubtedly, living conditions in these settlements are much better than those in IDP camps and the majority of IDPs have been successfully integrated into the local communities. Many of them have found employment. (COE 23 January 2001, para. 5)

### Internally displaced persons registered as "forced migrants":

131,340 IDPs currently hold the forced migrant status, as of June 2001. 810 percent of them have been displaced from Chechnya, mostly as a result of the first 1994-96 Chechnya. Other have been displaced from other republics in northern Caucasus, mainly Ingushetia and North Ossetia. The IDPs ex-Chechnya are spread all over the Russian Federation, but most have settled in the North-Caucasus District; IDPs with forced migrant status from Prigorodny district of North-Ossetia are mainly in Ingushetia (14,158 persons as of June 2001). (Federal Ministry on Federal Affairs, Nationalities and Migration Policy, June 2001)

### Statistical sources

# IDP registration in Ingushetia: restrictive practices by local authorities (November 2003)

- Since April 2001, the Ingush migration service has suspended IDPs newly arrived from Chechnya
- UNHCR estimates that up to 13,000 IDPs in Ingushetia are not registered by the authorities
- An increasing number of IDPs in Ingushetia have also been deregistered by local courts ruled in their favour
- IDPs in Ingushetia are also registered by the Danish Refugee Council and the ICRC

"Governmental and international aid agencies register internally displaced persons (IDPs) for three main reasons: i) legal status, ii) statistical purposes, and iii) access to humanitarian assistance. This note highlights three ways in which displaced persons are registered.

Registration by the migration services: The territorial branches of the Ministry of the Interior's Federal Migration Service (FMS) register IDPs for statistical purposes as well as to manage the distribution of government humanitarian assistance. IDP heads of families fill a form (so-called Form No.7), which information is then entered into a database by the various migration services. Since April 2001, the Ingush migration service has suspended routine registration (under Form No. 7) of all new IDP arrivals. Without such registration, the IDPs concerned do not have access to governmental assistance, including accommodation in government-managed camps and settlements and food distributions. Furthermore, throughout 2003, an increasing number of IDPs in Ingushetia, previously registered under Form No.7, were deregistered from the FMS database. UNHCR estimates that some 13,000 IDPs in Ingushetia are not registered in the FMS database. When such deregistration was considered unjustified, UNHCR requested the migration authorities to re-register the IDPs. Where no agreement could be reached, UNHCR's local NGO partners forwarded selected cases to local courts. All cases (as of September 2003) were positively decided by the local courts.

[...]

Registration by international organisations: To assess the vulnerabilities of the civilian population, as well as to manage the distribution of humanitarian assistance, the ICRC and DRC do also register IDPs in the North Caucasus. Upon request, both databases on social and economic vulnerabilities can be consulted by other aid agencies. In Ingushetia the ICRC is using social criteria in the registration of IDPs. As far as the registration of beneficiaries in Chechnya is concerned, both agencies have adopted economic criteria to determine the most needy amongst the Chechen population." (UN OCHA November 2003, p. 151)

#### UNHCR support to deregistered IDPs in Ingushetia

"In Ingushetia, the UN High Commissioner for Refugees (UNHCR) continued assisting IDPs from Chechnya with their registration status. The authorities stopped registering newly arrived IDPs in April 2001. Recently, the Ingush authorities de-registered several hundreds IDPs, primarily in temporary settlements. The reasons for the de-registration were not always clear, and UNHCR protection staff and its implementing partners, Vesta and Memorial NGOs, helped individuals appeal against it. In addition, UNHCR discussed these cases directly with the Ingush migration authorities, and 14 out of the first 22 cases presented by UNHCR were already re-registered. UNHCR submitted information on another 30 cases to the authorities at the end of May. Vesta and Memorial submitted 30 de-registration cases to the migration authorities and 3 cases to courts. The refusal to register new arrivals and de-registration of IDPs already in Ingushetia increase the vulnerability of IDPs and the pressure on them to return home." (UN OCHA 31 May 2003)

"UNHCR remains concerned about the de-registration by the migration authorities of IDPs in Ingushetia, in particular those residing in temporary settlements. For instance, the local migration service de-registered 108 persons (21 families) out of the 176 residing in Vainakh settlement, Malgobek raion. UNHCR interviewed the de-registered IDPs and informed the Ingush migration service of the results. In June, 59

person of 108 were already re-registered, while other cases are under consideration by the authorities." (UN OCHA 23 June 2003)

"Ruslan Isayev, North Caucasus -- New inspections have been underway in Chechen refugee camps in Ingushetia. This time the Moscow-backed Chechen government's commission for forcibly displaced people has been checking the refugees according to the lists.

Members of the commission walk tent by tent and put down the surname of every person whom they find there. Those who are not present are removed from the list thus losing their right to humanitarian aid.

The members of the commission claim these measures are taken in order to identify those who have been receiving humanitarian aid both in Chechnya and Ingushetia, and to find the so-called 'dead souls'.

However, these efforts have had a totally opposite effect. A number of refugees have been removed from the list at the time when they were gone from the camp to work or run an errand. No one had notified them about the inspections.

Many refugees literally flocked Chechnya to get their documents after having found about the possibility to get compensated for their lost homes. And they were mostly these people who have been removed from the lists.

During one day only, some five hundred people were taken off the list in the Sputnik refugee camp in the Ordzhonikidzevskaya village. In all the camps in Ingushetia this measure affects a few thousand refugees." (Prague Watchdog 17 July 2003)

"A local Ingush court ruled in favour of 18 IDPs that had appealed a previous decision taken by the IMS to deregister them from its database. As a result, the IMS will need to reregister the IDPs again. The average time of an appeal has been brought back from two months to two weeks." (UN OCHA 19 September 2003)

### PATTERNS OF DISPLACEMENT

### General

### Multiple displacement: IDPs had to relocate several times since 1999 (2004)

"The first time of displacement, as well as the region of origin, is related to the intensity of the conflict. The majority said they were displaced in 1994 or 1999 (Chechnya: 41%, Ingushetia: 54%) implying that they are at least five years displaced. During this time the majority relocated two till five times (Chechnya: 92%, Ingushetia; 82%). The duration and frequency of displaced imply that the groups in both locations are qualified as 'chronically' displaced." (MSF August 2004, p. 31)

### Villagers in mountainous areas forced to seek safety in plains (2004)

- Armed forces suspect mountainous villages to be a hiding place for Chechen fighters
- Extreme violence has forced most villagers to leave and seek safety in plains

"Usum-Kotar is situated close to a forest, making it vulnerable to Russian air or artillary strikes. The Russian military is suspicious of forested mountain areas in the south, which it believes are used as hiding places by guerillas loyal to rebel Chechen president Aslan Maskhadov, warlord Shamil Basayev, and other commanders.

'Since the war began in the autumn of 1999, the Russians have been constantly bombing and shelling the mountain gorges and forest both in our district and across southern Chechnya. They're still doing it,' said Usumov.

'The locals were forced to flee, fearing for their own lives and those of their next of kin. Any village can be targeted at any time. Russian soldiers can break into your home any time, kill or kidnap you or your family members, and then vanish without a trace and no one will catch the perpetrators.'

[...]

Human rights activists have compiled an incomplete list of more than 20 villages that have been wholly or partially abandonned because of the conflict.

....]

Memorial's Baisayev said, 'The exodus from the foothills and mountains peaked in 2001 and continued through 2002, when the cruellest mop-up raids were carried out.'

' These villagees were subjected to the most inhuman treatment. Soldiers rampaged through the communities again and again, breaking into homes, and taking people away. All this was accompanied by incessant shelling and bombing. Villagers had no choice by to flee to more peaceful places on the plains.'

Many ordinary Chechens believe the Russian military is pursuing a coordinated policy to drive people out of the mountains as a way of undermining the rebels' support base.

'This theory was prompted by a certain document, which appeared on the internet at the beginning of the second Chechen War,' said Baisayev. 'The document, allegedly adopted by Russia's Security Council, called for all mountain villages between Bamut and Dargo to be liquidated,' he said.

The line between the two villages cuts across the map of Chechnya from west to east.

'The provenance of that document may be questionable, but subsequently, it was communities south of that line that were targeted in particularly beinous raids, forcing the locals to migrate to the plains,' he said.

Most recently, Russian federal troops launched a bornh and rocket attack on a forested area close to the village of Zumsoi on January 14-16. Memorial activists later established that the home of local resident Mahmud Tamayev was destroyed, and that three more locals had been taken away by soldiers. In the 'mopup' raid that followed, federal soldiers allegedly stole cash and valuables from many homes. A similar attack happened in October 2003, and of the village's 56 homesteads, only 15 are now still inhabited. Second Lieutenant Vladimir Yerofeev of the Russian security services insists there is no coordinated policy to make the residents of mountain villages leave. (IWPR 17 February 2005)

### Relocation of IDPs outside Chechnya and Ingushetia remains limited (2003)

- The Federal Migration Service made some attempts to relocate IDPs to other regions of the Federation
- At the end of November, some 570 persons were still being accommodated in collective centres in Tambov, Saratov and Moscow regions
- IDPs are reluctant to travel beyond Ingushetia to areas where they are not welcome

"In view of the overcrowded situation in Ingushetia, the Federal Migration Services (FMS) made some attempts, in 1999 and 2000, to relocate some IDPs to other regions of the Federation. Several hundred families thus voluntarily relocated to existing temporary accommodation centres in Tambov and Saratov regions, with the FMS covering transport costs (vouchers with train tickets were provided by the FMS). At the end of November 2002, some 573 persons were still being accommodated in various [Temporary Accommodation Centres (TACs)] run by the Federal Migration Service (mainly in Tambov, Saratov and Moscow region). While originally the FMS intended to relocate more IDPs to other regions in central Russia, this project has not been as successful as the federal authorities expected. Firstly, most of the concerned regions do not have any sizeable Chechen community and were not enthusiastic with the prospect of having to provide accommodation to Chechen IDPs. Secondly, the Chechen IDPs themselves wish to remain close to their homes in Chechnya and are reluctant to travel beyond Ingushetia to regions where they are not welcome." (UNHCR February 2003, para. 29)

### PHYSICAL SECURITY & FREEDOM OF MOVEMENT

### Physical safety and personal liberty

### Reports of growing insecurity in Ingushetia (2003-2004)

- Increasing number of raids from Chechnya into Ingushetia were reported in 2003
- The human rights situation in Ingushetia deteriorated in 2004, with reports of disappearances, summary executions, attacks against civilians
- A major rebel attack against law enforcement agencies in Ingushetia in June 2004 killed 88 people and wounded 120 others
- Security operations in the IDP settlements were conducted afterwards

"The human rights violations that have long been the hallmark of the Chechnya conflict are spilling over into Ingushetia. During 2003, there were reports of an increasing number of raids across the border, where Chechen settlements as well as Ingush villages were targeted by federal and Chechen security forces. During the first few months of 2004, the human rights situation in Ingushetia has deteriorated even further-dozens of people have reportedly "disappeared", and human rights groups have documented a number of summary executions and attacks against civilians resulting in deaths and serious injuries. In early May 2004 Ingush President Murat Ziazikov said in an interview with the Russian newspaper *Novaya Gazeta*, that investigations into the 'disappearance' of people in Ingushetia had not led to the identification of the perpetrators, but that there were credible reports that members of armed forces from Chechnya and other republics, like the Stavropol territory and Northern Ossetia, had participated in acts of human rights violations in Ingushetia with few possibilities given to the local forces to interfere." (AI 23 June 2004, p. 21)

"During the night from 21 to 22 June 2004 there was a raid of approximately 200 armed guerrillas entered four Ingush towns: Nazran, Karabulak, Sleptsovskaya and Troitskaya. The ensuing fighting left 88 persons killed and around 120 persons wounded. While the situation had been steadily deteriorating during the past year with a sharp increase in disappearances, the attack represents a major expansion of the conflict zone.

Following the attack, police operations1 were conducted throughout Ingushetia, including many of the temporary settlements of Chechen IDPs. [Footnote: We are using the term 'police operation' to refer to actions undertaken by both, police and military. They involved passport control, interrogation, fingerprinting, as well as search of individual houses and household premises] One of these operations, in Altievo on 25 June, was conducted as a mop-up operation ('zachistka'), involving numerous severe human rights violations, the only difference to 'zachistkas' in Chechnya being, that no forced "disappearances" took place. In order to assess the situation in Ingushetia in the aftermath of the 21/22 June raid, including the situation of the Chechen IDPs, the IHF and the MHG sent researchers to the region, who worked in close collaboration with the *Human Rights Center Memorial*. They visited settlements of Chechen IDPs in Nazran, Karabulak and Sleptsovskaya between 25 June and 13 July 2004. Police operations had been carried out in most of these settlements after June 21." (IHF 4 August 2004, p. 2)

For more details on security operations in IDP camps in June 2004, see Memorial, monthly bulletin "From the conflict zone", June 2004 [Internet]

### Authorities close down IDP tent camps in Ingushetia (2004)

- Government pressured IDPs living in camps to return to Chechnya despite fears for security
- Methods consisted of a mixture of threats and incentives
- Last IDP tent camp was closed in June 2004
- There are fears that IDPs living in spontaneous settlements will also be under pressure to leave
- Cuts of gas and electricity in these settlements have been reported

"Amnesty International received credible reports that during the first months of 2004, the Russian government continued to pressure thousands of internally displaced persons (IDPs) living in tent camps in Ingushetia into returning to Chechnya, ignoring their well-founded fears about the security situation there. The government has, for the most part, failed to fulfil promises to provide IDPs who wish to stay in Ingushetia with alternative accommodation there. The conditions in government-run temporary accommodation centres in the Chechen capital Grozny, where many of the returnees end up living, reportedly do not correspond with promises made by the authorities.

On 1 April 2004 the government closed the Sputnik IDP camp—the fourth large tent camp in Ingushetia to be closed in six months. IDPs from the camp told Amnesty International that Russian and Chechen officials had used a combination of threats and incentives to encourage them to return to Chechnya. They said officials promised them compensation for lost property should they return, and threatened they would lose their right to humanitarian aid if they did not. They also said law enforcement officials had threatened to plant bullets or narcotics on them if they did not go back to Chechnya. A member of the Ingush Ministry of Interior allegedly told one of the IDPs that his tent would be set on fire if he did not leave the camp. When Amnesty International delegates interviewed IDPs in Satsita, they found that similar carrot-and-stick tactics were being used in the then last remaining tent camp in Ingushetia, which was in the process of being closed at the end of May 2004.

Lorchen Gunter, who is of Russian-German descent, but was married to a Chechen and lived in Grozny for many years, has spent more than four and a half years in Ingushetia as an IDP. She moved to the Satsita tent camp in September 2003 from Bella, another camp which had been closed down on 1 October 2003. She is among the thousands of IDPs who do not wish to return to the Chechen Republic. Lorchen Gunter told Amnesty International delegates that the IDPs in Satsita and previously in Bella had been under heavy pressure from various authorities to leave Ingushetia. She believed that her tent and her movements were observed by the authorities as she is seen as a spokesperson for those in the camp who do not wish to return to Chechnya.

With the closure of the tent camps, many IDPs now fear that the authorities will start pressuring those IDPs who remained in Ingushetia living in spontaneous settlements to return to the Chechen Republic. On 18 May 2004 the *Russian-Chechen Friendship Society* reported that a couple of IDPs from the settlement of Yandare had been pressured into signing a document stating that they had found two explosive devices on the territory of their camp. The IDPs who refused to sign the document were reportedly refused an extension of their registration.

Amnesty International delegates visited one of the spontaneous settlements, a former dairy factory, where IDPs were living in conditions which are vastly inferior to the already modest accommodation which existed in the tent camps. The electricity and water supply in the settlement can be turned off for days if the bills are not paid, and there is little space in the dark, airless rooms, where large families share a few square metres. And yet, the IDPs seem to have little doubt as to what is preferable, remaining where they are or returning to Chechnya. A father of five from Vedeno district told Amnesty International's delegates: 'We will stay here. As long as they can't guarantee our security, we won't go back [to Chechnya]. If there is no war, why don't they withdraw the troops? Everybody would like to go home, but it is too dangerous.'

Another person told Amnesty International delegates that in early 2000 he had been detained in the so-called filtration camp Chernokozovo for 57 days, where he was tortured. He has nine children and when he was released from Chernokozovo he was told by the guards to keep quiet about what he had experienced, otherwise his children would suffer. He was living in Satsita in April 2004 without any registration as an IDP and sharing a tent with a befriended family, in order not to have any dealings with the authorities. He said as long as the armed conflict continues and as long as there is no justice in Chechnya he cannot live there." (AI 23 June 2004, pp. 18-21)

"While gas reconnected in eight temporary settlements in Malgobek District [Ingushetia], some 3,307 IDPs in 17 other settlements continued to face utility cuts or eviction threats. UNHCR is following on a case-by-case basis." (UN OCHA 22 November 2004)

#### See also:

UNHCR, "Last Chechen camp set to close in Ingushetia", 4 June 2004 [Internet]

UNHCR, "Ingush camp for Chechens closed", 2 April 2004 [Internet]

International Helsinki Federation, The Coerced Return of Chechen IDPs from Ingushetia, March 2004 [Internet]

UNHCR, "UNHCR concerned about gas cuts in Ingushetia's settlements", 20 February 2004 [Internet]

# Systematic human rights violations continue in Chechnya, despite new political institutions (2004)

- Crimes appear to be increasingly committed by the "Kadyrovsty", a pro-Moscow Chechen armed group
- Measures adopted to curb violence during security operations have remained ignored
- Large scale mop-up operations have been replaced by more targeted raids against specific houses
- However, disappearances, torture and extra-judicial executions continue to be reported
- Authorities fail to investigate the crimes and ensure redress for the victims

"The adoption of a new constitution in March 2003 and the presidential elections in early October of the same year were hailed by the Russian government as major steps towards normalization of the situation in the Chechen Republic. The reality, however, is very different, as extrajudicial killings, 'disappearances' and torture, including rape and indiscriminate killings of civilians continue to occur systematically. Such abuses are serious violations of international human rights and humanitarian law and may constitute war crimes.

While normalization remains elusive, a certain measure of 'Chechenization' appears to have taken place. An increasing portion of the human rights abuses committed in the republic are being blamed on the so-called *Kadyrovtsy*, an armed group under the command of the late President Akhmad Kadyrov's son, Ramzan. Many Chechens interviewed by Amnesty International said that they fear this group even more than the federal troops. Allegedly, more and more Chechen fighters who previously fought against Russia are joining the *Kadyrovtsy*. In February 2004 about 80 relatives of former Chechen Minister of Health Omar Khambiev were reportedly rounded up in different villages in Chechnya by the *Kadyrovtsy* and subjected to torture and ill-treatment in order to put pressure on Omar Khambiev to stop speaking out at international fora against human rights violations in Chechnya and to force his brother, a leading Chechen opposition fighter, Magomed Khambiev, to surrender, which he reportedly did on 8 March.

Shortly before his assassination on 9 May 2004, President Kadyrov reportedly announced his intention to intensify the crackdown on Chechen fighters. Reportedly, since then a number of large scale military

operations have been conducted in Chechnya, during which many people are reported to have been detained and 'disappeared'.

Thousands of Chechens are believed to have 'disappeared' since the outbreak of the second conflict in the autumn of 1999. Many were taken away from their homes during so-called 'zachistki', military raids, allegedly conducted to check the identity documents of people staying in a village or district, during which whole villages were surrounded for days at a time and Russian troops, sometimes accompanied by Chechen security forces, went from house to house, conducting searches and checking identity documents. During the first period of the armed conflict these raids were often accompanied by gross human rights violations. For example, on 2 July 2001 during a raid Russian federal forces reportedly detained several hundred inhabitants of Sernovodsk, a town close to the border with Ingushetia. Several of the men were allegedly tortured, including being subjected to rape. Soldiers also allegedly looted houses and destroyed some of them with grenades. The soldiers allegedly told the local Chechens that they would wipe the village off the face of the earth. Most of the men were released on 2 or 3 July, but the fate and whereabouts of two men, Apti Isigov and Zelimkhan Umkhanov, who were taken by Russian forces to a detention facility in Achkoi-Martan, remain unknown. Despite the fact that - according to the Office of the Special Representative of the President of the Russian Federation for ensuring human rights and civil rights and freedoms in the Chechen Republic - the commanders of this special operation have been identified, no one has yet been brought to justice.

Following repeated manifestations of concern from the Council of Europe, second governments and non-governmental organizations, the Russian authorities introduced order No 80, requiring identification of military units operating in Chechnya and decree No 46, which requires the presence of a procurator when searches and identity checks are conducted. However, these orders were reportedly often ignored and are widely regarded as inadequate to protect the civilian population from human rights violations.

While large scale military raids have declined in numbers and involve less human rights violations, there are regular reports about targeted operations, which mostly take place at night, usually by masked men in camouflage who arrive in military vehicles of which the identification plates are covered. During such operations, specific houses, rather than whole villages, have been targeted, but the human rights abuses remain the same - some detainees are released within a few days, often for a ransom, others "disappear" or are extrajudicially executed. [...] The Russian politician and human rights campaigner, Sergei Kovalev, has described the perpetrators of such crimes as 'death squads', and even the late Chechen president, Akhmad Kadyrov, whose own security forces are suspected of being involved in a number of 'disappearances', had spoken out against such operations.

Whether the raid is on a large scale or targeted against a single person, and whether the outcome is 'disappearance', torture or extrajudicial execution, there is one common trait - whoever the perpetrators are, they almost inevitably get away with their crimes. The federal and regional authorities' apparent lack of will to thoroughly investigate these crimes and ensure that perpetrators of such human rights abuses are identified and brought to justice perpetuates a climate of impunity in the Chechen Republic. Many people who have been interviewed by Amnesty International were not able to specify which units of the armed forces, Chechen or Russian or both, were responsible for the 'disappearance' or extrajudicial execution of their relatives, some of them assumed that personal vengeance may have been part of the reason for targeting their relatives or that someone had implicated their relative after of while undergoing torture. However, the large majority of these people had experienced a complete failure of the authorities to thoroughly investigate the crimes and ensure redress for those who have been subjected to human rights abuses." (AI 23 June 2004, pp. 3-5)

For detailed reports of human rights violations in Chechnya, see also Memorial monthly bulletins "From the conflict zone":

January 2005 [Internet] December 2004 [Internet] November 2004 [Internet]

### Collective centres in Chechnya subjected to violence (2003-2004)

- Attacks against temporary accommodation centres have been reported
- IDP residents have been exposed to shooting, beating,

"On paper, the residents of temporary placement points are safer that other Chechen residents because they have security guards. However, there have been armed attacks on many temporary placement points. In those cases, the guards have been unable to summon help because they have no radio communication and they cannot repel the attackers themselves because, after a number of such instances, the leadership took away their weapons.

Here are a few examples of what is happening at temporary placement points.

On the night of May 25, 2003, a large group of soldiers invaded the temporary placement point at 47 Kirov street. The building was surrounded by armed vehicles and the military on all sides. The soldiers broke into rooms and grabbed young men and women. They wanted to take them somewhere but refused to answer exactly where. Only thanks to members of the special task force unit, local supporters of President Kadyrov who happened to be visiting one of the point's residents, was the tragedy averted.

Yet the troubles besetting the residents of this temporary placement point did not end here. A second attack took place half a year later on January 8, 2004 at about 7 p.m. Masked soldiers of unknown military allegiance but seemingly Chechens by their speech, invaded the temporary placement point and wreaked havoc there for a long time. They beat elderly people, women, and children. The security with one gun for two people could not withstand such a large military assault. The guards themselves were severely beaten. The reasons for the attack remain unknown.

On April 1, 2004, a man armed with a gun entered the temporary placement point on Okruzhnaya street in Grozny and demanded that he be given the builders' salary. When people began to gather, drawn by the bookkeeper's cries, he opened fire. As a result, husband and wife, Adam Ahmadov and Malika Kurbanova received bullet wounds to the legs. They had returned from the tent camp "Sputnik" in Ingushetia only the day before. Having inflicted these injuries, the perpetrator ran away from the place of the incident. Behind the temporary place point fence he was greeted by accomplices, and those who tried to pursue them had to retreat when the bandits brandished their weapons. (Memorial. 2004, p. 25)

### Civilians exposed to mines and unexploded ordnance in Chechnya (2004)

- 150 mine incidents were reported from September 2003 to August 2004
- IDPs and returnees are exposed to a high right as they move through or resettle in affected areas

"Landmines and unexploded ordnance continue to have a dramatic impact on the lives of civilians in Chechnya. According to the Voice of the Mountains/UNICEF Information Management System for Mince Action, 720 people had been killed and 2,404 wounded by mines and UXO in Chechnya from 1995 to September 2004. Out of these 3,124 victims, 717 (20.8%) were children under 18. From September 2003 through August 2004, in particular, 150 mine/UXO incidents took place: 13 of the 21 victims killed were children. Given the limited size of the population of Chechnya, this is a higher incident level than recorded in other mine-affected countries, such as Afghanistan, Cambodia and Angola. What is more, due to various factors, including limited access to the southern districts of Chechnya and the lack of data on military casualties, these figures reflect only part of the total impact of mines and UXO.

The presence of mines/UXO aggravates their social and economic vulnerability of civilians who live in fear and often restrict their children from playing freely. Economic hardship leads some to nevertheless adopt risky behaviors, for example, visiting dangerous places such as forests, unused lands, and abandoned factories. IDPs and returnees are exposed to a high right as they move through or resettle in affected areas." (UN OCHA October 2004, p. 45)

For more details about landmines, consult the Landmine Monitor Report 2004: Toward a Mine-Free World, Russian Federation [Internet]

See also, "Chechen partisans continue laying mines and explosives", Prague Watchdog, 18 April 2003 [Internet]

# Chechen IDPs in other parts of the Russian Federation: discrimination and harassment (2003-2004)

- Displaced Chechens in Moscow have encountered serious problems regarding their legal status
- They are also subject to vigorous security checks, evictions and harassment
- Restrictive rulings by the Moscow mayor de facto denies Chechens IDPs access to the forced migrant status
- Public discrimination and targeting by police also result from acts of terrorism committed in Moscow
- Local NGO 'Civic Assistance,' providing legal and social counselling to IDPs, has reported an increase in police harassment on ethnic Chechens, including Chechen IDPs
- In the absence of temporary registration, IDPs in Moscow have not been able to exercise basic social and civil rights
- Very strong anti-Chechen feeling has developed in many parts of the Russian Federation

"According to Russian Government sources, there are several hundred thousand ethnic Chechens in Moscow. Most of them are not IDPs. However, those Chechens displaced because of the current conflict and who have come to Moscow have encountered serious problems regarding their legal status, residence, and sometimes face vigorous and repeated security checks, eviction from their apartments and harassment by other groups of the local population. For example, the 21 September 1999 Resolution No. 875 of the Moscow City Government, expressly referring to recent 'terrorist acts that caused the deaths of many civilians,' instituted a re-registration procedure for all non-Muscovites staying in the capital. As a result of this regulation, thousands of persons previously registered in Moscow City could not re-register with the authorities. In practice, it became almost impossible for new arrivals, especially IDPs from Chechnya, to register in Moscow.

Another Moscow Mayoral decree of 28 September 1999 stipulates that in order to apply for forced migrant status, the concerned applicants must be in possession of a registration document issued by the competent body of the Federal Ministry of Interior valid for a term of not less than six months. In practice, however, it has been almost impossible for Chechen IDPs to obtain sojourn registration in Moscow. They need sojourn registration to apply for forced migrant status, but sojourn registration is denied in practice. Local NGOs reported numerous instances where Chechen IDPs applying for forced migrant status were told by local migration officers to return to 'safe areas' in Chechnya. Instances were reported where legally resident individuals in Moscow who vouched for IDPs, guaranteeing them housing to facilitate their registration with the authorities, were themselves fined for violating registration regulations.

The restrictive rulings of the mayor of Moscow City should be viewed in the wider context of massive internal migration to Moscow from Russia's economically and ecologically devastated regions in the East

and the Far East, as well as from the Caucasus. The city authorities claim that several hundred thousand non-Muscovites are staying or working illegally in Moscow. Each year, the local bodies of the interior are reported to expel (by train) several thousand illegal residents outside the city boundaries. Chechen IDPs, however, must also confront prejudice stemming from the activities of the so-called 'Chechen Mafia' said to occupy a prominent role in drug trafficking and organised crime. Public discrimination and targeting by police also result from acts of terrorism committed in Moscow, such as the August 1999 apartment bombings resulting in the loss of hundreds of lives, blamed on terrorists of Chechen origin, as well as the hostage taking in Moscow's Dubrovka theatre, in October 2002.

The October 2002 hostage crisis in Moscow triggered a number of measures by the federal and local authorities, countrywide, aimed at enhancing security and public order. Both the Ministry of Interior and the General Prosecutor's Office initiated investigations concerning the circumstances of the infiltration into Moscow City by Chechen fighters. After the raid, a city-wide search was launched to capture possible accomplices and dozens of suspects were arrested. Law enforcement officers increased and tightened ID checks in Moscow with the objective of identifying persons without sojourn registration. Such control measures are taking place in a context where the Moscow City police were blamed, officially as well as by the media, for not being able to prevent the hostage taking, thus inciting the police authorities to exercise particular zeal in the on-going investigations. In this context, ethnic Chechens with identity documents indicating permanent residence in Chechnya are particularly at risk of being fined, detained and expelled from the city.

The local NGO 'Civic Assistance,' providing legal and social counselling to IDPs and forced migrants in Moscow, has reported an increase in police harassment cases on ethnic Chechens, including Chechen IDPs, in Moscow City, in the aftermath of the October 2002 hostage crisis. In particular, cases of apartment searches, administrative detention, denial of sojourn registration, expulsion from schools and sacking from jobs were documented by Civic Assistance. What transpires from the Civic Assistance's report is that, beyond preventive and/or repressive actions carried- out by law enforcement agencies, prejudice and mistrust vis-à-vis ethnic Chechens have openly increased among the public, leading to discriminatory attitudes by other institutions such as schools.

In the absence of temporary registration, IDPs in Moscow have not been able to exercise basic social and civil rights, such as access to legal employment, medical care and education. Instances of confiscation of internal passports by the police, detention, and extortion of money have also been reported. The International Helsinki Federation for Human Rights claims that

on the streets of Moscow and other major cities of the Russian Federation, police, along with other law enforcement agencies, adopt blatantly racist attitudes towards Chechens, ethnic groups from the Caucasus and other minorities. Resorting to racial profiling, police stop dark-featured people, including Chechens and other ethnic minorities on the street on the pretext of identity checks. In some cases, the detained persons have reported being forced by police to pay a bribe for some perceived irregularity in their identity or registration papers. In numerous other reported cases, Chechens and other Caucasus nationalities have complained that police planted drugs or weapons on their person and then demanded a bribe to secure their release. In detention, detainees also complain of being subjected to torture and ill-treatment with the reported aim of extracting a confession.

According to information available from local human rights groups, the situation in Russia's second largest town, St Petersburg, is similar concerning restrictive practices in issuing sojourn registration to Chechen IDPs. In the absence of sojourn registration, Chechen IDPs have no legal access to social welfare. However, the Chechen community in St Petersburg is much smaller than in Moscow and it is acknowledged by human rights groups that police harassment, fines and administrative detention of improperly registered persons is not as acute as in Moscow.

The situation of Chechen IDPs in the rest of the Russian Federation is not as well-documented as in the regions of the Federation mentioned above. However, based upon information available to UNHCR, the following can be said:

- a) Ethnic Chechens traditionally do not reside in areas beyond the northern Caucasus republics and the larger western Russian cities. Chechen IDPs are reluctant to travel to areas where there is no resident Chechen community with whom they could stay, even illegally;
- b) There is a lack of information concerning the possible violation of federal rules on freedom of movement by eastern and far-eastern regions of the Federation as well as on the control of the legality of local regulations in those regions by federal organs. However, the Russian Federation Ombudsman has documented such violations in some instances;
- c) Some border regions of the Federation have specific concerns regarding illegal migration and are very sensitive regarding the movement and status of populations on their territory (e.g. those regions sharing the 6,000-km long 'transparent' border with Kazakhstan, and eastern regions faced with legal and illegal migration flows from China.);
- d) Most importantly, a very strong anti-Chechen feeling has developed in many parts of the Russian Federation. This feeling, already present during the previous Chechnya conflict in 1994-96, has re-emerged after the terrorist bombings of August 1999 in Moscow and been reinforced by the October 2002 hostage crisis in Moscow. It has been exacerbated by some national and local media as well as by the relatively high level of casualties among federal troops serving in the military and in the Ministry of Interior special forces deployed to Chechnya, which is randomly affecting soldiers. Families throughout the Federation;
- e) Finally, the 11 September 2001 terrorist attacks in the USA have led some Government officials and media members to draw parallels with the 'anti-terrorist operation' in Chechnya, which is likely to contribute to increased suspicion towards Chechens in general." (UNHCR February 2003, paras. 48-55)

"Over the course of the year since the publication of our last report [May 2003-May 2004] Chechens have remained one of the most discriminated against groups in the population. The forms of discrimination haven't changed, although their incidence has. On the one hand, the frequency of the rudest and harshest manifestations of discrimination, such as persecution on the part of the police and falsified criminal charges, has gradually decreased. On the other hand, less obvious forms of discrimination, such as discrimination in matters of employment, have become an everyday, common place occurrence, like anti-Semitism was in its day.

It can be said that discrimination against Chechens has taken on a stable shape, has coalesced into a certain system, the foundational principles of which are constant control on the part of the police, alienation from sources of subsistence and limited access to the basic rights available to the Russian population." (Ganushkina 2004, p. 48)

"Since the beginning of the second phase of the armed conflict, Chechens outside of the North Caucasus have been subjected to human rights abuses, including arbitrary detention, ill-treatment and restrictions of the right to freedom of movement, elsewhere in the Russian Federation. Recently, for example, on 9 September 2004 police officers reportedly assaulted Magomed Talboev, a cosmonaut and politician from the Republic of Dagestan, who received a medal as a hero of the Russian Federation, after they stopped him at a metro station in Moscow. According to reports they asked him to show his passport and when they saw that he had a Caucasian name, they allegedly assaulted him and shouted, 'Clear off, darkie, and tell your fellow tribesmen we will get rid of you anyway'. Following the events in Beslan, there have also been reports of increased attacks on Chechens and other North Caucasians by "skinheads" and members of other extremist groups. There have been repeated attacks by 'skinheads' of Caucasian-looking people on the Moscow metro. Caucasian shops have been burned down in Moscow and Yekaterinburg; one of the shop's owners was killed. A woman wearing a veil was attacked in Vladivostok by someone shouting, "this is for

Beslan". Amnesty International remains concerned that Chechens and Caucasian-looking people outside of the North Caucasus continue to be at risk of being subjected to human rights abuses." (AI 9 November 2004)

See also "Kabardino-Balkaria clamps down on refugees", Institute for War and Peace Reporting, 3 April 2003 [Internet]

### A special group of concern: the children (2002-2004)

- There have been reports of kidnapping of children for ransom by armed groups
- Special UN representative for children highlighted impact of war on children (June 2002)
- Violence and displacement have left many children traumatized
- Chechen fighters allegedly enlist children into their ranks or use them to plant landmines

"Troops in Chechnya reportedly placed Chechen boys ages 13 and older in filtration camps where some reportedly were beaten and raped by guards, soldiers, or other inmages. The women's action group 'White Kerchief' (Belyy Platok) reported that some federal forces engaged in kidnapping children in Chechnya for ranson." (U.S. DOS 28 February 2005, sec. 5)

"In Chechnya, another area of concern is the situation of children, particularly the most vulnerable groups, such as orphans, unaccompanied or street children. The lack of comprehensive and accurate information on their situation in Chechnya constitutes a serious gap that need to be addressed. The awareness of the provisions included in the Convention of the Rights of the Child, particularly amongst children themselves, parents, public officials and caregivers, should also be strengthened. (UN OCHA October 2004, p. 12)

### Survey conducted among IDPs living in spontaneous settlements in Ingushetia and in Temporary Accommodation Centres in Chechnya (2004):

"A substantial number of children are affected by the violence and current living circumstances. In Chechnya, the most important effect is fear, while in Ingushetia lack of education was mentioned as the most important problem. Approximately one quarter of the parents with boys and one of the parents with girls indicated that none or only some of the children attended school." (MSF August 2004, p. 34)

### See also "No help for Chechnya's street children", Institute for War and Peace Reporting, 10 November 2004 [Internet]

"Further to his visit to the Russian Federation, the UN Special Representative for children and armed conflict, Mr. Olara A. Otunnu, concluded that the two periods of armed conflict in Chechnya (1994 to 1996 and 1999 onwards) have clearly left a very extensive and serious impact on children. He indicated that some 50 per cent of internally displaced persons (IDPs) are children. The use and impact of landmines is grave and has been particularly damaging for children, with about 500,000 mines in Chechnya, making it one of the most mine-contaminated areas in the world. Exposure to violence and displacement has left many children traumatized. Moreover, Chechen fighters allegedly enlist children into their ranks and they also provide financial incentives for children to plant landmines and explosives (Office of the UN Special Representative for children and armed conflict, 24.6.2002).

While in the North Caucasus, Mr. Otunnu expressed his concern for the protection and well-being of all children affected by armed conflicts in the region. He pointed out that support and relief must be provided, on a humanitarian and impartial basis, to all who have suffered as a result of armed conflict, regardless of their ethnicity, political or religious affiliations (idem). In this connection, note should be taken of the regular mental health co-ordination meeting held by World Health Organisation (WHO) in Nazran on 29

May 2002, in which twelve NGOs from Ingushetia and Chechnya participated (WHO, April-May 2002)." (COE 16 July 2002, Addendum II)

#### See also:

"U.N. envoy welcomes firm assurances concerning voluntary return of displaced Chechen populations", UN press release, 24 June 2002 [Internet]

# Authorities want to accelerate the return of IDPs from Ingushetia and Chechnya (2002-2003)

- Human Rights Watch reports that Russian authorities exert pressure on IDPs in Ingushetia to return to Chechnya
- Authorities also are reluctant to increase the shelter capacity for IDPs in Ingushetia
- In April 2001, the registration of newly arrived IDPs from Chechnya was suspended, depriving them of access to federal assistance
- Authorities in Chechnya and Ingushetia signed a 15 point the Action Plan for the return of IDPs from Ingushetia to Chechnya in May 2002
- The re-deployment of federal troops to Ingushetia, and the increase of ID checks in Ingushetia also signaled the will of authorities to accelerate the return of IDPs to Chechnya

"The pressure exercised on IDPs, in Ingushetia and elsewhere, to return to Chechnya increased markedly after the October 2002 hostage crisis in Moscow. The hostage crisis embarrassed the authorities, revealing how Chechen fighters had been able to freely move in the country, and prepare and execute a complex terrorist operation in the capital. Subsequent measures were taken by the authorities, including a Moscow city-wide search for possible accomplices and the arrest of several suspects, the suspension of military troop cuts in Chechnya by the Ministry of Defence, and the decision to close down IDP tent camps in Ingushetia, suspected by the authorities to harbour some militants and to represent a recruitment-base for Chechen fighters.

Human Rights Watch insists that Russian authorities exert organised pressure on Chechen IDPs in Ingushetia to force them to leave:

Every day, about thirty representatives from the United Headquarters and the Federal Security Service (FSB) make the rounds at each of the major tent camps in Ingushetia, going from tent to tent explaining the advantages of moving to Chechnya and the disadvantages of remaining in Ingushetia. They continuously pressure families to sign the 'voluntary return' forms provided by the United Headquarters officials and promise those who sign five months of humanitarian supplies. ... In several cases, officials have threatened those reluctant to leave with arrest on false drug and weapons possession charges. ... In late October, Russian federal troops set up permanent positions near all the major tent camps, reinforced with armoured personnel carriers and heavy weapons. [Human Rights Watch, Into Harm's Way: Force Return of Displaced People to Chechnya, Vo. 15, No,1/(D), Human Rights Publications, January 2003]

Ingushetia and Chechnya are contiguous, and Ingushetia has generously hosted the bulk of fleeing IDPs. However, with an influx of over 240,000 IDPs in 1999-2000 for a local population of 360,000 inhabitants, the infrastructure of the Republic of Ingushetia (one of the poorest subjects of the Russian Federation) has been over-stretched. As of 31 December 2002, there were 102,000 IDPs in Ingushetia. Some 55% of these persons are staying with host families, 27% in temporary settlements (former collective farms, abandoned factories and other privatised structures being used as shelter, where the Russian Federation Government is reimbursing the gas and electricity utilities. costs to the owners), and 18% in tent camps. Local social infrastructure has been overwhelmed with the influx of IDPs and the majority of IDPs have limited access, if any, to medical facilities and schools. Tuberculosis in camps and settlements is widespread. UNHCR

together with WHO have set up a medical referral system for particularly vulnerable cases (e.g., victims of torture), where cases are referred to medical institutions outside Ingushetia, as it lacks sufficient capacity. Humanitarian assistance by international organisations is continuing in order to avoid a deterioration of basic living conditions.

[...]

Over time, as tensions developed between the IDPs and the local populations, the proportion of IDPs in spontaneous settlements increased as a result of evictions from host family residences -- this often occurs after IDP families exhaust their financial resources. UNHCR and NGOs are confronted daily with such evictions. To the extent possible, UNHCR has been identifying possible alternative shelter arrangements for evicted families in tent camps, providing them an alternative to return to Chechnya for lack of other options.

In 2000, UNHCR negotiated with the Federal Government to build additional tent camps in Ingushetia to accommodate newly arriving IDPs as well as those IDPs accommodated in remote, unsafe or unhealthy temporary settlements. The Federal Government insisted that such camps should be built inside Chechnya before finally agreeing. Although UNHCR and NGOs remain active in the shelter sector and have been able to replace damaged tents, the Government overall remained reluctant to allow provision of additional tent capacity in Ingushetia. UNHCR fears that in the near future IDP families evicted from host families or spontaneous settlements may have no realistic alternatives other than return to Chechnya, remaining illegally (without residency registration) in another region of the Federation, or seeking asylum elsewhere.

The federal authorities have made various attempts to induce the return of IDPs from Ingushetia to Chechnya. On 17 December 1999, under Order No. 110, the Federal Migration Service instructed the Regional Migration Services of Dagestan, Stavropol, Ingushetia and North Ossetia-Alania to suspend registration under Form No. 7 of all new IDP arrivals and to facilitate their return to their place of origin in Chechnya or, alternatively, to safe areas in Chechnya. Subsequently, on 20 January 2000, the Ministry for Civil Defence and Emergencies of the Republic of Ingushetia issued an instruction according to which IDPs coming from regions under the control of federal authorities should be "deprived from all kind of allowances they were entitled to on the territory of their present accommodation."

The ban imposed by Federal Order No. 110 on registration of new arrivals was implemented with varying levels of strictness in Ingushetia and eventually was ignored in practice, before being re-enforced. There has been a succession of similar federal orders and instructions, immediately followed in the field by rumours and fears among the IDPs as to possible implications. Such uncertainty has characterised the federal policy regarding registration of IDPs, adding to the insecurity of their situation. In April 2001, the Ingush territorial organ of the Ministry of Federal Affairs, Nationality and Migration Policy suspended registration (under Form No. 7) of all new IDP arrivals. Without registration by the migration authorities, IDPs do not have access to Government assistance, including accommodation in Government managed camps and food. It is estimated by UNHCR that there are currently some 42,000 IDPs in Ingushetia not in possession of Form No. 7. [...]

Recent events in the northern Caucasus include the resignation of Ingush President Aushev in December 2001, the election of President Zyazikov in April 2002, the signature in May 2002 of a 15 point the Action Plan for Return for the return of IDPs from Ingushetia to Chechnya, the re-deployment of federal troops to Ingushetia, and the increase of ID checks by federal forces inside Ingushetia. These indicate a pattern whereby the federal and local authorities are determined to accelerate the return movement of IDPs to Chechnya. Pressure for this return movement was increased after the October 2002 hostage crisis in Moscow.

Most of the provisions of the May 2002 Action Plan for Return relate to creating additional reception capacity in temporary accommodation centres in Chechnya and the provision of construction materials for self-help home repairs, thus ensuring smooth transition from TACs to homes. UNHCR acknowledged the need for shelter for returnees in Chechnya, but is concerned that such reception capacity might develop into

IDP settlements of indefinite duration. The creation of safe conditions in Chechnya (entrusted to the Federal Security Service, or FSB) is envisaged, but not yet established.

UNHCR has observed that point No. 5 of the Action Plan provides for the suspension of humanitarian aid in Ingushetia to those IDPs who receive state allowances (i.e., pensions and child allowances) inside Chechnya. This could amount to a measure limiting the IDPs. freedom of choice to stay or return. Point 14 foresees the closing of *.temporary accommodation settlements*. in Ingushetia, as IDPs return to Chechnya.

Following the signature of the Action Plan, representatives of the Chechen Administration, Ingush Migration Service and Federal Migration Service conducted an intensive campaign among IDPs in the tent camps in Ingushetia. As of 31 December 2002, some 7,404 IDPs from tent camps had returned in an organised manner, with the assistance of the Chechen Administration.

In parallel with the implementation of the Action Plan for return, the control of the 'legality' of the sojourn of IDPs by local bodies of interior in Ingushetia was intensified. IDPs attempting to register their sojourn with the passport and visa services (PVS) of the local bodies of the Ministry of Interior are routinely denied registration if they are not in possession of Form No. 7, issued by the local migration service. Since Form No. 7 is foreseen under a 1997 internal instruction of the Federal Migration Service and is not among the documents otherwise required under federal legislation pertaining to registration, its possession, as a prerequisite for the issuance of sojourn registration, can be called into question. However, local NGOs attempting to challenge the legality of such requirements were unsuccessful in the courts. Among other obstacles, IDPs not in possession of sojourn registration in Ingushetia are currently not able to officially register the birth of children born in Ingushetia. IDPs not in possession of form No. 7 were recently denied accommodation in temporary settlements by the private owners of such settlements on the grounds that they are reimbursed gas and electricity utilities costs from the Federal Migration Service only for those IDPs in possession of form No. 7.

[...]

As a consequence of the October 2002 hostage crisis, the federal authorities re-iterated their determination to close all tent camps in Ingushetia. The Federal Migration Service in November 2002 requested international organisations and NGOs, including UNHCR, to stop the replacement of torn tents. Between 30 November and 2 December 2002, the authorities completely dismantled the 'Imam' tent camp, near the village of Aki-Yurt (district of Malgobek), that had been accommodating some 1,500 IDPs. UNHCR estimates that approximately half returned to Chechnya where they found shelter with host families or were accommodated in TACs. The rest remained in Ingushetia, in self-made mud-brick houses on the site of the former camp, in temporary settlements or with host families in the district of Malgobek or elsewhere in Ingushetia. The United Nations (through its Under-Secretary-General for Humanitarian Affairs), UNHCR and the European Union all expressed concern regarding the voluntary nature of returns, since the Aki-Yurt 'Imam' tented camp was dismantled without the IDPs being provided alternative accommodation by the Government, in Ingushetia or elsewhere.

Eventually, after the organised return by the authorities of IDPs to Chechnya took place, the Government agreed to UNHCR's deploying some box-tents in Ingushetia to accommodate some of the former Aki-Yurt camp residents who had remained in that republic. In light of the pending closure of remaining tent camps after the winter 2002-2003, and of the planned organised return of camp residents to Chechnya, UNHCR obtained, at the end of December 2002, approval from both the federal and Ingush migration services for pre-positioning additional box-tents on alternative relocation sites selected by the authorities in Ingushetia. However, in February 2003 the Ingush Government ordered the suspension of erection of temporary and/or movable shelter units (including UNHCR's box-tents) by aid agencies until it is determined whether such units meet the technical requirements under the local construction code. (UNHCR February 2003, paras. 26-38)

### Women in Chechnya exposed to rape and sexual violence (2001)

- Collected evidence confirms that Russian soldiers raped Chechen women and sexually assaulted both men and women in detention centers
- Acknowledgement, investigation, and prosecution of such crimes against civilians have been alarmingly few, according to Human Rights Watch

### Human Rights Watch Report to the UN Committee on the Elimination of Discrimination against Women (January 2002)

"Civilians in Chechnya continue to be the victims of systematic violations of human rights and humanitarian law, facing the daily risk of torture, 'disappearance,' and summary executions at the hands of Russian federal forces. Federal soldiers and police on sweep operations arbitrarily detain men and women, and frequently loot and burn homes. Detainees are often taken to makeshift detention facilities such as pits dug into the ground, where they are routinely tortured and denied all due process rights. Human Rights Watch has conducted investigations into abuses committed in Chechnya since the recurrence of major military clashes in the region in September 1999. In the course of this research, Human Rights Watch has documented credible accounts of violence against women in the region, including sexual violence, and wishes to bring these allegations to the attention of the Committee.

Human Rights Watch is concerned that Russia has resisted a meaningful accountability process. Russian law enforcement agencies have failed to launch serious investigations into most cases of abuse, and have failed to prosecute the perpetrators. The government's failure to investigate abuses against civilians vigorously has fostered an atmosphere of impunity among Russian troops in Chechnya.

Rape and Other Forms of Sexual Violence in Chechnya

Despite cultural taboos against speaking about rape, witnesses provided evidence that Russian soldiers raped Chechen women in areas of Russian-controlled Chechnya and sexually assaulted both men and women in detention centers. In 1999 and 2000, Human Rights Watch researchers found that rapes occurred on the outskirts of villages, at checkpoints, and in detention centers. Fear of rape by Russian forces was pervasive, causing some families, particularly those with young women and girls, to flee and motivating desperate attempts to hide female family members. The cases outlined below draw from direct testimony provided to Human Rights Watch in the field.

[...]

Rape at Checkpoints

Russian military and police forces have hundreds of checkpoints within Chechnya and between Chechnya and neighboring regions of Russia. Federal servicemen are notorious for using the checkpoints to extort bribes from civilians; Human Rights Watch also found several cases of rape at checkpoints.

[...]

Rape and Sexual Violence in Detention Centers

More than half of those interviewed by Human Rights Watch about detention centers alleged that guards raped and sexually assaulted both male and female detainees. Although none of the interviewees explicitly stated that he or she was a victim of rape, several did describe abuse rising to the level of sexual assault and provided credible evidence of rape in the Chernokozovo facility, a particularly notorious detention center. Women reported that male guards forced them to strip inside the detention facility. Sexual violence in the form of forced nudity served to threaten and humiliate detainees, and added to Chernokozovo's environment of terror, intimidation, and degrading treatment. Forced nudity also served as a precursor to additional sexual violence described by both male and female detainees.

[...]

Record of impunity

Human Rights Watch and other nongovernmental organizations have called for accountability in the face of these abuses. Russian authorities have concealed and obstructed the prosecution of government forces for such violations; acknowledgement, investigation, and prosecution of such crimes against civilians have been alarmingly few, and many were conducted in bad faith. In April 2001, a joint Council of Europe-Russian Duma working group compiled a list of 358 criminal investigations into alleged abuses against civilians. But only about 20 percent of the cases were under active investigation and the authorities had suspended more than half of the total investigations. The criminal investigations did not include a single case of torture or ill-treatment and very few abuse cases ever advanced to the courts. Resolutions adopted in April 2000 and April 2001 by the United Nations Commission on Human Rights called for Russia, among other things, to establish a national commission of inquiry to investigate such crimes and to invite U.N. special rapporteurs to conduct investigations in the region. Russia rejected both resolutions and did not fulfill the resolutions' requirements.

The Russian government failed to mention the conditions of women in Chechnya in its fifth periodic report to the Committee. We hope that this omission can be remedied as the Russian government presents its report to the Committee. We ask the members of the Committee to press the Russian government to end impunity for crimes of violence and sexual violence against civilians in Chechnya. In particular:

The Russian government should investigate thoroughly all allegations of rape and ill-treatment of civilians, particularly of women. Soldiers and officers alleged to have committed atrocities and violations of human rights or humanitarian law should face investigation and, if the evidence warrants, should be prosecuted to the fullest extent of the law.

The Russian government should provide training for all Russian forces in Chechnya on the Geneva Conventions, the Convention against Torture, and the human rights of women.

Victims and witnesses of human rights and humanitarian law violations should receive witness protection if they agree to cooperate with authorities. The Russian government should ensure that witnesses against perpetrators of these crimes do not face retaliation.

The Russian government should remove all obstacles delaying the planned visit to Chechnya of the special rapporteur of the Commission on Human Rights on violence against women, its causes and consequences." (HRW January 2002)

See also Amnesty International, Russian Federation: Summary of concerns on the human rights of women and girls, 25 January 2002 [Internet]

### Freedom of movement

### Freedom of movement continues to be de facto restricted (2003-2004)

- Although federal legislation abolished sojourn or residence authorization (propiska), many regional authorities continue to apply restrictive local regulation or practices
- The impact on Chechen IDPs is that they continue to be severely restricted in their possibilities to reside legally outside Chechnya and beyond Ingushetia
- Authorities in Moscow and Krasnodar Kray appear to have the most restrictive practices
- Lack of registration and documents bars IDPs' access to essential services, such as health care, pensions and allowances, education for the children, and jobs

"The Russian Constitution states in Article 27 that:

(1) Everyone who is lawfully staying on the territory of Russian Federation shall have the right to freedom of movement and to choose the place to stay and reside. (2) Everyone shall be free to leave the boundaries of the Russian Federation. The citizens of the Russian Federation shall have the right to freely return to the Russian Federation.

In light of the tsarist-era restrictions on movements of the subjects of the Empire, as well as of the Sovietera 'propiska' regime, the Russian government found it necessary to issue a law in 1993 regarding freedom of movement. The basic concept under this federal law has been to establish a system of registration at the place of sojourn (so-called 'temporary registration') or at the place of residence (so-called 'permanent registration'), whereby citizens notify the local bodies of interior of their place of sojourn/residence, as opposed to the former 'propiska' regime, which empowered the police authorities to authorise (or deny) citizens to sojourn or reside in a given location.

Although federal legislation officially has abolished 'propiska' requirements, many regional authorities of the Federation nevertheless apply restrictive local regulations or administrative practice. Relevant in this context is the partial failure of the State organs responsible for control of the legality of administrative acts (e.g. the Russian Federation Constitutional Court and the Commissioner on Human Rights of the Russian Federation, or Ombudsman) to effectively correct the violations of federal legislation on freedom of movement perpetrated by the various constituent entities of the Federation. In its October 2000 special report 'On the Constitutional Right to Liberty of Movement and Freedom to Choose a Place of Sojourn and Residence in the Russian Federation,' the Russian Federation Ombudsman deplores that

violations of constitutional rights to liberty of movement and freedom to choose one's place of sojourn and residence by government bodies are due not only to regulations of constituents of the Russian Federation being contrary to federal legislation regulating this constitutional right, but also to unlawful lawenforcement practices,

which are, by nature, more difficult to document and thus to contest before the courts of law.

As a result of the imperfect transition from the *propiska* regime to a registration system, local authorities throughout the Russian Federation retain the possibility to determine modalities of implementation, sometimes in a restrictive manner, of freedom of movement and choice of place of sojourn or residence. This is particularly the case in regions attempting to protect local labour markets, to control internal migration movements, or to prevent the settlement of economically or politically *'undesirable'* migrants. The impact of this on Chechen IDPs is that they continue to be severely restricted in their possibilities to reside legally (i.e., with requisite residency registration) outside Chechnya and beyond Ingushetia." (UNHCR February 2003, paras. 20-23)

"The problems of registration with internal affairs organs (propiska) have always been acute in Russia. Now wishing to comply with the RF law 'on the right of citizens to freedom of movement and choice of place of stay and residence,' local authorities promulgate their own unconstitutional norms or limit registration in practice. In this regard, Moscow and Krasnodar Kray remain the worst offenders. Yet other subjects of the federation, following suit, create a host of problems for arriving citizens, particularly for residents of Chechnya. Harsh additional requirements, which were a major topic in previous reports (fingerprints, photographs en face and in profile, additional verifications) remain in effect and no longer surprise anyone or arouse particular indignation." (Ganushkina 2004, p. 35)

"Lack of registration or registration at a place other than one's actual place of residence are the most frequent reasons for the persecution of Chechens, and emigrants from the Caucasus more broadly, according to the Moscow police. At the same time, registration remains an almost intractable problem for the majority of Caucasians in Moscow." (Ganushkina 2004, p. 53)

"Lack of registration results in a multitude of problems for Chechens, which complicates their stay in the capital to a significant extent. Apart from the constant danger of being detained and fined for residence without registration, such problems include lack of access to free medical assistance and the impossibility of collecting government pensions and allowances, problems with enrolling children in schools and kindergartens as well as getting jobs." (Ganushkina 2004, p. 54)

# IDPs from Chechnya face limitations to their freedom of movement in Northern Caucasus (2003)

- Multiethnic republics in northern Caucasus have been reluctant to receive IDPs from Chechnya
- The republic of Kabardino-Balkaria imposes a ban on the sojourn or residence of Russian citizens from other regions who do not have close family ties with residents
- Slavic regions of Stavropol and Krasnodar have also enforced limitations to the sojourn and residence of non-ethnic Russians
- In North Ossetia-Alania, local restrictive administrative practice prevents Chechen IDPs from sojourning in that republic

"For the purpose of examining the availability of internal relocation beyond Chechnya elsewhere in the northern Caucasus, one should differentiate between those regions where the majority of the population is non-Slavic or of Muslim faith (Dagestan, Kabardino-Balkaria and Karachai-Tcherkessia) and those regions where the majority is Slavic or of Christian faith (North Ossetia-Alania, Stavropol Krai and Krasnodar Krai).

The Republics of Dagestan, Kabardino-Balkaria and Karachai-Cherkessia are multi-ethnic and are regularly confronted with tensions among the various communities. The current conflict in Chechnya was sparked with the infiltration of Chechen rebel groups into Dagestan followed by military confrontation with Dagestani and federal armed forces. Dagestan is currently hosting approximately 8,000 IDPs. Since the beginning of the conflict, Chechen fighters have used the mountainous areas of Dagestan, which borders Chechnya, as base camps. Dagestan has been reluctant to receive any additional IDPs from Chechnya. In May 2002, a powerful anti-personnel mine was detonated at a military parade in the town of Kaspiisk, killing 45 persons. The authorities blame Chechen rebel commander Rappani Khalilov for this attack.

The situation in the republics of Kabardino-Balkaria and Karachai-Cherkessia is characterised by ethnic tensions and political rivalries between the two constituent nationalities (Kabards vs. Balkars and Karachais vs. Cherkess). These two republics are mainly concerned with maintaining the equilibrium among their respective constituencies. This equilibrium is particularly fragile in Karachai-Cherkessia, where a terrorist bombing occurred on 24 March 2001 in Agidehabl village. The Federal authorities blamed Chechen fighters for the incident. Kabardino-Balkaria has been regularly cited by the Ombudsman of the Russian Federation for violating the Constitution as well as federal legislation on freedom of movement and choice of place of sojourn and residence of citizens. Pursuant to a 1994 resolution adopted by the Parliament of Kabardino-Balkaria (amended in 1997), a direct ban (still in force) was imposed on the sojourn or residence in Kabardino-Balkaria of Russian citizens from other regions of the Federation who do not have close family ties with Kabardino-Balkaria residents.

Both the Stavropol and Krasnodar regions have been sanctioned several times by the Russian Federation Constitutional Court, as well as cited by the Ombudsman of the Russian Federation, for violating constitutional and federal legislative provisions related to freedom of movement and freedom to choose a place of sojourn or residence. In particular, the Russian Federation Ombudsman in the October 2000 Special Report "On the constitutional right to freedom of movement and freedom to choose a place of sojourn and residence in the Russian Federation," notes that

the Law of Krasnodar Krai on the Registration Procedure Relating to Sojourn and Residence in Krasnodar Krai implies that a person who arrives in the territories of [this constituent] of the Russian Federation and who does not have kinship or ethnic and cultural ties [in Krasnodar Krai] will face considerable difficulties in realising his/her right to freely choose his residence in [this territory].

The problem for Chechen IDPs who wish to settle or even sojourn in these two regions is not limited to restrictive local regulations. Historically, these two regions have been the bases for Russian expansion and conquest of the Caucasus. There are traditionally strong Russian nationalistic feelings among the local population of these two regions, where Cossack groups as well as the far right Russian Nationalist Union (RNU) are well established and organised. IDPs from the previous 1994-96 conflict present in these regions (where they were granted forced migrant status) are generally ethnic Russians and some of them are actively engaged in anti-Chechen campaigns. Stavropol Krai has been targeted by various terrorist acts presumably connected to the Chechnya conflict and the July 1995 attack, during which a group led by Shamil Basayev seized 1,500 hostages in the Budenovsk town's hospital (Stavropol Krai), remains a traumatic memory for the resident population.

The situation is different in North Ossetia-Alania. It is not so much local restrictive *regulations* on residence registration but rather local restrictive *administrative practice* that is preventing Chechen IDPs from sojourning in that republic. The Republic of North Ossetia-Alania is a Caucasian Republic composed essentially of Ossets (Caucasian people mainly of Christian faith) and ethnic Russians, with a significant Ingush (Muslim) minority. Most of the 35,000 Ingush were driven out of North Ossetia-Alania (to Ingushetia) during the 1992 inter-ethnic riots in Prigorodny district. More than half of them has returned since then, but returnees are encountering various obstacles with their re-registration at their place of former residence in Prigorodny. There are approximately 7,000 Chechen IDPs in North Ossetia-Alania, most of whom reside in the district bordering Chechnya (Mozdok). This is a cause of concern for local authorities who fear that the presence of Chechens puts at risk the ethnic balance in the district." (UNHCR February 2003, paras. 42-47)

### Freedom of movement in Northern Caucasus (2001-2003)

- Russian President acknowledged high number of checkpoints (2003)
- IDPs enjoy improved freedom of movement between Chechnya and Ingushetia
- However, registration documents are only valid for specific sectors
- Memorial reports a growing level of extortion at checkpoints in Chechnya (September 2001)
- Other northern Caucasian republics have also restricted access to their territory for Chechens

"On February [2003] 25, Russian president Vladimir Putin pointed at a too high a number of checkpoints in Chechnya, during a federal Security Council meeting. Consequently the decision was taken to decrease the number of checkpoints in Grozny by 20%, the implementation of which started almost immediately." (PINF January-February 2003)

"There is today more freedom of movement allowing travel in and out of Chechnya than in previous months, although check-points are operating in an inconsistent and arbitrary manner." (IHF 23 July 2002)

#### Illegal extortion at checkpoints

"Freedom of movement of persons between Chechnya and Ingushetia has improved, and several thousand IDPs shuttle monthly between the two Republics to visit relatives, check on property, to trade, and for other reasons." (UNHCR January 2002, para. 5)

"The level of illegal extortion at checkpoints in Chechnya is growing

Since the very start of the 'anti-terrorist operation', servicemen and police at many of the checkpoints on the roads of Chechnya have been subjecting the drivers of passing cars to extortion.

In recent months, apparently because of rising prices, the level of illegal demands being made at checkpoints has risen sharply.

For example, until recently, at three checkpoints on the Rostov – Baku route (the checkpoints Kavkaz-1, at the junction with the Achkhoi-Martan road and at the junction with the Urus-Martan road), each humanitarian aid lorry (sent into Chechnya from Ingushetia by foreign and international organizations) was made to pay 50 roubles.

At the end of the Summer, the amounts demanded rose. Now servicemen and police demand 300 rouble per lorry.

The same thing is happening with private cars. The amounts demanded have multiplied several times. For example, at the checkpoint between the villages of Kurchula and Mairtup, drivers of minibuses used to have to pay 10 roubles to pass through and drivers of private cars five roubles. Now, since mid-September, soldiers charge 50 roubles for a minibus and from 20 to 30 roubles for private cars." (Memorial 14 September 2001)

### Document requirements hamper free movement in Chechnya

"While the provision of registration documents is a condition for the movement of people within Grozny and for the receipt of social benefits, people entitled to them stressed the long waiting time before they are issued and their geographically limited validity. For example, one woman with whom we spoke told us that her husband was not able to join her in the housing centre because he had not been issued a registration document valid for entering her sector in Grozny because he originated from outside the Chechen Republic." (COE 22 September 2002, part II).

"Apart from the Russian military forces, the Head of Administration informed us, there are 80,000 people deployed on the ground from the Russian Ministry of the Interior and the locally recruited armed civil militia. Checkpoints are evident throughout Grozny and registration documents are constantly required. When we visited School Number Seven in Grozny we were told that within the precincts of the school itself there was no sense of immediate security risks. By contrast, at a centre for returned displaced people we were told that the building was locked at night and that after that in order to go the lavatory it was necessary to be given the permission of the guard on the door before crossing open land to the small building containing the several pit latrines (no seats) at the disposal of five hundred families." (COE 22 September 2002, part II)

# See also "Travel of motor vehicles on Chechen territory is temporarily stopped, entry to Grozny closed", Pravda.ru, 28 September 2002 [Internet]

"Although the borders in the region are administrative ones, there are permanent police checkpoints and often the military police monitors the movement in the region. Cars with number plates from Chechnya are being stopped and people have to show their IDs (i.e. internal passports), registration and have to answer questions like: 'Why do you come here? Where do you go?' There is absolutely no guarantee that a car coming from Chechnya would be allowed to pass the administrative border. Given that all the republics of the region – North Ossetia, Kabardino-Balkaria and Karachay-Cherkessia – have been the area of terrorist incidents the situation is tense, regardeless of what the federal law on freedom of movement guarantees." (ACCORD/UNHCR June 2002, p. 260)

### SUBSISTENCE NEEDS

### **Food**

### IDPs remain dependent on food aid (2004)

- Despite economic improvements, IDPs in Chechnya and Ingushetia, as well as recent returnees, continue to need regular food assistance
- Diet of IDPs is based on bread, potatoes and other food with low animal proteins and vitamins
- IDPs cannot afford agricultural inputs

"2004 brought some stabilisation of the food-security situation in Chechnya, probably due to the small economic improvement experienced in urban areas. This has been reflected in the revised relief food programme beneficiary targeting and consequent reduction in beneficiary numbers during 2004. However there are still major sectors of the population who continue to need regular assistance with their basic food needs, including the IDPs in Ingushetia and Chechnya, as well as recent returnees.

Food continues to represent more than one-third of the household budget for the poorest members of the population in Chechnya. This will continue in 2005 since unemployment remains very high, incomes are low, and traditional coping mechanisms of the extended family, mutual assistance, and sale of assets are weakened.

The diet of IDPs in Ingushetia and Dagestan, as well as the vulnerable population groups in Chechnya, is based on bread, potatoes and other food with low animal proteins and vitamins, especially from November to June when fresh foods are more expensive. This sector of the population has also been affected by the increase in bread prices following the poor 2003 harvest, making the flour provided through food assistance even more valuable. Beneficiaries view this aid as important; household monitoring by WFP shows that only 2% of beneficiaries in Chechnya and 11.3% of the IDPs in Ingushetia sell or barter any of their food aid. Only 5-10% of crops grown under the FAO programmes were marketed.

Favourable weather brought a relatively good harvest of most crops in 2004. Overall, however, the agricultural sector remains weak due to war-related damage and a stalled land-reform process in Chechnya. The republic, which used to produce and process high value-added crops such as fruit and vegetables, resorted to the production of food staples such as cereals and potatoes. Security constraints also mean that a considerable acreage of land remains unusable. Though agricultural inputs are available in local markets (although not necessarily of good quality), the cost is beyond that affordable for most IDPs and vulnerable households. Access to fertilizer is less of a problem as some rural households have some livestock (sheep, goats and exceptionally cows), which allows for the use of manure. Access to veterinary services continues to be a constraint to expanding the livestock production.

In 2004, the major assistance within the food sector has been provided by the Russian government, FAO and WFP (both working through their NGO partners), ICRC, DRC, IR, ACF and Help." (UN OCHA October 2004, p. 16)

### Shelter and non-food items

### Poor living conditions in collective shelters in Chechnya and Ingushetia (2004)

- Living conditions of IDPs in collective shelters in Ingushetia and Chechnya show severe shortages
- Accommodation centres for returnees in Chechnya have been neglected by humanitarian agencies
- There have been reports of returnees beeing forced to move from temporary accommodation centres to other sites

### Survey conducted in spontaneous settlements in Ingushetia and in TACs in Chechnya:

"The living circumstances in the TACs are slightly better than those in Ingushetia. However, the conditions in both locations have serious shortcomings. They impede on long-term stay and affect health negatively.

Toilet facilities in both locations are poor and observably unhygienic. Over one third of the people living in the spontaneous settlements indicated that their accommodation is not protected against wind, rain or water. One in five people in the TACs are unable to keep their living quarters warm in the winter.

People in both locations indicated food shortages, and dependency on outside help is high.

The findings on the living circumstances and feelings of safety cannot be considered as a magnet for IDPs to move to Chechnya (from Ingushetia) or to stay in the TACs. Despite this a substantial number of people (47%) stayed longer then one year in the TAC. It implies that both groups of IDPs lack alternatives. They are trapped in their unsafe and unhealthy setting." (MSF August 2004, p. 32)

#### **Temporary Accommodation Centres in Chechnya:**

"Since early 2002 the process of return of IDPs to the Chechen Republic has been ongoing with 1,000-2,000 persons returning monthly in average. A significant part of the IDPs, predominantly those returning from tent camps, was accommodated in Temporary Accommodation Centres (TACs). As of September 2004, 35 TACs were operational in Chechnya housing 34,365 IDPs. This figure includes 9,702 school-aged children. For most of IDPs, the only source of income is regular food assistance from the Migration Service.

The process of closure of tent camps in Ingushetia has proved that for many returnees the TACs are the only accommodation alternative upon return. Still, the TACs have received only limited attention from the humanitarian Agencies with a variety of material needs of the returnees remaining uncovered. With the relatively high return to Chechnya and only limited job opportunities upon return, the household economy level of the returnees, TAC residents in particular, is generally very low." (UN OCHA October 2004, Projects, p. 36)

"The IDPs are arranged in temporary placement points according to a calculation of 3.2 sq. m. per person. This leads to overcrowding in rooms and consequently to unsanitary conditions.

A typical example of the treatment of IDPs as second-class people is their placement in the newly opened temporary placement point 'Okruzhnoi,' which consists of a complex of 120 small prefabricated houses, most of which are still undergoing construction. The little town itself if not yet equipped for life. Residents must carry water to their homes from 100-200 meters away.

Each house has four rooms and was initially intended for a single-family residence. However, four families now live in each house, one per room, notwithstanding the fact that the area of some rooms in no more than 12 sq. m. There are as many as 20-22 residents in most houses. The crowded conditions lead to conflicts among neighbors and contribute to the spread of infection. Although the assumption is that this housing is only temporary, reconstruction and the payment of compensation move so slowly that for many, 'temporary' placement could last a lifetime. Moreover, it is surprising how irrationally financial resources

are used. A prefabricated house costs 780,000 rubles to build while compensation for a destroyed house is only 300,000 rubles.

In the Disaster Relief Medical Centre building at 56 Sochiskaya street in Grozny 8 families (more than 30) people reside unofficially among them 3 invalids, 10 children, and pensioners. These families returned in 2000 from the Republic of Ingushetia at the Chechen authorities' call. In keeping with the decision of the head of the administration at the time, they settled in the indicated building, repairing part of the premises on their own. Since the building was designated for use by the Centre, its leadership has demanded that the citizens vacate the building.

The atmosphere of tension between the two sides remains to this day. After the Human Rights Center 'Memorial' appeal on the residents' behalf to the RF President's Commission on Human Rights, Chechen Migration Affairs Administration staff member, Ramzan Movsarov visited the residents. He offered the residents relocation to a temporary placement point on the border with Ingushetia in the Sernovodskaya village. Naturally, they refused since their lives are tied to the Oktyabrsk area of Grozny: they receive pensions and salaries here, their children attend school, some are repairing their houses. With this the Migration Affairs Administration's concern for the residents' fate ended." (Ganushkina 2004, pp. 22-23)

### Returnees in Chechnya face lack of shelter (2004)

- External support is need to address shelter needs of returnees in Chechnya
- Box tents are provided to returnees who are able to reconstruct their properties

"The lack of adequate shelter in Chechnya is also frequently given as a reason IDPs in Ingushetia are not able to return home. Indeed, the needs for private accommodation in Chechnya are immense and the Government has acknowledged its lead role in this respect. In particular, it began a programme to compensate Chechens for lost property, however, the pace of implementation in 2004 failed to meet the desired level. Agencies have had, and will continue to have, a complementary role in provision of shelter in Chechnya. Specifically, UNHCR (through PIN), DRC, and IRC will provide basic shelter materials to partially rehabilitate homes of returning IDPs and others in need in Chechnya. Those persons with partially destroyed homes comprise an important, yet somewhat neglected, category as they are at present ineligible to receive Government compensation. In addition, UNHCR has since early 2004 been providing 'box tents' to carefully screened returning IDPs to provide them a base on which to reconstruct their property in earnest. 'Box tents', the majority of which have actually been provided in Ingushetia to IDPs as an alternative form of accommodation, are only provided to IDPs when there is no doubt whatsoever that they arrived at their decision to return voluntarily. (UN OCHA October 2004, pp. 21-22)

#### Displaced families remain deprived of essential goods (2004)

- Needs includes sanitary items including mattresses and beddings
- Children shoes and clothing are also required to support school attendance

"Limited, localized needs assessments for non-food items (NFIs) have revealed that the NFI needs are still largely unmet among the vulnerable population, mainly due to the general low household-economy level. The main needs include a variety of items ranging from sanitary items through mattresses and beddings, to children shoes and clothing which is elementary for their regular school attendance. Although a comprehensive needs assessment for NFIs has not been conducted, the existing data suggest that the likely beneficiary group in Ingushetia and Dagestan includes IDPs and in Chechnya vulnerable households, IDPs and returnees in the private sectors and TACs." (UN OCHA October 2004, p. 22)

### Alternative housing solutions to IDPs evicted from camps in Ingushetia (2003)

- UNHCR and international NGOs ensure that IDPs evicted from camps have relocation options to other camps in Ingushetia
- The capacity of existing camps is expanded while rooms in temporary settlements are rehabilitated
- These efforts also benefit IDPs under threat of eviction from private accommodation
- UNHCR monitors the registration of the relocated IDPs and that utilities are provided in the camps

"UNHCR and Médecins Sans Frontières have been installing new tens in Satsita camp for the [families relocating from the Alina Camp (Camp A) to be closed in December 2003]. So far, 54 new tents have been installed, of which 35 have been connected to gas supply and 15 to electricity. Space in Satsita for new tents, however, is becoming scarce. According to MSF, there is room for only five more tents in Satsita. UNHCR will meet with the Migration Department and the Satsita camp administration to try to identify additional space for tent installation. Another relocation option for Alina camp residents is to move to temporary settlements. Twenty rooms have already been rehabilitated and could accommodated 150 to 160 people. The Danish Refugee Council and other groups continue to repair additional rooms." (UNHCR 9 December 2003)

"The Danish Refugee Council (DRC) and Médecins Sans Frontières (MSF) – Holland rehabilitated the first ten rooms intended for IDPs in two settlements in Ingushetia. Another 12 rooms were under repair. The Chechen Migration Department, the Ingush Government, UNHCR and several international NGOs had identified a total of 141 rooms to be made available to IDPs during a joint assessment of alternative shelter in Sunzhensky Raion of the republic in September. UNHCR together with the Ingush Migration Department will choose beneficiaries for the rehabilitated rooms among the most vulnerable IDP families. Gas and electricity supply was provided to the 166 new tents installed by UNHCR in Satsita camp for former B camp inhabitants. (UN OCHA 21 October 2003)

"UNHCR continued working closely with NGO partners and the authorities to ensure that tents in IDP tent camps in Ingushetia are in good condition for the next winter and/or that alternative shelter is available in Ingushetia for IDPs choosing not to return to Chechnya. There are 2,443 tents in the five tent camps in Ingushetia, and over 1,800 of them were replaced in 2002. UNHCR assessed 363 tents are being in need of replacement, though 308 of them were in camp B, from which the majority of organized returns are currently taking place. In addition, the agency, together with DRC and the International Rescue Committee (IRC), had already installed over 400 prefabricated 'box' tents for IDP families facing eviction from private accommodation and temporary settlements." (UN OCHA 25 July 2003)

On 29 September, the last of approximately 1,000 IDPs who had remained in IDP camp B moved to camp Satsita following negotiations between UNHCR, the federal and local authorities, and IDPs themselves. IDP not registered by the migration authorities were particularly hesitant about relocating from B camp, fearing that they would not be granted alternative shelter in Ingushetia. At a meeting with the Federal Migration Service (FMS) on 23 September in Moscow, UNHCR obtained assurances that this group would be registered in Satsita and the IDPs were thus informed the next day. In addition, FMS agreed to restore utilities in B camp, while UNHCR undertook to provide tents for those who chose to relocate to Satsita. [...]

UNHCR provided 166 new tents to accommodate former inhabitants of B camp in Satsita IDP camp. Since most of the tents in B camp needed to be replaced, this voluntary relocation of IDPs to Satsita improved their living conditions and accelerated preparations for the winter. (UN OCHA 7 October 2003)

### Reported improvements in Temporary Accommodation Centres in Chechnya (2003)

- Temporary Accommodation Centres have been mainly used for the relocation of IDPs returning from Ingushetia
- A UNHCR mission in November 2003 reported "generally satisfactory" conditions in to centres in Grozny
- Some returning IDPs have been forced to sleep on the streets of Grozny as alternative accommodation was not available for them
- There have also been reports of IDPs being evicted from one centre because of disputed ownership of the building

"UNHCR on 29 November [2003] undertook a mission to Grozny to monitor the situation of voluntary returnees in two temporary accommodation centres (TACs). Conditions were generally satisfactory, with the gas and electricity supplies regular and the heating functioning properly except in one building, where it was under repair. Water is supplied several times a day. Hygiene inside the TACs was good, but garbage collection outside needs improvement. The major concerns of the IDPs were no longer the conditions in the TACs but rather compensation for their destroyed houses and property and education facilities for their children." (UNHCR 5 December 2003)

"As far as housing is concerned, twenty-two Temporary Accommodation Centres (TACs) (14 in Grozny), housing 21,000 people, are operational in Chechnya. Five more centres are to open before the end of September. Yet, some 200 Chechen IDPs returning from the Bella camp were forced to sleep on the streets of Grozny over the weekend of 10 August, despite promises that they would be given accommodation if they returned to Chechnya." (COE 17 September 2003, para. 21).

Another temporary accommodation center was opened in the Staropromyslovsky District of Grozny on 9 September 2003. It will provide accommodation for 200 people. Another four apartment houses for those who had to stay in tent camps on the territory of Ingushetia after their dwellings were destroyed, will be opened in Grozny before the end of September 2003. A total of 21,000 people were staying at 22 temporary accommodation centres for displaced persons early December 2003. (ITAR TASS 9 September 2003)

"Last week VESTA informed UNHCR of the evacuation of all IDPs from one of the Temporary Accommodation Centres (TACs) in Sernovodsk. Most IDPs have been moved to another TAC in Sernododsk, which is now facing capacity problems. The reason given for the evacuation is the disputed ownership of the building. More such cases are expected to take place in the near future. UNHCR is looking into the matter." (UNOCHA 7 July 2003)

"Recently, new rumors about an imminent closure of other IDP camp began spreading and it is commonly agreed that with the summer season coming increased pressure will be put on the IDPs to return to Chechnya. While the UN keeps pushing for a voluntary return, this was not the case in the past, and the risk for forceful return is quite likely. While more TACs are available, mainly in Grozny, and their status is slowly improving, still their capacity is extremely limited and most of the IDPs are reluctant to return to Chechnya due to lack of security and the continuing tensions there." (UNICEF 2 May 2003)

### Lack of alternative accommodation for IDPs leaving tent camps (2002)

- Many of the sites listed as temporary accommodation centres by the authorities are non-existent or uninhabitable
- Some of these sites appear inferior to the tents in which IDPs live in Ingushetia

• Displaced persons have also not been informed about the possibility to move to temporary shelters in Ingushetia

"[Officials from the 'United Headquarters for Creating Conditions for Returning People from Tents in the Republic of Ingushetia', consisting of Russian, Ingush and pro-Moscow Chechen officials] have repeatedly claimed that dismantling of the tent camps is for the benefit of the displaced persons, because conditions in the camps are substandard. In response to charges that they are compelling people in tent camps to return to Chechnya, they claim that they are forcing no one to return, but rather that they give each displaced person the choice of alternative shelter in TACs in Chechnya or in Ingushetia, or subsidies to rent housing in Chechnya. [...] Human Rights Watch tested these claims through site visits. Many of the sites in Ingushetia that officials listed as TACs were non-existent or uninhabitable. In many cases, official promises of shelter and assistance in Chechnya have also proven illusory.

Human Rights Watch received from a Federal Migration Service official a list of eighteen temporary resettlement alternatives in Ingushetia, with an alleged capacity to accommodate 224 families, and visited twelve of the sites in the Karabulak and Sunzha districts.

Of those twelve, ten were non-existent, uninhabitable, or occupied. Some consisted of concrete walls without windows, roof, electricity, or gas. Another facility had a roof, but no walls. Even two of the better facilities appeared inferior to the tents in which displaced people are currently residing, and these two facilities were filled to capacity.

Moreover, United Headquarters officials do not appear to be informing camp residents about the choice, even in the remote future, of moving to TACs in Ingushetia. Human Rights Watch interviewed dozens of camp residents, asking them specifically whether they were aware of housing alternatives in Ingushetia. All replied that they had been informed only about options in Chechnya, not Ingushetia. None of the camp residents interviewed by Human Rights Watch was aware of the existence of the FMS list of resettlement alternatives within Ingushetia.

Some returnees to Chechnya have found that the promises migration officials make of compensation, shelter, and humanitarian assistance to encourage returns are unfulfilled. Since so many homes have been destroyed due to the bombing and shelling, many people rely on TACs for shelter. But an assessment of nine TACs in Chechnya done by Vesta, an Ingush nongovernmental organization subcontracted by the United Nations High Commissioner for Refugees (UNHCR) to monitor conditions in TACs, found only two of the buildings near completion, although one still did not have gas, electricity, toilets, or a sewage system (The use of this building was also problematic because the workers who repaired the building had not been paid in months and refused to let it be occupied before they were paid). A third building was 'seriously damaged,' with the fourth and fifth stories destroyed: 'Its builders warn it is still dangerous to go into the building.' A fourth building, designated to house 2,500 persons was 'a framework of a building only.' A fifth, designated to house more than 800 people, had no heating, gas, electricity, and was completely uninhabitable: 'At the moment of monitoring, construction work had been suspended. ... The precise number of rooms is unknown due to the danger of entering the building.' A sixth was being restored, but had no water or electricity. The seventh TAC had no water supply, had not yet been repaired, and was already in use as a teacher's training institute. A eighth TAC, slated for more than 1,000 people had not yet begun to be renovated, and had no water, electricity, or gas. The ninth TAC could not be located by the NGO or the Chechen state committee on refugee affairs.

Two residents of the Satsita tent camp who were members of a delegation of displaced persons sent to Chechnya to check conditions in TACs found a severe shortage of space in them. On November 27 they went to Grozny, where they spoke to Ruslan Kaplanov, head of the Chechen Migration Service, and other officials responsible for settling returnees. The two delegation members, interviewed separately, each told Human Rights Watch that they were not shown TACs, but were instead given the addresses of several TACs that were not ready for occupation. One of the delegation members said, 'We have the list of TACs

with the number of vacant rooms, which can be occupied by refugees. In the entire republic there are eighty-eight vacant rooms.' On the doors of Kaplanov's office at the Chechen Migration Service they found an announcement saying: 'Due to the lack of space in temporary accommodation centers, we are not accepting requests for TAC placement and allowances.' " (HRW January 2003, pp. 8-9)

## Collective centres in Dagestan require immediate rehabilitation (2002)

• IDPs are also exposed to threats of rent increases, interruption of utilities and eviction

"There are some 15 Collective centres in Daghestan. These are collective housing units that have been made available to the IDPs at little or no charge by either the state or private owners. Many of these structures are in desperate conditions and require immediate rehabilitation. Typically, the arrangements in these centres are very vague with the IDPs reporting being frequently threatened with rent increases, interruption of utilities or eviction." (ICRC July 2002, Dagestan, p. 11)

"More immediate are the pressing and urgent needs within several collective centres of the IDPs in Khasavyurt that have critical structural problems such as plastic sheeted walls, poor roofing, flooding and dysfunctional sanitation systems. Short-term and small-scale repairs are undertaken periodically by the IDPs, causing additional stress on the [household] budget, without effective solving the problems." (ICRC July 2002, Dagestan, p. 30)

## Discrimination against the displaced Chechen displaced reportedly impedes their access to accommodation in Moscow (1999-2001)

"Chechen IDP's and the Civic Assistance Committee for migrants reported that Chechens face difficulty in finding lodging in Moscow and frequently are forced to pay at least twice the usual rent for an apartment." (U.S.DOS March 2002, sect. 5)

### See also "The Propiska system remains de facto in place (2002)" [Internal link]

"Chechen internally displaced persons (IDPs) and the Civic Assistance Committee for migrants reported that Chechens face great difficulty in finding lodging in Moscow and frequently are forced to pay at least twice the usual rent for an apartment. The St. Petersburg Times in April [1999] reported that a similar pattern of discrimination exists against person from the Caucasus in St. Petersburg, although the housing law forbids discrimination, according to human rights lawyer Yuriy Shmidt, the chances of a would-be tenant winning a lasswsuit are low because there is no legal precedent." (U.S. DOS 25 February 2000)

## Health

### Mental health needs of displaced people remain unaddressed (2004)

- Assessments among IDPs in Ingushetia and Chechnya reveal high level of stress, low self-esteem anxiety and lack of acceptance of disability
- Most depression and behaviourial disturbances in Chechnya go untreated or untreated as a result
  of insufficient infrastructures

"The burden of disease attributable to mental and neurological disorders is significant in Chechnya. According to recent surveys about 47% of the Chechen youth suffer from mild to severe mental health problems related to the traumatic years of hostilities, break-down of social structures and uncertainty of future. Results of a mental health assessment (UNICEF) of IDPs in Ingushetia indicate medium to high levels of stress, low self-esteem, anxiety and lack of acceptance of disability. Disabled children and youth need special professional psychological assistance.

Mental patients currently can only be treated in one of the two heavily destroyed and under-staffed psychiatric hospitals in Grozny. Most depressions and other behaviourial disturbances go untreated or self-treated. The MoH of the Republic of Chechnya is now recognising the impact of major mental health disorders and substance abuse on vulnerable groups such as people living in absolute or relative poverty or in difficult social conditions and thus supports mental health and psychosocial rehabilitation programmes as conducted by the humanitarian community." (UN OCHA October 2004, Projects, p. 70)

"Those who responded are able to differentiate between psychiatric ill and psychological complaints. The outcomes indicate that Chechen and Western perspectives on differentiating and treating mental health are similar.

People reported high rates of psychological complaints during the conflict. The severity of (traumatic) stress and fear suffered by those in the TACs may account for an almost double amount of psychological complaints compared with those displaced in Ingushetia. It is also possible that the reported high level of insecurity felt among the population in the TACs influenced the outcome. People still feel they are in the middle of the conflict and may therefore report a present, high level of complaints. At least two thirds of those who responded in both locations agreed with the statement that the conflict has triggered mental disturbance or feelings of being upset. To cope with their feelings, people tended to 'turn their head' xxi, keep busy, or act out through aggressive behaviour.

Such coping strategies appear to have only limited effect: nearly all respondents indicated that they have family members who have difficulty in coping with their feelings of despair. A happy mood, positive behaviour, and attention to physical appearance, were said to be good indicators of psychological improvement.

If people have psychological problems they turn to friends and neighbours; health staff are perceived as less important. The fact that people first turn for support to people outside their family may indicate a desire to avoid a personal problem becoming a family one.

Interviewees were also asked to indicate three places where mentally ill go or are taken, in order of priority. The first place where the respondents would go is a psychiatrist/psychiatric dispensary or hospital.

We have serious concerns whether the existing mental health structures are able to deal with these massive needs. People's personal coping resources seem depleted. The health staff (including psychiatrists) is working under heavy pressure and clinical psychological services are poorly, if at all, developed. The contrast between psychological needs and the availability of services justifies further humanitarian action in this area." (MSF August 2004, p. 35)

# Humanitarian community remains concerned about health condition of IDPs in Ingushetia and Chechnya (2004)

- Health indicators in Chechnya did not improve in 2004
- Perinatal mortality in Chechny is of 26.1 per 1000, compared to 12.08 in the rest of the Russian Federation
- Crowded living conditions and poor sanitation facilities maintain mordibity high among children

- TB remains a serious health issue in 2005, as IDPs returning to Chechnya cannot be vaccinated adequately
- Health structures in Chechnya remain unable to respond to increasing needs of the population
- Health status of displaced women remains extremely fragile, with reports of insufficient iron anaemia

"The highest attainable standard of health for each person as one of the fundamental rights of every human being remains the overarching goal for the health sector in 2005. Significant barriers to the achievement of health and well being of the population in Chechnya and neighbouring regions are poverty, inequity, civil conflict and violence. The concerted effort of the national and international community has alleviated suffering of the affected population in the last five years but conditions remain difficult generally, and this inevitably impacts negatively on the well being of the people. Health indicators overall have not significantly improved; most show a worse picture than average in the Russian Federation. Disabled persons and people living in rural areas with even less access to health services are the most vulnerable within the beneficiary group and need special sustained attention of the humanitarian community. Coordination in the health sector helps bring forth best practices in public health, address needs of the most vulnerable, and open dialogue among stakeholders and national authorities.

### Analysis of needs

#### Maternal and Child Health

Data from a WHO-led workshop on MCH suggested stagnating if not deteriorating health indicators in the first half of 2004 compared to 2003, with an infant mortality of 29.4 per 1.000 newborn children in Ingushetia and 28.9 in Chechnya (13.3 in RF). The MoH of Chechnya reports the perinatal mortality as 26.1 per 1000 compared to 12.08 in the rest of RF (data from 2002). Of those children below one year of age who die, 40% die at home before having reached any medical care. This is a great improvement to 2002 where 70% died, but it is still more than double of the rest of Russian population average. General clinical examinations in schools in Chechnya and neighbouring republics find stunted growth and many children under-weight. This is a cumulative indicator of past and present nutritional deficiencies. Iron-deficiency anaemia is highly prevalent in pregnant and lactating women as well as in children. Crowded living conditions and poor sanitation facilities predispose to communicable diseases such as diarrhoea and respiratory diseases, which constitute the most frequent morbidity amongst children.

[...]

#### Communicable disease control

The relocation of thousands of IDPs into TACs with a shortage of potable water, lack of adequate sanitation, crowded living conditions, and poor waste removal expose the population to increased risk of communicable diseases. Vaccination coverage of IDPs and the general population is dangerously low and needs sustained attention of the international health community.

#### Tuberculosis control

Tuberculosis (TB) remains a serious public health issue for the year 2005. Migration to and from Chechnya of infected and/or partially treated patients increases the risk of spreading the disease. The Chechen TB control service has limited medical staff capacity as well as neither regular nor sufficient drug and equipment supply, and facilities throughout the republic need rehabilitation. Even partially treated returnees cannot be followed up properly, hence increasing the risk of multi-drug resistance and spread.

## Rehabilitation and support of Primary Health Care medical infrastructure

Several health facilities, mainly in Grozny, have been rehabilitated in the last two years but in addition to active destruction years of neglect and lack of maintenance have left many structures in a dysfunctional state. Essential medical diagnostic and laboratory equipment and support in the physical rehabilitation of primary health facilities continue to be high on the list of needs.

## Mental Health and Psychosocial Rehabilitation

The unstable environment aggravates stress and increases the number of adolescents and children in need of professional psychological care. Anxiety, social dysfunction and depression are common, but diagnosis and treatment present a problem as many qualified health workers have left the Republic of Chechnya.

## Mine Victim support

War trauma and injuries due to land mines and unexploded ordnance continue to claim victims, who need both physical and mental rehabilitation." (UN OCHA October 2004, pp. 26-27)

"The humanitarian community provides continuous and well-coordinated support in assisting and complementing the efforts of the Ministry of Health to increase the quality of all health care services in Chechnya and surrounding republics. Currently 21 humanitarian organizations operate in the health sector and support 130 state health structures in almost all districts of Chechnya with a wide range of services. Among other things, aid agencies: operate health posts, mobile medical units (offering a variety of medical specialties services) and psychosocial rehabilitation centres; distribute drugs, consumables and regular hospital supplies and medical equipment; and coordinate communicable disease surveillance and control, and conduct training courses for state medical personnel as well as awareness-raising initiatives for mothers. Thanks to these concerted efforts, major outbreaks of communicable diseases like diarrhoea, rubella and hepatitis A have been avoided in still highly unsanitary and overcrowded conditions. A slight decrease of mother and child mortality in Ingushetia and Chechnya was noted during the last months, related to improved case management and regular drug supply. Improved clinical management of tuberculosis through implementation of DOTS (Directly Observed Treatment Short Course) strategy in Ingushetia contributed to increased case detection and a decrease in mortality. In the context of the Expanded Program of Immunization (EPI), the provision of essential equipment has contributed to further strengthen the capacity of the cold chain system in both republics. However, limited access to Chechnya, particularly to southern rural areas, makes required monitoring and assessments very complicated. This is especially important given that a large number of humanitarian organizations are expanding their current health programs, both in terms of quality and quantity, to rural areas of Chechnya.

Achieving identified health sector objectives established in the CAP 2004 is still an imperative for the near future in Chechnya. These objectives include: enhancement of equitable access to quality health care; improved capacity of preventive and curative services at primary and secondary level; and increased health awareness and prevention campaigns for the general population.

Due to the hostilities of recent years the state health sector has mainly focused on emergency health care. As a result the state health structure in Chechnya is in a 'stagnated system crisis', particularly on primary and secondary health care levels, and unable to respond adequately to the increasing needs of the general population. Long-term solutions of health problems can only be achieved through further strong humanitarian input in the overall health sector and significant support to and close cooperation with the Chechen Ministry of Health. It is essential to establish priorities for action to revive the state health structure, to include: reconstruction of health facilities; regular state support of policlinics and hospitals with drugs, equipment and consumables; and provision of adequate training of health personnel. This will require time and, most importantly, continuous attention from the humanitarian aid community." (UN OCHA May 2004, pp. 6-7)

"Tuberculosis has been identified as one of the most serious health issues threatening the North Caucasus. Most at risk are the IDP and poor population of the region who live in crowded, unsanitary conditions and have limited exposure to health awareness and limited access to health care. Local Ministry of Health structures lack resources and the capacity of TB control. Access to diagnosis and care facilities is limited and cultural attitudes towards TB presents additional challenges to timely identification and treatment." (UN OCHA October 2004, Projects, p. 54)

"The situation of women [in Ingushetia] – IDPs – is aggravated by a plenty of negative factors. Extremely low level of wellbeing, high density at dwelling residences, while many elementary sanitary conditions are poor, largely tend to spreading as gyneacological, as extra genital diseases. The issue of women's

nourishment is of very high importance as well. More than 80% of pregnant ID women suffer from iron insufficient anaemia. Sustained deficiency of the major necessary products is reflected negatively by the sensible female organism: acceleration of pathology of pregnancy and delivery, reduction of normal labors." (UN October 2004, Projects, p. 65)

## Serious increase of HIV/AIDS cases in Ingushetia and Chechnya (2001-2004)

- Social breakdown and instability have triggered the spread of sexually transmitted diseases and risk behaviours
- HIV morbidity rate in Chechnya increased significantly in 2003
- Number of HIV cases increased by 3-4 times among IDPs and the local population in Ingushetia in 2003

"Migration and displacement paired with lack of education and employment have been associated with the spread of sexually transmitted disease and risk behaviour such as drug and alcohol abuse. To curb the threat of an epidemic proportion of HIV/AIDS and STI, local health authorities regard health promotion and health education activities as a high priority for the community." (UN OCHA October 2004. p. 27)

"The continuous political and military instability in Chechnya triggered breakdown in traditional family structures and social, legal and value systems. Sexual abuse and exploitation of women as well as of prisoners, result in the spread of infectious diseases, including HIV. During last few years the number of HIV rates in the population of Chechnya has been increased. The actual number of infected people may be higher since the screening hardly covered rural areas and people were not motivated to show up for HIV testing. Youths are one of the main groups of risk in terms of HIV transmission, impact and potential for changing the attitudes and behaviours that underline this disease. Instable situation and permanent stress can lead young people to drug addiction and easy sexual behaviours. Surveys show that the awareness of AIDs problem, HIV transmissions ways and methods of prevention is very low among the population of Chechen and Ingush Republics." (UN OCHA October 2004, Projects, p. 51)

"WHO completed collection of data on HIV registered cases in Ingushetia. The data showed that in 2001, the number of HIV cases increased by 3-4 times both among IDPs and the local population, as compared to 1999. WHO distributed educational material on HIV/AIDS prevention, and is working with the ministry of health of Ingushetia on an HIV/AIDS awareness and prevention campaign." (UN February 2002)

"AIDS: As of 1 October 2001, 216 HIV-infected persons were officially registered in Ingushetia. 36 of them are IDPs from Chechnya, and 11 are IDPs from North Ossetia. Among this number there are six women and two children." (WHO November 2001)

"HIV/AIDS update: The first cases of HIV were officially registered in Ingushetia in 1999. In 2000, their number increased considerably. In January-July 2001, 102 new cases (of them 29 IDPs) of HIV were registered, bringing the official total number of HIV-infected in the republic to 160, of them 36 (23%) were IDPs from Chechnya. According to the head doctor of the republican HIV/AIDS center, they are experiencing major difficulties while working with the IDP population, as usually two to four weeks pass from the moment when the analysis is taken to Nazran to when the confirmation is received from Rostov-upon-Don, where screening for HIV is carried out. During this period, IDPs often either move within Ingushetia or return to Chechnya, leaving no opportunity to inform them of the results of their analysis, with the danger that should they be positive, they will continue to infect other people. The major constraint is the lack of testing reagents to effect HIV screening in the republican HIV/AIDS centre in Ingushetia. Should they be available, it would be possible to decrease the diagnosis period from 2-4 weeks to 3-4 days." (WHO September 2001)

"The Chechen HIV/AIDS Prevention Centre reported on the situation related to the first 5 months of 2003. According to the data provided, the HIV morbidity rate increased in 2003 to some 8.2 per 100,000 people, against 2.9 in 2002. The Centre noted that only half of the 77 medical facilities eligible for reporting on HIV/AIDS submitted regular information.

The Ingush HIV/AIDs Prevention Centre provided data according to which Ingushetia would take the leading place on HIV/AIDS infection rate in the North Caucasus. The morbidity indicator recorded in 2002, in fact, reached 17.8 per 100,000 people. Furthermore, 9.2% of total HIV-infected persons were women of fertile age. The prevailing age group among the infected is the 20-30 years old one." (UNICEF 15 October 2003)

## Precarious health situation prevailing in Chechnya (2003)

- Chechnya holds the record for TB, as a result of inadequate living conditions in IDP settlements in Ingushetia and water and sanitation system in Chechnya
- Acute respiratory infections remained the most widely spread infectious diseases among children in Chechnya

"According to the Russian Deputy Minister of Health, tuberculosis, venereal diseases, hepatitis and other social diseases are easing their grip on Chechnya. The republic, however, still holds the record for TB, with 160 cases for 10,000 people, as opposed to the national average of 90. The living conditions in IDP camps in Ingushetia and the inadequacy of the water and sanitation system in Chechnya seem to be among the various factors that may be responsible for this phenomenon.

The Chechen Health Minister reported that the birth rate in Chechnya is exceeding the death rate; consequently, the population increase stood at 1,800 per 1 million in 2002. The Minister also stated that the restoration of 62 health care facilities is currently under way." (UNICEF 16 September 2003)

"The Chechen Ministry of Health reported to UNICEF about the measles situation in the republic. According to this report, 685 children under-18 have been affected during the last five months. Out of the total number of cases, 54.3% were school children aged 6-14. Measles cases have been prevalent in 11 administrative zones of Chechnya, including Grozny, Urus-Martan, and Achkhoi-Martan districts. According to the authorities, 55 measles cases among children under-14 were registered in 6 Temporary Accommodation Centres (TACs) in Grozny.

Health officials reported that, out f the total number of children affected by measles, 41.7 % have been vaccinated and 11.5% re-vaccinated. The situation has been aggravated by the fact that some 28.7 % of the children affected presented an unknown immunization anamnesis. The Chechen MoH is taking measures to decrease the morbidity level, and the overall situation is reported to have stabilized considerably." (UNICEF 22 July 2003)

"Acute respiratory infections remained the most widely spread infectious diseases among children in Chechnya, with more than 15,000 children affected over one month. In total, some 27,000 children have suffered from different types of infectious pathologies, including acute intestinal infections and viral Hepatitis A and B, during the last 5 months. The NGO Hammer Forum, which is a UNICEF partner, reported deficiency problems being observed among 22.9% of 3,008 children who applied for medical assistance in various hospitals of Grozny." (UNICEF 4 July 2003)

## Ingush health Ministry reports on status of children and women (2003)

- Infant mortality in Ingushetia is twice higher than the average in the Russian Federation
- Prevailing diseases among IDP children are caries, respiratory and blood diseases
- Vaccination coverage remains low among IDPs

"The Ingush Ministry of Health released a report on the health status of children and women in the republic. According to the data report, in 2002 children accounted for 32,7% of the total population. The number of children born was 8,116, of which 2,534 were IDPs. Among the main causes of child mortality, the MoH mentioned pathologies of the perinatal period, as well as acute respiratory diseases (including pneumonia), traumas, acute intestinal diseases and congenital defects. The infant mortality rates per 1,000 live births in Ingushetia stands at around 28, i.e. twice higher than the average in the Russian Federation.

The all-Russian clinical examination of children conducted in 2002 demonstrated that the first three diseases prevailing among IDP children in Ingushetia were caries (affecting 50% of the children examined), respiratory diseases (12%), and blood diseases (10%)." (UNICEF 31 July 2003)

"With regard to the epidemiological situation in Ingushetia, the local SES [Sanitary Epidemiological Station] reported about the extremely low vaccination coverage achieved among the IDPs residing in camps and temporary settlements. The vaccination campaign carried out by the local health care workers during the second quarter of 2003, in fact, turned out to be insufficient, which has led to the further deterioration of the measles situation. The SES, for instance, revealed that only 7 out of 462 children residing in the 'Altievo' IDP settlement in Nazran were vaccinated against measles; as a consequence, more than 80 children suffered from measles in June and July. According to the SES estimates, only 18% of the children residing in 'Tanzila', 'Kamaz Centre', 'Logovaz', and 'Internationalnaya' settlements were vaccinated against measles." (UNICEF 16 August 2003)

## Measles among IDPs in Ingushetia and Chechnya (2003)

- Increases in measles cases in IDP camps and settlements in Ingushetia and collective centres in Chechnya were reported in May 2003
- UNICEF, WHO, local authorities and other partners took measures to improve immunization in Ingushetia and Chechnya
- The number of measles cases radically decreased in the summer 2003

"According to medical NGOs working in IDP camps and settlements in Ingushetia, there has been an increase in measles cases in Sputnik, Bart, Lgovaz, and Rassvet camps during the reporting period [6-20 May 2003]. Data seven times higher tha[n] the monthly averages have been reported. A similar situation was observed in Chechnya, where 18 measles cases have been registered in the Temporary Accommodation Centre (TAC) located on Ponyatkova Street in Grozny

The Chechen Ministry of Health reported an increase of morbidity among children in Grozny: 1,465 cases of acute respiratory infections registered in March and 2,258 cases in April 16 cases of chicken pox in March and 20 cases in April; 90 cases of measles registered in March and 54 cases in April. The underreporting of measles seems to be mainly due to the low number of people approaching hospitals as well as to incorrect diagnosing of measles (as measles rubella) by medical staff in both Chechnya and Ingushetia." (UNICEF 20 May 2003)

"UNICEF, in close cooperation with local authorities, WHO and other partners – has continued to monitor the measles situation among children residing in IDP camps and settlements in Ingushetia. In response to the recent disease outbreak, the Ingush Ministry of Health (MoH) took measures towards the improvement of the immunization status among IDP children. In particular, mobile teams were sent to all major

settlements to carry out measles, parotitis and polio vaccination campaigns. 3,814 IDP children in Nazran district have been vaccinated against various preventable diseases to date. The MoH also reported that the polio immunization coverage among IDP children ash reached 103%.

Although a decrease in the cases of measles has been observed during the past few weeks, the Ingush Sanitary and Epidemiological Station (SES) reported that 74 cases have been registered in June in Sunzha district only. The records coming from Nazran and Malgobek children hospitals are lower, with a total of 100 cases registered in all three districts of Ingushetia." (UN OCHA 4 June 2003)

"On 5 June, the World Health Organization (WHO), together with representatives of the Ingush Ministry of Health, sanitary epidemiological surveillance service (SES), and NGOs, carried out an assessment mission to B tent camp in Ingushetia to identify the number of children in need of measles vaccination. A similar study had been conducted in Satsita camp earlier. Members of the group filled in a specially developed questionnaire for every child. According to the survey, 73% of 642 children under 15 identified in camp B claimed they had not been vaccinated and/or did not know whether they had been vaccinated. Fifty-four children had measles. The Ministry of Health of Chechnya reported 295 measles cases registered in the first four months of 2003. Most of the cases were registered in Grozny, and 53 of those infected reside in temporary accommodation centres (TACs)." (UN OCHA 23 June 2003)

"Although the measles outbreak in Ingushetia is under control, no decrease in measles cases has been noticed in the TAC's in Chechnya. Over May 2003 some 161 cases have been registered according to the information received by local health structures." (OCHA 7 July 2003)

"UNICEF has continued to follow the measles situation both in Chechnya and Ingushetia. For this purpose, regular monitoring visits have been conducted to various hospitals and IDP settlements in Ingushetia, and close contacts have been maintained with the Sanitary Epidemiological Centres of Chechnya and Ingushetia, WHO and NGO partners. The Ingush Ministry of Health and NGOs operating in the area have reported a decrease of measles cases among children, including IDPs. In Chechnya, the incidence of the disease for the first half year of 2003 has reached 907 cases among children under 18.

With regard to the recent measles 'outbreak' in Ingushetia, UNICEF supplied to the Ingush Ministry of health vitamin A for 10,000 children. The distribution of the vitamin A will be organized by the Ministry through the routine contacts of IDPs with health facilities that provide immunization and Mother and Child Health (MCH) services. The five main district hospitals in Ingushetia have been involved in the implementation of this initiative." (UNICEF 31 July 2003)

UNICEF Has been working closely with the Ministries of Health of Chechnya and Ingushetia, as well as with WHO and mediacal NGOs, to strengthen the vaccination coverage in both Republics. Meanwhile, the Chechen SES reported a decrease in the number of measles cases (40 registered in September). (UNICEF 30 September 2003)

The possible closure of tent camps and the consequent relocation of thousands of IDPs into TACs – with shortage of potable water and adequate sanitation, crowded living conditions and poor waste removal – would expose the population to increase risk of communicable diseases, as the mid-2003 measles outbreak in both republics has proven. (UN OCHA November 2003, p. 38)

## Water and sanitation

IDPs exposed to insufficient water and sanitation facilities in Chechnya and Ingushetia (2004)

- 96,000 people in Grozny still rely on water trucking from humanitarian organisations, including in health and educational institutions
- Grozny's sewage system is almost non-functional
- Water and sanitation facilities are missing in severy temporary accommodation centres in Chechnya
- Water network in Ingushetia is not sufficient to provide water to most of the IDP population

## Chechnya:

"Eighty percent of Grozny's water network was destroyed during the Chechnya war and the subsequent sustained period of scattered violence. With support from ICRC and IRC the state water company Vodokanal has started the rehabilitation of the water network. However, the needs for rehabilitation remain significant with an estimated 96,000 inhabitants of Grozny (including patients of hospitals and policlinics, and students) still relying mostly on water trucking from IRC and PHO. In addition to this, most of the educational and health care institutions suffer from poor sanitation facilities. This year PHO began constructing hand-operated water pumps, mainly in health and educational institutions, as a source of 'technical' water to be used for sanitary purposes (washing, cleaning, etc.).

Grozny's sewage network is almost non-functional. NGOs have provided TACs, some public institutions such as schools and hospitals, as well as families in the private sector with outside pit latrines. Still most of the wastewater of Grozny and of other major cities in Chechnya is currently being dumped into the basements of buildings, which constitutes a severe and immediate health hazard for the entire population.

Information about proper sanitation and hygiene is a real need for communities. Although most of the communities have a basic level of knowledge about hygiene concepts, they lack the connection between disease prevention and good sanitation. Finally, pests and strays, such as cats and dogs, are contributing to unhygienic conditions." (UN OCHA October 2004, p. 35)

"In most recently opened temporary placement points water reservoirs or water containers are not installed. In many of the points, drinking water and water used for cooking comes from barrels intended for non-potable water. Whenever possible families try to stock up drinking water from nearby sources. For instance, IDPs living in the temporary placement points at 11 Malgobekskaya street obtain water 300 meters away from their houses and, even so, are forced to wait in long lines and endure the resentment of local residents. Whereas in the past water was delivered to temporary placement points twice a day, recently, people have remained without water for days at a time.

[...]

Most temporary placement points lack sewer systems, showers, and laundry amenities. Due to the absence of water pipes and plumbing, residents must not only carry clear water up stairs to high floors but must also carry used water back down to the street. In many temporary placement points, there is no water disposal system event in the kitchens.

The lack of shower facilities renders bathing and laundry impossible and breeds intolerably unhygienic conditions in many temporary placement points. To ameliorate this desperate situation, one of the superintendents at a temporary placement point, on his own initiative, converted a kitchen to a bathing and laundry room.

The impossibility of using toilets at night (temporary placement points cannot be entered or exited between 10 p.m. and 6 a.m.) causes great physical hardship to residents, particularly, the children and the elderly." (Ganushkina 2004, pp. 23-24)

## Ingushetia:

"The water network within the republic is not sufficient to provide water to many parts of the local population or most of the IDP population. Nor does the administration have the capacity to deliver water or remove garbage and sewage from these communities.

There is a need for continued maintenance and construction or replacement of sanitary facilities, such as latrines, baths, laundries, water points grey water pits etc. Furthermore, as with Ingushetia, there are needs for improved sanitary facilities, the distribution of hygienic kits and other Non-food items, as well as pest and wild animal control. Also needed is awareness raising on sanitary and environmental issues such as safe hygienic habits and methods for the use and storage of water." (UN OCHA October 2004, p. 35)

## **ACCESS TO EDUCATION**

## Ingushetia

## Schooling of displacement children still a challenge (2004)

- Hostage crisis in Beslan (North Ossetia) has deterred parents to send their children to school in Ingushetia
- IDP schools face problems to get connected to gas supply
- Enrollment of displaced children in regular schools face capacity limitations

"Following the events in Beslan, security measures have been reinforced throughout Ingushetia. In Malgobeksky district, and especially in Psedack and Malgobek, the increase in the presence of armed security forces seems to have discouraged some parents to send their children to school, as the number of pupils attending the schools run by Hilfswerk and People in Need (PIN) is reported to have decreased lately.

UNICEF's implementing partner Hilfswerk purchased gas meters for three of the IDP schools they run. However, attempts to install them have not succeeded so far, due to the public has supplier's failure to identify a responsible person. Meanwhile, the issue of who will be responsible for the payment of the gas utilized to head schools located in IDP settlements remains a matter of discussion and concern. An agreement is yet to be reached with the Ingush Government. Consequently, the gas supply was suspended in one of UNICEF-Hilfswerk's school, which is currently heated with wood.

On 10 October, following the recent closure of some IDP schools (due to the progressive reduction in the number of children attending), PIN provided two box-tents for installation at a school located in Belgatoi (Chechnya) and another two for the CPCD-run

"Omega" school located in Sleptsovsk (Ingushetia)." (UNICEF 31 October 2004)

"In Ingushetia, fulfilling the fundamental right to education for some 10,000 IDP children attending schools remains a high priority. The increasing pace of IDP return to Chechnya has resulted in the steady reduction (from 53 to 32) in the number of 'parallel' schools managed by UNICEF and partner NGOs, and currently catering for 4,000 IDP children. Another 6,000 of them are attending regular schools in Ingushetia, whose enrolment capacity is being put under considerable strain. Some 2,300 pre-school age displaced children also remain in need of qualified general care and education support, which is currently available to 1,700 children only.

Also attending schools in Ingushetia are over 2,000 children whose families have been displaced from North Ossetia. The facilities that these children are attending are also affected by critical shortages of education supplies." (UN OCHA October 2004, p. 40)

## IDP schools in Ingushetia under pressure from the authorities (2003)

- IDP schools should be equipped with fire safety equipment, Ingush authorities request
- NGO reports gas and electricity e cut off in one IDP school

"New school year has started also at PINF-operated IDP schools in Ingushetia located at 23 spontaneous settlements in Malgobek, Nazran and Sunzha districts. During the summer time all old and worn-out school tents were replaced with the so-called box-tents, fiber-board constructions of a size of approximately half a classroom. Altogether 22 double box-tents were installed, while in most locations the old tents were preserved for after-school activities and work of PINF psychologists. Referring to a regulation according to which all schools in the Russian Federation are obliged to be equipped with fire boards, water tanks and sand boxes, fire-safety authorities of Ingushetia issued an ultimatum that all IDP schools will be closed if the fire regulations are not observed. PINF has then installed all necessary equipment and consequently will carry out training on evacuation from tents and box-tents among all school-children.

At several locations, threats were made by the owners of the territory that gas and electricity may be cut off, as the Migration Service of Ingushetia does not cover the costs, while it does so in case of the IDPs' individual dwellings. In a school in Sagopshi the threats materialized to cutting off the gas, which did not yet have any major consequences on the educational process, while such a step in autumn and winter months would lead to a closure of schools due to no heating." (PINF September 2003)

"On April 21, one tented school, located in Troitskaya IDP settlement, was temporarily sealed off by the local fire department, officially because of non-adherence to fire regulations of the Russian Federation. In reality, a local employee of the fire department had previously requested a bribe for allowing classes in an inflammable tent, which was denied. After one week without classes, the school was re-opened to improve its fire safety. Remaining 19 PINF-operated tented as well as three wooden schools in Ingushetia continue to function with tents being gradually replaced at eight of those." (PINF April 2003)

## Good school performance of displaced children in Ingushetia (2003)

- The majority of the children admitted in UNICEF supported schools for IDPs in Ingushetia received good and excellent marks for their final exams
- 28 % continued education at universities and medical and technical colleges in Chechnya, Ingushetia and Moscow
- The rest live in Ingushetia and Chechnya and have problems in finding a job

"The majority of students of the 9th and 11th grades at UNICEF-supported schools for IDPs in Ingushetia successfully passed their final exams. At schools run by the Centre for Peacemaking and Community Development (CPCD), only 4 out of 239 students admitted failed to pass the exams, while at schools operated by the Hilfswerk Austria (HWA), 67% of 187 pupils admitted received good and excellent marks. Such good performance was achieved thanks to professional skills and commitment of teachers." (UN OCHA 7 July 2003)

In Ingushetia, a survey conducted by the International Rescue Committee (IRC) on the situation with graduates of IRC-managed and UNICEF supported IDP schools in 2003 showed that 28% of them continued education at universities and medical and technical colleges in Chechnya, Ingushetia, and Moscow. Most of the remaining 72 % live in Ingushetia or Chechnya and have problems with finding a job. (UN OCHA 5 December 2003)

## Chechnya

# The capacity of the educational system remains severely limited despite recent progress (2004)

- Despite ongoing rehabilitation of school facilities, schools remain overcrowded and operate in shifts
- Shortages of materials and insecurity have led to the exclusion of girls from schools
- Conflict-affected children need special counseling

"The education system in Chechnya has not undergone major structural changes in 2004 and remains in a precarious condition. On the other hand, material improvements have occurred. For example, according to the Chechen Ministry of Education, the government rehabilitated 41 schools and 57 kindergartens, and 22 schools and 10 kindergartens will have been rehabilitated by humanitarian Agencies by the end of 2004. According to official figures, a total of 464 schools and 65 kindergartens were functioning in Chechnya as of September 2004. The cooperation between the Ministry of Education and the Agencies working in the sector has been developing positively. The Ministry committed to gradually take over management responsibilities for 5 Child Friendly Spaces established by UNICEF and Caritas in Grozny, and was involved in the finalization of UNICEF's plan for the rehabilitation of 15 schools and kindergartens.

Despite this progress, significant problems remain, many related to the continuing need for system reform. Functioning education facilities, particularly kindergartens, are still in short supply. Most schools remain overcrowded and operate in two or three shifts. In addition, schools are affected by a persisting shortage of essential educational materials, with a shortage of textbooks causing further strain on the limited income of many families. These financial constraints aggravate the existing tendency to keep girls out of school, particularly in areas where education facilities are not easily or safely accessible. The low salary levels for teachers, together with the insufficient training support provided, also hamper the quality of the education services offered. Another longstanding problem is the lack of reliable disaggregated data on school enrolment, retention and completion.

There is a need for qualified psychosocial support and counseling for crisis-affected children, many of whom have experienced intense suffering and loss. The situation of children and adolescents who, because of social or personal factors, are not enrolled in school also requires a qualified intervention, so as to provide them with recreational or vocational opportunities that would promote their social integration and reduce their risk of becoming involved in dangerous or illegal activities." (UN OCHA October 2004, p. 40)

## Children in collective centres cannot attend school (2004)

- There has been no measures for the schooling of children newly returned from Ingushetia
- Poverty prevents displaced families from sending their children to school

"No continuing education has been organized for schoolchildren relocated to temporary placement points on Chechen Republic territory. First of all, there is no agreement between Chechen authorities and nearby schools regarding the admission of arriving children. Frequently, schools already operating beyond capacity refuse to accept more children. Secondly, when leaving the tent camps in the Republic of Ingushetia, many schoolchildren had to leave their textbooks, and they are not being given new ones. And parents do not have the means to buy these textbooks for their children. Many children do not attend school because their refugee life has caused them to fall so far behind. Many cannot attend school because they do not have clothes to wear." (Ganushkina 2004, p. 24)

"Most returnees are unable to provide their children with sufficient material base, which would enable them to attend schools. VESTA's ongoing monitoring of the situation in the TACs reveal that a high number of

children currently residing in the TACs are not attending schools regularly, because of the lack of basic season clothing." (UN OCHA October 2004, Projects, p. 36)

## Other areas

## Schooling of IDP children in Dagestan needs support (2004-2005)

• UNICEF conducted an assessment mission in January 2005

"Another 2,000 IDP children from Chechnya currently enrolled in schools in Dagestan are in need of support, given their families' vulnerability and the limited capacity of the local school system." (UN OCHA October 2004, p. 40)

"On 23-26 January [2005], UNICEF conducted a preliminary assessment mission to Dagestan, with a special focus on the Education sector. In Makhachkala, the mission team held meetings with the Minister of Education, the Minister of Labour and Social Protection and officials from the Ministry of Youth Policy and Tourism. In addition, the team met with officials from the administration of Khasav-Yurt and with international as well as local NGOs working in the area. The team also visited one large school and a settlement hosting IDPs from Chechnya. The UNICEF team presented the current structure and priorities for its programme in the North Caucasus and discussed its plans for 2005, which will include, availability of financial resources permitting, the provision of assistance to the education sector of Dagestan (teacher training, provision of education supplies) and the involvement of representatives of local authorities, education institutions and civil society in its regional project for Peace Education." (UN OCHA 14 February 2005)

### Displaced Chechen children in Moscow are denied access to schools (2004)

- Children continue to be denied access to schools because of lack of registration of residence, despite court decision
- There have been reports of discriminatory denial of school registration to Chechen families

"In February 2002, after the decision of the Moscow City court of December 26, 1999, the provision limiting admission to those children from other cities whose to schools and kindergartens to cases when their parents were registered was excluded from the rules on registration in Moscow. Despite this, 'Civic Assistance' continues to receive complaints of refusals to admit children to schools and kindergartens (or threats that they will be dismissed) due to lack of registration. Perhaps, the complaints were not as numerous as in past years, but there were still too many to speak of a radical change in the situation. The cases all look quite similar. As an example, we'll cite only the most recent ones.

On March 17, 2004, Malika Bachaeva, a refugee from Chechnya and a mother of four, approached 'Civic Assistance'. In connection with her moving to a different area in Moscow, Malika had to transfer her daughter to a different school. The director of school #536 refused to admit the girl due to lack of registration.

On March 29, 2004, Bek-Magomed Abdulhakimov, a 20 years old refugee from Chechnya, informed 'Civic Assistance' that night school #18, which he is completing this year, advised him to obtain registration, explaining that otherwise he might be discharged from the school or not issued his certificated of completion

On April 19, 2004, Ashat Titieva came to 'Civic Assistance' and spoke about a conversation she had had two months earlier with V.B. Magerman, the director of school #479, asking him to admit her grandchildren, 10 year-old Marha and 7 year-old Magomed-Emi. The director said that he needed the children's personal records. When these records were brought from Chechnya, the director refused again, this time because of the lack of registration. That same day, after a call from the school director, the district investigator visited Aishat's apartment.

He spoke politely but in the course of the conversation said, 'How do we know who you are, what if you blow up the school.' In all the cases described about the problem was dealt with after the intervention of 'Civic Assistance.' In speaking with 'Civic Assistance' employee, a school director denied approaching the police. However, such a step would not have been the mark of excessive vigilance on his part: since October 12, 2001, order #2-13-15/20 of the Moscow education committee has been in effect. It obligates the school directors to inform police authorities about families of schoolchildren who are not registered at the place of sojourn. ('On the situation in Russia of Chechen residents who involuntarily left its territory.' 'R-Valent,' M., 2002)" (Ganushkina 2004, pp. 56-57)

## ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

## Self-reliance

## Integration of IDPs constrained by large-scale poverty in Chechnya and Ingushetia (2004)

- Despite some socioeconomic progress in Chechnya, access to food, shelter and essential services is problematic
- Unemployment in Chechnya is the highest in Russia, while agricultural land is heavily polluted by landmines and UXO
- 90 percent of the displaced households in Ingushetia are unemployed or under-employed
- Plans are made by UNDP to support integration needs of IDPs in Ingushetia, through an "area-based" approach
- Donors remain reluctant to support infrastructure rehabilitation in Chechnya
- Payments of pensions have improved in Chechnya

"The humanitarian situation remains precarious and complex. Hundreds of thousands of people are still reliant on basic relief supplies provided through the CAP and complementary humanitarian programs. Additionally, the prevailing atmosphere of human insecurity amid the political and social flux is felt by a population still too deeply traumatized by past episodes of violence and lawlessness. Protection of civilians thus also remains a priority, arguably the principal challenge, for the 2005 CAP.

Although there has been some socioeconomic progress in Chechnya, the population's food and shelter needs are still significant, and access to water and sanitation facilities as well as to health, education and other social services is often problematic. Many people in Chechnya are displaced, with their homes destroyed, and very few have jobs. Unemployment in Chechnya (at an official rate of 80%) is the highest in Russia. In addition, Chechnya remains one of the areas of the world most heavily polluted by landmines and unexploded ordnance.

Approximately half of the population of Chechnya lives in conditions of material poverty, even by the low standards of the Chechen average household—the poverty threshold being 21-33 roubles (US \$0.70-1.10) per person per day. The latest large-scale poverty study conducted by the Danish Refugee Council (DRC) at the end of 2003 confirmed this, as well as disaggregating five economic zones in Chechnya separated geographically and by unequal income opportunities see map). The concentration of poor households is in economic zone III in central Chechnya south of Grozny. The DRC study and ongoing household surveys also help identify disproportionately vulnerable demographic groups, among them very young children, handicapped, and pregnant or lactating women."



(UN OCHA October 2004, pp. 6-7)

"The Mid-Year Review of the 2004 CAP identified economic recovery as a priority for greater activity in 2005. The challenge is twofold: 1) to avoid a 'gap' in programming between humanitarian relief and longer-term recovery efforts, and, 2) to support local authorities and civil society in their agenda of socioeconomic development. Substantial efforts are routinely made by aid Agencies to assure sustainable benefits of their projects, but this work will be better coordinated and more purposive in 2005. In June 2004, a multi-Agency mission led by UNDP and UNHCR to consider sustainable reintegration of the area's large number of IDPs introduced a new impetus by recommending an 'area-based approach,' with economic recovery and poverty reduction providing the engine for stability. This response plan builds on recommendations of that mission, e.g., for development of information management tools and pilot projects to guide durable reintegration and livelihoods-enhancement strategies.

An inter-Agency team of recovery experts, led by UNDP, was deployed in the North Caucasus in October 2004, and is working closely with government and aid-community partners on improved coordination and development of an integrated area recovery strategy. The new measures in recovery assistance are being piloted first in Ingushetia, where a depressed rural economy and inadequate infrastructure are stressed from the large numbers of IDP groups arriving there since the early 1990s. Although the official caseload of registered unemployed totals only 16% of the workforce, general unemployment is estimated by the Ingushetia Government1 to be much higher, up to 53%, and aid Agencies estimate that the numbers of officially unemployed and occasionally informally employed persons, together, could reach 73%. Among IDPs in the republic, the level of unemployment and under-employment is up to 90%. IDP families seeking to return or integrate into poverty-affected areas face constraints in terms of job availability, their access to local networks, marketable skills, and tools. They and the communities they live in need economic opportunities if they are to advance in human security and avoid further conflict. The numbers and types of economic recovery activities undertaken in the area thus far have been modest, underscoring the urgent need for additional as well as expanded initiatives supporting economic recovery.

In Chechnya, the Federal Government has already engaged in recovery planning, and it has made a stronger commitment to infrastructure rehabilitation for 2005. Agencies participating in the CAP provide modest support to this effort through ongoing projects. However, notwithstanding the Federal and international assistance, the recovery of industrial, agricultural, financial, commercial, and public infrastructure continues to be slow. Unemployment among Chechens of employable age is estimated at 80%. Access to financial and productive capital for job creation and income generation is extremely limited. In the present context, insecurity may constitute the greatest impediment to progress." (UN October 2004, p. 49)

"The Rapporteur notes with satisfaction that the payments of pensions and contributions by the Federal Government seem to be efficient. Many IDPs confirmed that they received their pensions each month as

well as 15 rouble aid (in alimentary products) that every IDP is entitled to." (COE 20 September 2004, para. 45)

## Displaced Chechens in Moscow face discrimination on the labour market (2004)

- Employers refuse jobs to Chechens for lack of registration
- Ethnicity is increasingly openly acknowledged as an ostacle by employers

"Although the law forbids turning down job applications for reasons unrelated to the worker's qualifications, such as ethnicity or place of residence, in practice both of these factors constantly serve as a barrier for Chechens in their job search, the former (ethnicity) to a much greater extent than the latter (registration). Both employers and workers think that the absence of registration is perfectly legal reason to turn down a job application. Most of them react with surprise and even doubt when told that this is not a legal basis for denying employment. But openly refusing a candidate on the basis of his or her ethnicity is something most employers didn't dare do, preferring to give the candidate some other kind of reason for the rejection. However, recently Chechens have been told the real reason in a straightforward fashion; ethnicity, is more and more frequently named when they are shown the door. In so acting, employers expect understanding and often get it. People get used to such a situation and begin to see it as a norm.

[...]

It can be said for certain that over the last year the financial situation of Chechens (particularly IDPs) in Moscow and the city's environs has grown worse. A group of Chechens, having either failed to find jobs or lost them were deprived of the opportunity to rent housing in Moscow and provide for their families, and so returned to Chechnya – to ruins or to the houses of relatives already teeming with people. Those who remain in Moscow can barely make ends meet." (Ganushkina 2004, pp. 58-60)

## **Destitution in Ingushetia and Chechnya (2003)**

- 90 percent of IDPs in Ingushetia are unemployed, according to an April 2003 survey
- 6.5 percent of displaced families rely entirely on humanitarian aid
- 63 percent of the population in Chechnya quality as poor or very poor and in need of humanitarian assistance, according to the Danish Refugee Council
- The urban population of Chechnya is poorer than those living in rural areas
- There are very limited economic opportunities for IDPs in Ingushetia, who do not have residency status and thus are not able to be legally employed

"In spring 2003 [the Danish Refugee Council] conducted a survey of the IDP population in Ingushetia, which addressed living conditions. Household expenditures, sources of income and coping mechanisms of IDP families. The overwhelming majority of surveyed IDPs (90%) reported that they are unemployed or underemployed. Only a third have temporary jobs. About half of IDP families have at least one pensioner. Pension income contributes significantly to families' household economy. While three quarters of IDPs live on less than 486 RUR (US\$16.2) per person per month (about a quarter of the official subsistence level in Ingushetia), 6.5% of IDP families in Ingushetia do not have any income and rely entirely on humanitarian aid. Nearly all IDP families in Ingushetia regularly sell their household assets to complement their income. Every third IDP family receives remittances from relatives or friends, be it cash, clothing or food." (UN OCHA November 2003)

"[The Danish Refugee Council] has used a methodology for determining vulnerability in Chechnya based on cash salaries, food income and other economic indicators such as cars, jewellery, household items, etc. Out of five categories from very poor to wealthy, DRC classifies the very poor and poor households as in

need of humanitarian assistance. According to estimates, those classified as very poor have an average monthly income of 444 RUR (US \$14.8) per person, while the poor earn approximately 600 RUR (US \$20) per person. Statistics provided by DRC as of 1 August 2003 indicate that some 63% of the surveyed population in Chechnya qualifies as poor or very poor. According to DRC statistics, people in the highest income category, classified in this survey as wealthy and comprising 0.4% of the population, have an average per person monthly income of 2112 RUR (US \$70.4). With the officially established subsistence level for Chechnya at 2,125 RUR12 (US \$70.8), well over 99% of Chechnya's population lives below the poverty line. Unemployment stands at 85%. At the same time, DRC shows socially vulnerable groups – defined as pregnant women, lactating women, infants and children from 0 to 36 months of age, invalids, elderly without adequate social support, orphans, and children in single-parent families – to make up 16% of the population. DRC also compared average income in different geographic regions, finding that the urban population of Chechnya, with a total average income of 1,954 RUR (US \$62), is poorer than those living in rural areas of the republic." (UN OCHA November 2003, pp. 11-12)

"Pensions and allowances continue to be the major sources of cash income for the population in Chechnya. More than 40% of the population live in poverty and 32% face severe difficulties in maintaining minimum livelihoods and meeting basic food needs. Food is considered as the greatest need followed by shelter and health requirements." (UN OCHA 24 May 2003, pp. 6)

"The number of IDPs returning to Chechnya has increased. Further, the Government is assuming increasing responsibilities and provides more funds for infrastructure rehabilitation.

These developments are extremely tentative, however, and the high levels of physical destruction of the industrial, agricultural, financial, commercial, and public infrastructure make prospects for a sustained economic recovery in the foreseeable future unlikely. Inside Chechnya, it is estimated that up to 60 % of the working age population is unemployed and the same proportion of the population reports being regularly unable to meet regular household expenses. Chechen households with a very low level of income (about RUR 2,200 or US\$ 70 per month or less) rely on a variety of sources of income. In a context of persistent insecurity, many individuals engage in small trade activities to generate additional income.

In Ingushetia, 73 % of the population is currently unemployed and some 36,000 IDPs are expected to settle there. At present, there are very limited economic opportunities for local residents, let alone IDPs who do not have residency status and thus are not able to be legally employed." (UN OCHA 24 May 2003, p. 12)

### Limited income sources for most households in Chechnya (2002)

- 60 percent of the working age population is unemployed
- The capacity of boost small income generating activities is very limited
- According to ICRC survey, 10 percent of the population is extremely poor and heavily dependent on external assistance
- Extremely poor households do not receive state benefits as a result of complicated administrative procedures
- Vulnerability of IDPs and returnees is aggravated by the lack of access to kitchen gardens
- Theft, bootlegging and other criminal activities are widespread in Grozny

"The last decade has seen destabilisation and economic collapse in Chechnya. As of September 2002, an estimated 180,000 Chechens remain displaced outside Chechnya in other republics of the Russian Federation, thereby weakening the work force potential of the republic. Although the government is assuming increased responsibilities and provides more funds for infrastructure rehabilitation, the levels of physical destruction of the industrial, agricultural, financial, commercial, and public infrastructure remain

high and will prevent a sustained economic recovery in the foreseeable future. Inside Chechnya, it is estimated that up to 60% of the working age population is unemployed and the same proportion of the population reports being regularly unable to meet regular household expenses. Chechen households with a very low level of income (about RUR 2,200 per month or less) rely on a variety of sources of additional income. In descending order of importance they are: borrowing (27% of income); humanitarian assistance (24%); work income, state benefits, and cash donations (12% each); and in-kind donations (10%). Homegrown food also represents a significant additional resource for households living in the rural plains and in the mountains.

In a context of persistent insecurity, many individuals engage in small trade activities to generate additional income. Although local coping mechanisms such as donations, credit, and borrowing from friends and family exist, access to financial and productive capital is extremely limited. The first retail bank to offer financial services in Chechnya opened on 23 September 2002. The capacity to boost small income generating activities (i.e. petty trade, collection of empty bottles, etc.) is very limited." (UNOCHA November 2002, p. 63)

## ICRC economic security survey in Chechnya (July 2002)

"The extent of [household] economic vulnerability is relatively comparable throughout the assessed area.

60 % of the assessed population have a monthly income of less than 3,000 rubles and are regularly unable to meet their expenses and are considered vulnerable as they have no [household] reserves and are therefore dependent on external assistance including humanitarian aid.

10 % of the population have a monthly income of less than 700 rubles (extremely poor [households] and are extremely economically vulnerable, being heavily dependent on external assistance and humanitarian aid to survive." (ICRC July 2002 Chechnya, p. 18)

### "State benefits

Since 2000, benefits have been regularly paid by the state and, in some vulnerable [households], benefits surpass employment as the key reliable source of [household] income. Over 90% of the assessed [households] report receiving state benefits, but, once again, the extremely poor [households] are largely excluded from this source of [household] income, with the exception of child allowances. Extremely poor [households] indicate that due to the complicated application procedures and high 'administrative' costs, applying for pensions is often their reach. Nonetheless, state benefits provide an important source of [household] income within vulnerable [households] and the lack of access to state benefits is an important factor contributing to the extent of vulnerability within an extremely poor [household]." (ICRC July 2002 Chechnya, p. 20)

## "Humanitarian assistance

About 75% of [households] assessed report receiving some form of humanitarian assistance. Bulk food is by far the most regular and significant humanitarian assistance provided, with about 65% of assessed [households] reporting receiving food, although it is notable that only 55% of the extremely poor [households] report receiving bulk food, indicating a problem in effectively accessing humanitarian assistance for the extremely poor [households] [...]" (ICRC July 2002 pp. 20-21)

## "Household level production

About 60% of [households] report having some degree of food production capacity, decreasing to about 50% or less in the extremely poor [households]. This is a significant factor in both the rural plains and the mountains, providing as much as 30% or more of the [household] food, while Grozny reports having about two thirds the [household] production capacity of other areas. The majority of food produced is consumed in the [household], decreasing food expenses and increasing [household] dietary diversification, although about 20% is usually given to family and friends. Only negligible amounts of the product are reportedly sold. Extremely poor [households] have relatively limited production capacity because of limited access to land and required inputs with only 25% of extremely poor IDPs and 43% of extremely poor returnees

reporting having kitchen gardens, which is yet another factor that contributes to the cumulative vulnerability of these [households]." (ICRC July 2002 Chechnya, p. 22)

"Characteristics of an extremely poor household

Poverty results from the combined effect of a number of factors contributing negatively towards the economy by either decreasing income generating capacity or increasing expense burdens within the [household]. The following outlines some of the key factors that contribute to extreme poverty in Chechnya:

- loss of house and possessions during hostilities, during [household] have no productive assets and no [household] level production capacity (e.g.: loss of home, animals, tools, land, etc.)
- exclusion of [household] from local network (no local contacts, no family support typically due to displacement)
- [household] members frequently lack official documents or local registration often due to displacement (thus facing increased security threats and exclusion from work opportunities and entitlements)
- [households] are often single headed (particular difficulties when [household] is headed by a female)
- [households] often have unemployed or unemployable adults (disabled, elderly, unskilled, occupied within [household], etc.)
- a [household] member often suffers a serious illness (cost, burden of care, decreased income generating potential)
- [households] have many children (including orphans), disabled and/or elderly who received no state pensions
- the majority of these [households] were already vulnerable with limited [household] income prior to the crisis, while the impact of this ongoing crisis has served to enhance the [household] economic vulnerability.

[Household] vulnerability results from a complex interaction of a multitude of factors including the above which combine to prevent extremely poor [households] from exploiting positive possibilities that could be available to them." (ICRC July 2002 Chechnya, p. 31)

"A subtle improvement of living conditions is noticeable in Grozny. The local market is growing every month, offering essential food and non-food goods at affordable prices, some items even lower than in Ingushetia. An increasing number of people are arriving in the town, many of them attempting to reside here. However, security risks are still considerable for Grozny inhabitants and coming winter is also a great source of worry to many. The unemployment rate currently exceeds 90%. Pensions are distributed rather regularly, social benefits are sometimes paid to families with children. Other sources of income include trading at the local market and small businesses, such as cafes and garage rentals. Another widespread source of income is the sale of law-grade gasoline. However, majority of Grozny inhabitants are still dependent on humanitarian aid. Theft, bootlegging and other criminal activities are widespread." (PNIF October 2001, para. 1.3.3)

## ICRC survey highlights difficult access to state assistance for IDPs in Dagestan (2002)

- Poor households are primarily living in collective centres
- IDPs can only collect State benefits in Chechnya but half of them renounce to travel because of security risks and travel costs

"[A]s much as 12% (or 120 [households]) of the total 1,000 Chechen IDP [households] in Daghestan are facing extreme poverty, living on a [households] cash income of 600 rubles per month or less.

Geographically, over 50% of these extremely poor IDP [households] are located in the collective centres in Khasavyurt." (ICRC July 2002, Dagestan, p. 15)

"State benefits area significant source of reliable [household] income for both [residents affected by the hostilities and Chechen IDPs], with over 90% of the assessed [households] reporting some form of state benefits. State benefits are reported as the main source of income for 38% of the [residents affected by the hostilities], and 28% of the IDP [households].

Benefits are paid regularly by the state in both Daghestan and in Chechnya since 2000. Over 95% of the entitled [resident households affected by the hostilities] collect their benefits locally and on a monthly basis, while over 80% of the entitled IDP [households] receive their benefits in Chechnya [27]. Just over half of the IDP households collect their benefits monthly due to the costs and security risks related to traveling in Chechnya.

[...][W]ith the exception of access to child allowances [28], the poorest IDP [households] are largely excluded from receiving state benefits. This is primarily due to complicated and expensive application procedures, which is further enhanced by the fact that IDPs must apply and receive their benefits in Chechnya which has cost and security implications that can prove to be overwhelming. Many IDPs receiving only child allowances do not collect them because the transport cost equal the value of the allowances. Additionally, in order to reduce travel costs, about 20% of entitled IDPs try to collect their benefits on a quarterly basis, although this has many bureaucratic complications and often they are unable to obtain the full amounts due to them.

[...][The resident population affected by the hostilities] in general has better access to state benefits as compared to the IDPs, largely due to the above described limitations faced by the IDPs. Some 50% of the [residents affected by the hostilities], with the exception of the very poor, have access to elderly pensions, while 20-30% also have access to invalid pensions. Each of these pensions represent a minimum of 600 rubles per month for the receiving [household], while child benefits, the majority of the benefits received by IDPs, have a value of 70 rubles per month."

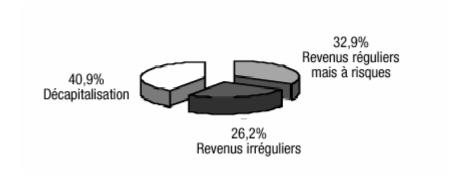
[Footnote 27: 20% of IDP households who arrived in Daghestan after the first war benefited from the forced migrant status and are therefore able to collect their benefits in Daghestan]

[Footnote 28: Child allowances are valued at 70 rubles per month per registered child, while most other benefits are significantly more substantial, generally having a starting value of about 600 rubles, and increasing from that according to previous work history and other factors outlined by the law.] (ICRC July 2002, Dagestan, p. 19)

# Action Contre la Faim reports a degradation of the economic situation of the displace households in Ingushetia (2002)

- A typical displaced household generates a monthly revenue of 2,500 to 3,000 rubles
- This revenue is generated by regular incomes (pensions, subsidies), irregular income (seasonal work, petty trade, resale of humanitarian goods), and the sale of personal goods
- This covers only half of the basic needs of a six-person family
- Expenditures for healthcare, clothing and fresh food are usually postponed
- Displaced households have become extremely vulnerable to any change of circumstances: illness of the head of household, reduction of aid, increasing rent
- One third of the population currently living in collective settlements were accommodated with host families only a few months ago

"Origine des sources de revenu - Illustration par le cas typique d'une famille déplacée de six personnes vivant dans un camp [13] (en % du revenu total) :



Le graphique ci-dessus illustre la situation d'une famille typique vivant en camp. Cette famille est composée d'un chef de famille actif et de son épouse, d'une personne âgée et de trois enfants :

- La part de revenus réguliers mais à risques correspond aux pensions et allocations touchées à Grozny. La pension pour les personnes âgées est touchée mensuellement, tandis que les allocations pour les enfants ne sont perçues qu'un mois sur deux en moyenne.
- La part de revenus irréguliers correspond à l'activité saisonnière du chef de famille (3 à 4 mois de contrats en tant que manoeuvre agricole), et aux activités de petit commerce exercées par son épouse : revente d'une partie de la farine distribuée par les agences humanitaires, collecte et revente de canettes vides trouvées dans les poubelles.
- La part décapitalisation correspond à la vente de biens personnels (ici les bijoux de l'épouse).

Dans ce cas typique, la famille génère un revenu mensuel de 2 500 à 3 000 roubles, soit la moitié environ des dépenses nécessaires à une famille de six personnes pour couvrir ses besoins de base. C'est donc près de 50% des dépenses essentielles -notamment soins médicaux, habillement, et produits alimentaires frais- qui sont reportées.

L'économie familiale des déplacés tchétchènes est à bout de souffle et l'extrême érosion de leur capital les rend vulnérables au moindre choc : maladie du chef de famille, diminution de l'aide alimentaire, expulsion d'un logement collectif ou augmentation du coût du loyer pour les déplacés en secteur privé ; la survenue d'un seul de ces aléas est susceptible de précipiter les familles dans la détresse. Ainsi, dans l'incapacité de continuer à assurer le paiement du loyer, de nombreuses familles qui vivaient dans le secteur privé n'ont eu d'autre choix que de rejoindre des camps spontanés, les 'kompaktnik', habitations collectives et insalubres, symboles de la dégradation économique au sein des familles déplacées. Des familles entières sont ainsi agglutinées dans des usines délabrées, des vieux hangars, des anciens kolkhozes, des caves ou des étables. Action Contre la Faim estime qu'environ un tiers de la population résidant aujourd'hui dans les centres collectifs vivait encore dans le secteur privé il y a quelques mois."

[Footnote 13: Source : entretiens de groupes et entretiens individuels menés par Action Contre la Faim dans les camps et dans les centres collectifs en décembre 2001 et janvier 2002. Le graphique illustre une situation typique d'une famille de déplacés : les revenus ont été estimés annuellement puis 'écrasés' sous la forme de revenus mensuels.]

(Action Contre la Faim September 2002)

ICRC identifies coping mechanisms of IDPs in Ingushetia (October 2001)

- IDPs living in spontaneous settlements and with host families feel that they lack support and information
- Coping mechanisms include selling of personal belongings, borrowing money, small business, selling humanitarian assistance and work of children
- All IDPs are considered to be in need of some degree of assistance, especially the newly arrived IDPs in the month following their arrival
- IDPs cannot be legally employed without resident status

"In Ingushetia, the ICRC conducted focus group discussions with beneficiaries living in camps, spontaneous settlements, and with host families in order to analyse their problems and identify their coping mechanisms.

IDPs identified the following problems: the security situation in Chechnya – while there is a genuine willingness among the IDPs to return to Chechnya the prevailing situation is the major constraint which keeps them in Ingushetia; legal status and legal documents – unlike those living in camps, the IDPs living in spontaneous settlements and with host families feel that they lack support and information on administrative and legal procedures; food, non-food, health, education assistance, unemployment; living conditions in Ingushetia; and assistance to children and orphans.

The main conclusions of the assessment include: the provision of assistance to the camps is the most complete and regular; in the spontaneous settlements the assistance has to be further improved by: better coordination among the organizations involved in order to provide for more regularity; filling in gaps in basic health care; assistance to children below the age of 5 years; habitat; and access to primary and secondary school and playrooms for children."

## Coping mechanisms of IDPs

Selling of personal belongings is the prime coping mechanism of the IDPs living in camps and with host families;

Borrowing money comes right after the sale of private belongings for both IDPs in camps and spontaneous settlements, whereas taking a credit is a much less important strategy for the IDPs living with host families which confirms their better financial situation;

Small business, the labour market, and work of children are a common sequence when all three strategies need to be combined to cover basic expenditures. Among the coping mechanisms the work of children always come before selling humanitarian assistance.

## (UN OCHA 31 October 2001)

### ICRC main conclusions:

"Whilst all registered IDPs receive humanitarian assistance in the form of food and non-food items, in general the economic security situation of these IDPs did not improve in the last year. This trend may well continue in 2002 for those IDPs who remain in Ingushetia.

It is not possible to identify those who are most in need of humanitarian assistance by viewing IDP groups by habitation sector alone as there are poor, average and better-off IDPs in every habitation sector. All IDPs are considered to be in need of a certain level of outside assistance but there are certain groups who are more in need than others. For these groups humanitarian assistance plays a vital part in their economic security. The aim should be to best identify and provide additional assistance to these most vulnerable living in all three sectors in Ingushetia.

Despite the fact that the economic security for a number of IDPs has not improved in the last twelve months it appears that they are still able to cope with extraordinary expenses be it through community solidarity (through borrowing small amounts from family and friends) but in the worst case this can lead to debt. However, some IDPs are learning to cope better with their general situation – this is particularly the

case in the camps and collective centres where the solidarity factor plays a part. The study found that there is a real need to assist newly arrived IDPs with both food and hygienic kits in the month following their arrival.

Food continues to be the most useful form of humanitarian assistance provided and this will remain the case for the coming year. Beyond the nutritional element of food distribution there is an additional economic reasoning behind the provision of food assistance through sale or exchange. Food is the item which IDPs spend the most money on and will sell assets for and borrow money to buy.

After food, clothing has been identified as the most useful form of assistance, particularly during winter which is the most financially difficult time of year.

Hygiene items, which are provided on a regular basis by IR and ICRC, are rarely sold of exchanged as they are consistently used within the household.

According to the CAP there are approximately 30 humanitarian organisations active in assisting the IDP population in Ingushetia today. Whilst some form of assistance reaches all registered IDPs, there are concers that poor co-ordination in certain sectors, particularly in the case of one-off distributions, means that some are assisted more than others and it is not necessary those who are most in need who receive the most assistance." (ICRC February 2002, p. 26)

"In Ingushetia, 73% of the population is currently unemployed and some 35,000 IDPs are expected to settle there. At present, there are very limited economic opportunities for local residents, let alone IDPs who do not have residency status and are thus not able to be legally employed." (UNOCHA November 2002, p. 63)

## **Participation**

# Russian Federation Presidential elections: Chechen IDPs cannot vote in areas of displacement (March 2004)

- IDPs could only obtain absentee voting certificates in their place of permanent residence in Chechnya
- Turnout in Chechnya amounted only to between 10 and 15 percent of registered voters

"Russian Federation Presidential Election, 14 March 2004: While the OSCE was satisfied with the technical aspects of the conduct of this election, it concluded that the electoral process did not sufficiently correspond to democratic principles. Independent observers also cast doubt on the official turnout figures in Chechnya, which reportedly only amounted to between 10 and 15 percent of registered voters.

While acknowledging that significant efforts generally had been made to facilitate absentee voters' participation in this election, the OSCE noted that the electoral participation of IDPs frequently had been fraught with difficulties. This was due principally to the fact that IDPs who did not reside in camps had to obtain Absentee Voting Certificates from the electoral commission in their place of permanent residence in Chechnya. The OSCE pointed out that there were 'serious practical obstacles to this, particularly in the case of IDPs from conflict-prone areas, and thus it constitutes a considerable impediment to their participation in elections.' The OSCE recommended amending the procedures for IDP voting, including removing the requirement that IDPs return to Chechnya to obtain an Absentee Voting Certificate.

Furthermore, the Parliamentary Assembly of the Council of Europe recently noted that the *propiska* internal residence regime continues to represent a source of hardship for the displaced, despite the fact that

it has formally been abolished. This regime is a leftover administrative practice from the Soviet Union, whereby citizens had to request authorization to change their residence within the state and where the exercise of many rights was tied to the place of residence. Indeed, this practice ties the exercise of IDPs' right to vote to a specific location." (Brookings November 2004, p. 52)

## Serious restrictions to the voting rights of IDPs in Ingushetia and Chechnya (2003)

- Despite official claims, only a small portion of the IDPs in Ingushetia participated in the constitutional referendum in Chechnya
- There is no clear information on measures taken to ensure participation of IDPs to Chechen presidential elections
- For the Duma elections, IDPs had to register in their place of permanent residence, which would necessarily entail returning to Chechnya

"Chechnya Constitutional Referendum, 23 March 2003: According to the Chechen Electoral Commission, 80 percent of the 580,000 eligible voters, which included IDPs in Ingushetia and Dagestan, participated in this referendum on the draft laws on the Presidential and Parliamentary Elections. Nearly 96 percent of all voters backed the Constitution, 95.4 percent supported the Law on the Election of the President, and 96.05 percent supported the Law on the Election of the Parliament. A number of factors, however, cast doubt on these results. For one independent observers reported in Grozny only small numbers of people actually appeared at polling stations on election day. Indeed, a poll taken before the referendum indicated that only 12 percent of the Chechen population intended to participate in the vote. Secondly, other observers suggested that the official number of voters had been significantly inflated in order to include falsified ballots and it also included 36,000 Russian servicemen and their families, who officially were not eligible voters.

Moreover, and as pointed out by the Council of Europe's Human Rights Commissioner, the arrangements for IDPs in Ingushetia to cast absentee ballots in this election were problematic. A month before polling day, the head of administration of the Chechen Republic, Akhmad Kadyrov, had indicated that Russian legislation provided only for people to vote where they were registered as permanent residents, which for IDPs would mean that they could only vote in their place of origin, inside Chechnya. Polling stations accordingly were to be set up just inside Chechnya, with bus service across the border to be provided for eligible voters among Chechen IDPs in Ingushetia. To exercise their right to vote, displaced Chechens would therefore have to return to Chechnya, passing through Russian checkpoints to reach these polling stations, which was something many IDPs were fearful to do. Concerns about this arrangement attracted international attention in advance of the election. In the end, and in a reversal of Kadyrov's earlier statement, the authorities did provide facilities for voting in Ingushetia: two polling precincts were set up for Chechen IDPs, one for those living in private accommodations and one for those in the tent camps. However, there were discrepancies about the number of eligible IDP voters: while the Ingush Interior Ministry reported that 20,000 Chechen IDPs were registered to vote, a Chechen NGO indicated that 50,000 were eligible. In the end, only 5,500 Chechen IDPs reportedly voted in Ingushetia.

No information could be obtained on voting in this election by those IDPs still inside Chechnya.

Chechen Presidential Elections, 5 October 2003: Generally, these elections were considered to be problematic. The OSCE chairman Jaap De Hoop Scheffer echoed the view of many outside and local observers when he noted that voters had not been presented with a meaningful choice. In addition, it remained the case that contrary to electoral legislation, 30,000 Russian troops stationed in the republic were allowed to vote in Chechen elections.

As regards IDP participation in this election, conflicting information made it difficult for displaced voters to know what the actual voting arrangements for them would be. Prior to the election, Alexander Veshnyakov, chairman of the Russian Central Election Committee, and Abdul-Khakim Sultygov, President Putin's representative for human rights in Chechnya, announced that forced migrants from Chechnya who were living in neighboring regions would be able to participate in the elections in the same manner as in the March referendum. This would mean, though it was not expressly spelled out, that additional polling stations would be set up where IDPs lived, including in the tent camps. At the same time, Buvaisari Arsakhanov, the deputy chairman of Chechnya's Election Committee, stated that it was unclear where IDPs might be able to vote. Further confusing matters, previous as well as subsequent statements indicated that facilities for voting would be provided only on Chechen territory. The arrangements for IDP voting that were, in the end, put in place were unclear.

Moreover, it was unclear how many Chechen IDPs would remain in Ingushetia by the time of the election. Chechen administrators had indicated in the summer that the IDP camps in Ingushetia would be dismantled by 1 October 2003 and their residents moved into 'compact accommodation points' in Ingushetia and 'temporary settlement points' in Chechnya. This announcement raised widespread concern among many organizations

working with the displaced, who called into question whether conditions of safe return to Chechnya yet existed and, in addition, stressed that the IDPs must have the option of resettling within Ingushetia. Indeed, during a mission to the Russian Federation in September 2003, the Representative of the UN Secretary-General on IDPs 'noted that' the return process was not likely to be sustainable in the long run if the choice to return was not based on a voluntary decision, including consideration of the option to remain.' At the beginning of September 2003, at least 20,000 Chechen IDPs were refusing to return to Chechnya.

Among IDP returnees to Grozny, a survey found that only 13 percent planned to participate in the elections. No further information could be found on the participation of IDPs inside Chechnya in this election.

Russian Federation State Duma Election, 7 December 2003: According to the OSCE, 'while generally well-administered, the election failed to meet a number of OSCE commitments for democratic elections.' The main weaknesses identified by the OSCE concerned discriminatory access to the media, the unclear separation between the state and political parties, and unequal treatment of different parties in the election.

As regards IDP voting, voters who were away from their electoral precincts on polling day had to apply for Absentee Voting Certificates which would allow them to cast their ballots elsewhere. However, they would only be able to vote in the federal proportional contest, not for particular constituencies. The OSCE recommended that this restriction, which inevitably would affect IDPs, should be abolished. It remained in place, however, in the subsequent 2004 presidential election. Furthermore, under a recent change in the election law, voters were no longer able to register in a place of temporary residence. Chechen IDPs were therefore unable to register as voters in the locations to which they had been displaced but would have to register in their place of permanent residence, which would necessarily entail returning to Chechnya – something that many IDPs, due to safety concerns, remain unwilling to do. The OSCE also reported some general concerns about the accuracy of voter lists, which may also have had ramifications for IDPs." (Brookings November 2004, pp. 49-52)

## Recommendations of the Brookings/SAIS Project on Internal Displacement regarding IDPs' voting rights in the Russian Federation (2004)

"As a result of the unresolved state of the conflict in Chechnya, elections occur in a general context of insecurity. An overall political settlement is critical to establishing conditions of security enabling voters, including IDPs, to freely and fully exercise their right to vote. In addition, the following recommendations are made to safeguard IDP voting rights:

- Allow displaced voters to cast absentee ballots without having to return to Chechnya to obtain an Absentee Voting Certificate.
- *End* the continued application of the *propiska* internal residence regime, which hinders IDPs' ability to vote in places other than their permanent area of residence.
- Clarify the rules and procedures for absentee voting and ensure that these are fully implemented.
- *Ensure* that IDPs have adequate and timely information on the procedures, including absentee voting, available for them to exercise their right to vote.
- Allow domestic and international observers safe and unhindered access to monitor the electoral participation of IDPs, both within and outside of Chechnya.
- Assess the current situation of the Ingush IDPs from North Ossetia, in particular their voting rights in local, regional and national elections." (Brookings November 2004, p. 53)

## IDPs in Ingushetia voice their concerns (2001)

- Chechen IDPs created a congress of displaced persons (March 2001)
- Small group of displaced went on hunger strike, demanding peace negotiations be initiated (June 2001)
- Displaced persons from camp in Ingushetia organised protest march (August 2001)

"In Ingushetia, IDPs from Chechnya have set up a congress of displaced persons. The committee intends to examine issues related to the situation for Chechens in Ingushetia, as well as the situation on the territory of Chechnya. The congress will convene in Ingushetia 4-5 March." (UNHCR 1 March 2001)

"On 15 June 2001, a group of 12 internally displaced persons, six men, four women and two girls went on a hunger strike in Ingushetia, demanding that federal authorities put an end to the war in Chechnya and initiate negotiations with the Chechen president Aslan Maskhadov.

Internally displaced persons (IDPs) set up a tent between the IDP camps "Sputnik" and "Satsita" in the Sunzhensky district of Ingushetia and vowed to fast to their death for peace. In late June, the number of strikers increased to 66.

The situation was continuously monitored by the World Health Organization and information was released daily. WHO also arranged for coordinated round-the-clock medical assistance as the strikers' health gradually deteriorated, mainly due to dehydration. Islamic Relief, Hammer Forum, MDM, MSF-France and others took an active part in care provision. Upon receiving information from WHO, MoH I entrusted the Sunzha district hospital with helping to maintain the strikers' health, including their hospitalisation if deemed necessary.

Ultimately, quite a number of strikers had to stop protesting due to health problems. A total of 15 IDPs were hospitalised. By 30 July, 17 strikers remained and they planned, together with other IDPs, to start a peace march to Moscow on 1 August 2001. However, authorities refused to grant them permission to march on the republic's territory and on 30-31 July the Ingush police removed the strikers and dismantled their tents.

At present, no strikers are hospitalised and all IDPs have returned to their tents." (WHO August 2001, p. 1)

"Ingushetian police on 2 August halted a group of Chechen displaced persons who had begun a protest march from a displaced persons camp in Ingushetia to demand that the Russian leadership begin peace talks with Chechen President Aslan Maskhadov, AP reported. Two of the organizers of the protest were detained. Ingushetian President Ruslan Aushev has previously defended the interests of the displaced

persons and repeatedly called on the Russian leadership to begin talks with Maskhadov. LF" (RFE/RL 3 August 2001)

## DOCUMENTATION NEEDS AND CITIZENSHIP

## **Documentation needs**

## Chechen IDPs remain deprived of access to documents and registration (2004)

- Emigrants from Chechnya have been denied the renewal of their passports arbitrarily
- Lack of registration increases the vulnerability of ethnic Chechens and Caucasians in Moscow

"Since in 2004 the period of replacement for Soviet passports ended and so did the validity of the old passports, the problem of obtaining and trading in passports has grown significantly more acute for migrants from the Chechen Republic. Emigrants from Chechnya are unlawfully denied new passports in many regions. As a rule, applicants are advised to return to the Chechen Republic where they could supposedly have their passports replaced with no regard to the danger they might face and the large financial expenses they would incur. Replacing passports in Chechnya and obtaining required certificates of departure is an expensive service." (Ganushkina 2004, pp. 37-38)

#### In Moscow:

"Lack of registration or registration at a place other than one's actual place of residence are the most frequent reasons for the persecution of Chechens, and emigrants from the Caucasus more broadly, according to the Moscow police. At the same time, registration remains an almost intractable problem for the majority of Caucasians in Moscow." (Ganushkina 2004, p. 53)

"As in past years, one of the most painful problems for refugees from Chechnya residing in the Moscow region has been to obtain documents – first and foremost internal passports – for which the police stubbornly sent everyone, from 14 year-old teenagers to 80 years old and invalids to the 'place of residence,' that is, to Chechnya.

On May 24, 2003, the Ministry of Internal Affairs issued order #347, which provided for the exchange of old Soviet passports for new Russian ones at the place where the citizen resides, not only where he is registered. This order did not concern teenagers receiving their first passport and those who need to obtain a passport to replace an expired one (or risk losing it) only to exchange their passports, spend money on the road, on bribes for bureaucrats issuing passports (no passports are issued in Chechnya without a bribe), and first and foremost, subject themselves to the risk of further orders in Chechnya. However, in practice only very few have been able to make use of this order. In real life we know of only one case where a refugee from Chechnya was able to exchange his passport without leaving Moscow under order #347." (Ganushkina 2004, p. 60-61)

# Several thousand IDPs are not properly registered at the place of sojourn in Ingushetia (2003)

- As a result, many IDP parents were refused birth certificates for their children
- Local branches of the Interior Ministry have issued temporary identification documents (so-called Form 2Π) to IDPs who were not in possession of internal passports
- Issuance of temporary identity documents in Ingushetia greatly improved the situation of undocumented IDPs with regard to travelling to and from Chechnya

- IDPs are also registered for the purpose of statistics and distribution of state humanitarian assistance (Form No. 7)
- As old Soviet passports will expire and no longer be valid at the end of 2003, UNHCR is seeking to better understand what impact this could have on IDPs

"Registration by the departments of visas and registrations under the Ministry of Interior (OVIR): Under the 1993 RF Law on Freedom of Movement, every citizen of the Russian Federation shall be registered by interior organs at his/her *place of residence* and, in case of temporary stay in another location, at his/her *place of sojourn*. The registration system is aimed at facilitating the enjoyment by citizens of their rights in their place of residence or sojourn. Possession of registration conditions access to medical care, education, social allowances, etc. Non-possession of registration in one's place of sojourn is an administrative offence that can be punished by a fine. While several thousand IDPs are not properly registered at their 'place of sojourn' in Ingushetia, this has generally not affected their access to medical care or education services. However, several instances were documented where registry offices (ZAGS) refused to issue birth certificates for babies born from IDP parents who did not have sojourn registration in Ingushetia.

Temporary identification documents: The legal age in Russia for possession of an identification document (in Russian: 'passport') is 14. Local bodies of the Interior have been issuing temporary identification documents (so-called Form 2Π) to IDPs who were not in possession of (internal) passports (e.g. because they had lost it). Form 2Π is of limited validity (generally six months) and is renewable. Issuance in Ingushetia of identification documents ('passports') to teenagers turning 14 and of temporary identification documents to IDPs who had lost them, has been an essential endeavour of the local bodies of the Interior: it greatly enhanced the freedom of movement of the concerned IDPs, by allowing them to visit (or return to) Chechnya or travel onwards to other regions of the Russian Federation." (UN OCHA November 2003, p. 151)

"An internal instruction was reportedly issued by the Federal Ministry of Interior in November 1999 not to issue or renew identity documents to IDPs from Chechnya, allegedly to prevent possible Chechen militants or infiltrators from obtaining official documents. This measure limited freedom of movement for undocumented IDPs outside Chechnya, given the registration regime applicable in Russia, which requires all Russian citizens to register with the local bodies of the Ministry of Interior if they sojourn outside their place of permanent residence. Undocumented IDPs were also unable to return to, or visit, Chechnya, for fear of being detained at military checkpoints.

In June 2000, a mobile team from the Federal Ministry of Interior started issuing temporary identity documents and sojourn registration for Chechen IDPs in Ingushetia. These temporary identity documents are provided for under Russian Federation Government Regulation No. 821 of 8 July 1998 'On approval of the statute of the passport of the citizen of the Russian Federation,' and are referred to as the Temporary Certificate of Citizen of the Russian Federation (so-called Form No. 2-II). Form No. 2-II is issued to serve as a provisional identity document where a citizen's passport is lost or damaged. The temporary certificate is valid for a period of up to six months, during which period the citizen is expected to be issued with a new passport at their place of permanent residence.

In September 2000, the mobile team of the Federal Ministry of Interior suspended its mission in Ingushetia and handed over the task to the Ingush Ministry of Interior. Issuance of temporary identity documents in Ingushetia greatly improved the situation of many undocumented IDPs with regard to travelling to and from Chechnya. Although the total figure of temporary documents issued is not available, it has been indicated that 4,000-5,000 persons have been issued such documents in Ingushetia during the period from June to December 2000. A provisional office of the Passport and Visa Service (PVS) of the Chechen Ministry of Interior was established in Ingushetia and started to issue and/or renew (internal) passports to/for IDPs from Chechnya. Also, in the first quarter of 2001, with the local bodies of interior inside Chechnya resuming their administrative functions, (internal) passports gradually started to be issued to

citizens in Chechnya. Government sources have advised that 80,000 new passports have been issued in Chechnya since.

Form No. 7, entitled .'Registration of a family arriving under emergency situations,' is issued by the local migration bodies for the purpose of statistics and distribution of Government's humanitarian assistance. It is provided for under Letter of Instruction No. 19 of 31 March 1997 issued by the Federal Migration Service. It is not an identity document. It is meant to be used by the migration authorities during situations of mass influx and reception, on the territory of the Russian Federation, of citizens who left their place of permanent residence for reasons stipulated under Article 1 of the Russian Federation Law 'On Forced Migrants'. Form No. 7 is issued to all members of a family including children above the age of 14 years. Persons who are under 14 years of age are recorded on their parents' form.

The travel document issued to Russian citizens to *travel abroad* is the *Passport*. It is issued by the local bodies of Ministry of Interior and, under certain circumstances, by the Ministry of Foreign Affairs. Russian citizens can travel to CIS countries without a visa, [Except to Turkmenistan and Georgia] using their 'internal' passport (i.e., the Passport of the Citizen of the Russian Federation)." (UNHCR February 2003, paras. 66-70)

"Mr Cavalieri, UNHCR Senior Protection Officer, noted that UNHCR is planning to do a survey of documentation among IDPs in tent camps. As old Soviet passports will expire and no longer be valid at the end of this year, UNHCR is seeking to better understand what sort of impact his could have on IDPs." (UN OCHA 25 September 2003)

## Lack of documentation deprives IDPs from state assistance (2002)

- Sojourn registration is often denied to IDPs who are thus unable to access basic public services
- In Chechnya, bureaucratic obstacles related to documentations hampers access to state benefits
- There is a need for affordable assistance to help poor households in their relation with authorities
- In Dagestan, the lack of formal recognition and resultant lack of documentation/registration limits IDPs' access to employment, social services and housing
- The Republic of Kabardino-Balkaria has introduced temporary restrictions suspension on issuing birth certificates for non permanent residents

"The Constitutional Court has reminded once and for all that registration or absence of registration should not be linked to the enjoyment of rights. So in theory one does not have to show one's registration to be able to get medical care, but in practice it does not work this way. To enrol one's children at school one needs to have registration. An employer cannot employ someone who is not registered; eventually the registration is asked for by any potential employer. Hence, in practice most of the basic civic rights are linked to the possession of registration. If someone's place of residence registration is Grozny and he wants to register his sojourn somewhere else, but the authorities do not want to register him there, basically he is not only a second class citizen, but - using the absurd neologism - an illegal citizen. Difficult as this situation is to imagine, it is the sad reality for many IDPs." (ACCORD/UNHCR June 2002, p, 259)

"With the present Chechen environment, there is an opportunity for the officials to assume a greater role in representing the interests and promoting the protection and well being of the civilian population. Humanitarian actors could begin by encouraging officials to address a number of bureaucratic complications related to documentation. Presently, if a citizen does not hold valid and official local registration, s/he will likely face various difficulties and potential security problems. People report having little voice of protest, while the few attempts towards protest have reportedly been met with threats in response.

Limited access by the extremely poor to state compensation for damages continues to be a pending issue. Additionally, the difficulties in accessing entitled state benefits have been repeatedly highlighted. Even though the qualifying criteria for these benefits is reportedly clear, many difficult-to-attain documents are required. It is reported that these limitations can be overcome if the applicant is willing to pay the required fees which especially overwhelm the extremely poor. There is a need for affordable and legitimate facilitation particularly to assist the extremely poor [households] in accessing pensions that they rightfully qualify for." (ICRC July 2002, Chechnya, p. 38)

"Given that most IDPs reside close to their homes in Chechnya, returns take place in a phased manner, whereby some family members go ahead to review the situation in their area of origin leaving other family members in their current places of sojourn. It is important that the authorities adopt flexible registration and de-registration procedures as well as quick procedures to issue identity documents in the areas of displacement." (UNOCHA November 2002, p. 8)

"The majority of Chechen IDPs have no official registration in Daghestan, while the Authorities officially report no IDP in the Republic. This lack of formal acknowledgement and resultant lack of documentation/registration results in limited access to employment, social services and housing, as well as increased risks of harassment and exploitation for the IDPs. Even though the [residents affected by the hostilities] do not face the same extent of difficulties related to registration, they do continue to face limited access to work and services due to the consequences to the impact of their poverty." (ICRC July 2002 Daghestan, p. 16)

"The Republic of Kabardino-Balkaria has introduced temporary restrictions on immigration to its territory, RTR reported on 11 January. Civil-registration offices will no longer register marriages if either of the spouses is not permanently registered in the republic. In addition, a ban bas been imposed on issuing birth certificates for babies whose parents are not permanently resident in the republic, anon nonresidents will also not be able to lease, buy, or sell property." (RFE/RL 13 January 2003)

# Displaced from Chechnya face restricted access to the status of forced migrants (1999-2002)

- Very few persons displaced as a result of the second Chechen conflict (from 1999) have been granted the forced migrant status
- Applications based on allegations of mistreatment by federal forces were rejected on account of the antiterrorist campaign
- Most of the IDPs who were granted forced migrant status reported fear of persecution from Islamic fundamentalist groups and are ethnic Russians
- US Committee for Refugee also reported that federal authorities restricted the forced migrant status to those displaced who "did not intend to return"

"Subsequent to the renewal of hostilities in September 1999, there were, at the beginning of 2000, some 240,000 persons displaced out of Chechnya. Very few of those displaced as a result of the latest round of violence have been granted forced migrant status. Although precise information is not available, government statistics indicate that, between 30 September 1999 and 30 June 2001, some 11,851 persons were granted forced migrant status. Because of protracted procedures, this number also includes IDPs from the 1994-96 conflict who were granted forced migrants status in 1999, 2000 and 2001.

According to information available to UNHCR from local NGOs and implementing partners, most of the forced migrant status applications based on allegations of mistreatment by federal forces, lost property and/or 'mass violation of public order' were rejected by the competent migration authorities on the grounds that the on-going 'anti-terrorist campaign' as waged by the Russian government, by definition, do not

constitute a 'mass violation to public order', nor can the federal forces who conduct such campaign be considered as committing such violations to public order. Most of the IDPs who were granted forced migrant status reported fear of persecution from Islamic fundamentalist groups and not from the federal troops.

While the forced migrants status determination procedure is conducted by the territorial organs of the Ministry for Federal Affairs, National and Migration Policy, the official policy referred to above has been clearly stated at the federal level. Human rights groups and local NGOs have highlighted the divergence in treatment accorded to IDPs from the previous conflict, who were broadly granted forced migrant status, and IDPs from the current conflict, most of whom are ethnic Chechens, who have been refused status after alleging massive destruction of civilian infrastructure and property by the federal forces as a ground for being granted forced migrant status. [9]

IDPs who were granted forced migrant status between September 1999 and June 2001 received such status in some 79 regions of the Russian Federation. While official statistics do not provide a breakdown by ethnicity, most of them, according to information available to UNHCR, are ethnic Russians. However, UNHCR is also aware of ethnic Chechens who were granted forced migrant status on the above-mentioned grounds (fear of persecution by Islamic fundamentalist or 'Wahabi' groups)."

Footnote [9]: "See Olga Plikina, local NGO 'Faith, Hope and Love': 'Overview of the legal status of internally displaced persons in the northern Caucasus', Pyatigorsk, October 2001. In Moscow, the local NGO 'Civic Assistance', which is providing legal and social counselling to IDPs and refugees, is aware of only one instance of forced migrant status being granted to an ethnic Chechen IDP family (mixed Chechen/Georgian couple), by the court of law, after being denied status by the Moscow migration authorities." (UNHCR January 2002, paras. 12-15)

"Under Point 2 of the [Article 1 of the 1995 Federal Law 'On Forced Migrants', it is further stipulated that, '(...) shall be recognised as a forced migrant (...) a citizen of the Russian Federation who was forced to leave the place of his/her permanent residence on the territory of a subject of the Russian Federation and came to the territory of another subject of the Russian Federation'. Hence, persons who were displaced within Chechnya itself (approx. 160,000) cannot, under the current law, do not qualify for forced migrant status." (UNHCR January 2002, footnote 6)

"Official statistics provided by the Ministry of Federal Affairs, National and Migration Policy, indicate that 12,464 IDPs from Chechnya were granted forced migrant status in some 79 regions of the Russian Federation, between 1 October 1999 and 30 September 2001. According to information available to UNHCR, from its implementing partners as well as from local human rights NGOs, those IDPs from Chechnya who were granted forced migrant status as a result of the current conflict are almost all ethnic Russians. Such information is partly corroborated by looking at the regions where forced migrant status was granted. For the most part, these are regions where there is traditionally no Chechen resident community. At the same time, UNHCR is aware of isolated instances where Chechens displaced by the current conflict were granted forced migrant status (having claimed fear of persecution from Islamic fundamentalists).[41]"

Footnote [41]: "UNHCR is aware of one case in Pyatigorsk (Stavropol Krai) where an ethnic Chechen, Lieutenant Colonel in the Russian Federal forces, was granted migrant status on such grounds by the court of law, after being denied status by the local migration service in a first instance administration decision." (UNHCR January 2002, para. 61)

For more information on the denial of the forced migrant status to IDPs from Chechnya, you can also consult "The Internally Displaced Persons from Chechnya in the Russian Federation", by S.A. Ganushkina, Moscow 2002, section II [Internal link]

## Reports of problems of access to documents for IDPs in Ingushetia (1999-2002)

- Federal authorities suspended the registration of new IDPs from Chechnya as of April 2001
- In November 1999, the federal ministry of interior also suspended the issuance or renewal of identity documents to IDPs from Chechnya
- Upon UNHCR's intervention, federal authorities created mobile teams (June 2000) and opened offices to facilitate access to legal documentation

"The federal migration authorities, as of April 2001, halted the registration of new IDPs leaving Chechnya. This has been preventing IDPs' access to temporary shelter and government assistance. UNHCR has been addressing this matter by mediating with the authorities on a case-by-case situation. Another issue of concern to displaced persons is the issuance of identity documents to undocumented displaced persons in Ingushetia. UNHCR is continuing to advocate on behalf of IDPs and provide support to enhance national mechanisms for the issuance of legal documentation. On 2 November, the visa and passport department of the Ministry of Interior set up an office for IDPs from Chechnya in Nazran. IDPs who lost their documents now have access to the Ministry of Interior and are no longer obliged to go to their former place of residence to obtain new documents. This is an important improvement in finding a solution to the legal status of IDPs." (UNOCHA 30 November 2001)

"A (non-public) instruction was reportedly issued by the Federal Ministry of Interior in November 1999, not to issue or renew identity documents to IDPs from Chechnya, allegedly to prevent possible Chechen militants or infiltrators from obtaining official documents. This measure limited freedom of movement for undocumented IDPs outside Chechnya, given the registration regime applicable in Russia, which requires all Russian citizens to register with the local bodies of the Ministry of Interior if they sojourn outside their place of permanent residence. Undocumented IDPs were also unable to return to, or visit, Chechnya, for fear of being detained at military checkpoints.

In June 2000, a mobile team from the Federal Ministry of Interior started issuing temporary identity documents and sojourn registration for Chechen IDPs in Ingushetia. These temporary identity documents are provided for under Russian Federation Government Regulation No. 821 of 8 July 1998 "On approval of the statute of the passport of the citizen of the Russian Federation", and are referred to as **Temporary Certificate of Citizen of the Russian Federation** (so-called Form No.2-Ï). Form No.2-Ï is issued to serve as a provisional identity document where a citizen's passport is lost or damaged. The temporary certificate is valid for a period of up to six months, during which period the citizens are expected to be issued with a new passport at their place of permanent residence.

In September 2000, the mobile team of the Federal Ministry of Interior suspended its mission in Ingushetia and handed over the task to the Ingush Ministry of Interior. Issuance of temporary identity documents in Ingushetia greatly improved the situation of many undocumented IDPs with regard to travelling to Chechnya and back. Although the total figure of temporary documents issued is not available, it has been indicated that 4,000 - 5,000 persons have been issued such documents in Ingushetia during the period June – December 2000. Also, in the first quarter of 2001, with the resumption by the local bodies of interior inside Chechnya of their administrative functions, (internal) **passports** gradually started to be issued to citizens in Chechnya. Government sources have advised that 80,000 new passports have been issued in Chechnya since then." (UNHCR January 2002, paras. 54-56)

"The Government of Ingushetia has maintained strong cooperation with the humanitarian community and is continuing to allow those displaced from Chechnya and residing in Ingushetia the same level of access to the health care and education systems that is available to their own citizens. The Chechen branch of the Passport and Visa Service (PVS) opened an office in Sleptsovskaya during 2002 thus allowing those IDPs in Ingushetia not having official documentation or passports the possibility to obtain new ones. This has

increased the possibility for movement for IDPs both within the region and throughout the Russian Federation." (UNOCHA November 2002, p. 9)

"Given that most IDPs reside close to their homes in Chechnya, returns take place in a phased manner, whereby some family members go ahead to review the situation in their area of origin leaving other family members in their current places of sojourn. It is important that the authorities adopt flexible registration and de-registration procedures as well as quick procedures to issue identity documents in the areas of displacement." (UNOCHA November 2002, p. 8)

For more information on problems of access to documents, passports, etc, faced by IDPs from Chechnya, you can also consult "The Internally Displaced Persons from Chechnya in the Russian Federation", by S.A. Ganushkina, Moscow, 2002, section II [Internal link]

# ISSUES OF FAMILY UNITY, IDENTITY AND CULTURE

# **Family unity**

### Between 1,000 and 2,000 persons were missing in Chechnya at the end of 2001

"According to Memorial, government sources varied in their estimates of the number of missing persons. Memorial noted that in 2000 the office of Special Presidential Representative for Human Rights in Chechnya, Kalamanov, recorded an increase in the number of reported cases of missing persons from approximately 900 in early 2000 to approximately 3,000 at the end of that year. At the end of 2001, the local department of the Ministry of the Interior in Chechnya had recorded approximately 700 missing persons (i.e., persons for whom the Ministry was searching). Also at the end of 2001, the Chechen administration's missing persons commission had recorded approximately 1,400 reports of missing persons. On the basis of these sources, Memorial concluded that between 1,000 and 2,000 persons were missing in Chechnya at the end of 2001. Memorial also compiled its own list of missing persons on the basis of verified reports, but it is not comprehensive; that list contained approximately 300 records at the end of 2001. Memorial reports that 654 people were reported missing in the first 9 months of the year." (U.S. DOS 31 March 2003, sect. 1g)

### Displaced in Ingushetia gathered into "families" averaging 9 members (1999-2000)

• It took several months for these "families" to form, as members trickled into Ingushetia throughout the winter

"The influx of displaced persons into Ingushetia peaked between mid-September and mid-October [1999]. Since then smaller peaks have been recorded, following increases in fighting, threats, and rumors.

One in Ingushetia, the displaced gathered into 'families' (defined here as a group of IDPs living together regardless of kinship) averaging 9 members. Half of the families count 5 to 9 members, while about a fourth have less than 5 members. It took several months for these 'families' to form, as members trickled into Ingushetia throughout the winter."

[MSF teams conducted a survey in June 2000 among displaced Chechens in the district of Malgobeck, located in northwestern Ingushetia. This district harbors about one fourth of the total population of IDPs (internally displaced persons), which is currently estimated at more than 150,000.] (MSF 15 August 2000)

# Reports of Chechen men separated from their families at the Chechen-Ingush border and checkpoints (January 2000)

 Males between ten and sixty rigourously checked in detention centres in Chechnya or not allowed access back to Chechnya

"Human Rights Watch strongly condemned today a new Russian order forbidding male Chechen refugees the ages of ten and sixty from entering or leaving Chechnya. Today border police began enforcing the order at checkpoints and border crossings.

The new order gives rise to fears that the Russians may undertake mass detention in 'filtration camps,' where many Chechens were systematically tortured during the 1994-96 Chechen war.

'Chechen males are now effectively trapped in a dangerous war zone,' said Holly Cartner, Executive Director of the Europe and Central Asia division of Human Rights Watch. 'It is fundamentally unacceptable to deny civilian males, including children as young as ten, the right to flee from heavy fighting. And it's against international standards.'

Following a Chechen counteroffensive and significant Russian military setbacks in early January, General Viktor Kazantsev, Commander for the North Caucasus Group of Forces, reportedly blamed the Russian 'mistakes' on 'our soft-heartedness.' On January 11 he ordered that only children under ten, men over sixty, and girls and women would henceforth be considered refugees. Gen. Kazantsev also ordered males between ten and sixty to be rigorously checked in detention centers for guerilla affiliation.

In the first Chechen war, Russian forces operated three official detention centers in Grozny, Mozdok, and Pyatigorsk, although many smaller camps existed unofficially throughout the region. These centers were known as 'filtration camps' because fighters were supposed to be 'filtered' out from civilians; they became notorious as centers for systemic torture, beatings and ill-treatment of thousands of Chechen males.

Soldiers at the main Chechen-Ingush border crossing confirmed to Human Rights Watch that they had received orders to turn back all men between the ages of ten and sixty who tried to enter or leave Chechnya, and Chechen civilians told Human Rights Watch that their male family members were stranded as a result. Datu Isigova, a refugee from Grozny, told Human Rights Watch that she was forced to leave her eleven-year-old son, Arbi, and her husband, Suleman, inside Chechnya today due to the new restrictions. Zura Mumayedova, a mother of three from Shatoi who arrived by bus at the Chechen-Ingush border on January 11, told Human Rights Watch researchers that four men she had been traveling with were ordered off the bus by Russian border guards, citing the new restrictions on Chechen males. Held at the border overnight, Mumayedova said that 'the Russian soldiers said that no men aged between ten and sixty would be allowed through.' She stated that the border guards prevented a fifty-nine-year-old man from crossing the border. She said that two boys, aged twelve and thirteen, made it past the border guards into Ingushetia only by concealing themselves on the bus. Other refugees reported that many other men had been turned back from the border, and that mothers with young children had often decided not to cross the border because they did not want to leave their young children behind.

Chechen men on the Ingushetia side of the border have been separated from their families, unable to cross back into Chechnya. Thirty-six-year-old Vayit Zagayev told Human Rights Watch that he arrived in Ingushetia in late December to get medicine for his bed-ridden mother and to obtain supplies for his family, currently living in Katyr-Iurt. Russian border guards today refused to allow him into Chechnya. Mauli Murtadaliyev, also thirty-six, said that the border guards would not let him escort the body of a deceased female relative back to Chechnya for burial." (HRW 12 January 2000)

## **PROPERTY ISSUES**

### General

# Serious flaws in the implementation of the compensation programme in Chechnya (2004)

- Only 8,000 out of 88,000 applications has been accommodated as of August 2004
- Eligibility for compensation has been used as an incentive for return to Chechnya
- Compensation can only be paid for destroyed houses or unfit for construction, but lists of houses meeting the criterias show gaps
- Payment to eligible claimants is slow and fraud could reach 45 percent in some regions
- 70 to 80 percent of IDPs living in Temporary Accommodation Centres are not eligible for compensation
- Applicants are forced to pay up to 50 percent of the compensation to intermediaries

"The programme of compensation for destroyed housing and lost property, launched by the Government in mid-2003, made only modest progress in 2004. According to one official, only 8,000 out of 88,000 applications had been accommodated by early August. The Audit Chamber claimed that in the first quarter of 2004 only 362 million roubles (US \$ 13 million) were paid to beneficiaries, as compared to 13.2 billion (US \$ 455) planned for disbursement. Still, eligibility for compensation was used by the authorities as an inducement for IDPs residing outside Chechnya to return back to the republic and the Government recognized the need to improve claim settlement." (UN October 2004, pp. 3-4)

"Included among other preparations for the referendum was a generous pronouncement about the upcoming payment of compensation for lost housing and personal property. According to the statements, the former residents of temporary placement points were to received compensation first. This promise heavily influenced the decisions of many to return.

Thereafter every time elections were coming up whether for the president of the Chechen republic, the parliament of the Russian Federation, of the president of the Russian Federation, the authorities mobilized on the refugee return front and used such leverage as promising compensation or other social payments.

Final on July 4, 2003 the government of the Russian Federation adopted resolution #404 'On the order of realizing compensation payments for lost housing and personal property to those citizens of the Chechen Republic permanently residing on its territory who suffered as a result of the resolution of the crisis.' The government decided to form a Commission to evaluate citizens' claims to compensation payments that was instructed to compile and confirm lists of citizens whose houses are included in the inventory of housing that had been destroyed and is unfit for reconstruction on the territory of the Chechen Republic by August 15, 2003. Effective August 15, applications for compensation were accepted, and the RF Ministry of Finance was charged with providing funds in 2003-2004 and the government of the Chechen Republic was charged with making compensation payments in the allotted time frame.

Notwithstanding the fact that no inventorying of destroyed housing ever took place, an arbitrary decision was made that 39 thousand families would receive compensation since 15 billion rubles were set aside in the federal budget for this purpose.

It goes without saying that there were far more applications; according to the authority responsible for making the compensation payments, they numbered approximately 55,000 by the end of March 2004. Many never found their wrecked houses in the register of those that are 'unfit for reconstruction'. It became obvious that abuses were already taking place when the register was being compiled. The wrecked house of one of 'Memorial's staff members was entered in the register only after an inquiry through a Duma deputy. The Commission also checks whether applicants actually reside in Chechnya. If at the moment of inspection the residents of a destroyed house happen to be away, they might be stricken from the lists of candidates for receiving compensation.

Moreover, the time frame for compensation payments went off track almost right away. By the beginning of May 2004, about 1,600 families had received compensation. One of the authorities' chief excuses was the fact that the register of destroyed housing was not created in time. Only in early February 2004 did the newly formed Commission of staff members from the ministry of Internal Affairs and State Construction Agency charged with ascertaining the scope of destruction of housing in the Republic begin its work. Clearly at this rate compensation is likely to take years, as is already the case with those who left the Chechen Republic for good during the course of the first military campaign. The RF government resolution determining the order of compensation payments to those citizens adopted on April 30, 1997 has not been implemented to this day.

The applicants' rights to disclosure of information are being violated. For one thing, there are no reception centers for citizens to turn to as questions arise. The method ford determining the order of compensation recipients is muddled and lacks transparency. Moreover, written requests for clarification remain unanswered.

Special commission investigating the progress of compensation payments established pervasive fraud in compensation affairs, reaching 45 percent of all applications in some regions. Receipts for applications were often given without numbers or stamps, a practice that led to additional complications. Meanwhile, the papers of many bona fide applicants were simply lost of officials.

Returning IDPs from tent camps on the territory of Ingushetia and temporary placement points on Chechen territory were promised first place in the payment of compensation. However, 70-80 percent of those living in temporary placement points have no right to receive compensation at all since their housing is not included in the register. People are extremely concerned about how their fate is to be decided. Their worries are exacerbated when officials from the migration services suggest that they solved their problems themselves and inform them that after compensation is made to those who are entitled to it, the temporary placement points will be closed.

[...]

Furthermore, the residents of temporary placement points who have actually received compensation are few and far between. At the outset the migration organs demanded that persons informed of an upcoming compensation payment vacate their rooms in the temporary placement points. IDPs, knowing full well how long it might take before they can actually put compensation money in the bank, refused to leave. Under pressure from non-governmental organizations and the residents themselves, the migration services made concessions. Unfortunately, the IDPs' frequent ignorance of such decisions in their favor allowed the temporary placement points' administration to take advantage of the situation. Informing IDPs who had received notices of compensation that they will no longer receive their allowances, the administration appropriates the goods intended for them.

Although the Chechen authorities deny any role in exacting bribes from those receiving compensation and declare their preparedness to fight the corruption, all applicants without exception are convinced that they must turn over as much as 30 to 50 % of their allotted compensation. People are afraid to complain because on Chechen territory they are defenseless against physical reprisals. And the bribery mechanism is very simple: negotiations with officials are done through a 'pusher' who is authorized by proxy to receive compensation money through the bank. After receiving the compensation, he gives the principals the share they had previously agreed upon. When questioned, people told the head of the Migration Rights Network,

Svetlana Ganushkina, that, according to the officials, 15% goes to Moscow, another 15% to the Chechen Republic leadership, 10 % to the bank, and a little more to the officials themselves. There are even cases where those receiving compensation are robbed and killed.

The situation of those Chechen residents, including IDPs, whose homes were not deemed 'unfit for reconstruction' is even more precarious. They must wait until their houses are reconstructed. Unfortunately, the process is unfolding to slowly that if nothing changes reconstruction will take 20 years, according to the Chairman of the Auditing Commission of the Government of the Russian Federation, S.V. Stepashin." (Ganushkina 2004, pp. 16-18)

# Compensation schemes for properties lost during the first Chechen conflict (2003-2004)

- Federal law on forced migrants provides for the compensation of lost property
- Courts rejects claims for compensation following the abusive use of force by federal armed forces
- Government passed resolutions to pay compensation for properties lost during the first Chechen conflict
- But payments are made only to those who left Chechnya "irrevocably"
- Amount paid as compensation is insufficient to cover costs for alternative shelter

"Forced migrant status provides for the right to specific integration allowances and loans, irrespective of the status of the property in the place of original residence. In compliance with the 1995 Law on Forced Migrants, Resolution No. 845 of the Government of the Russian Federation of 8 November 2000 establishes a procedure for the provision of housing to forced migrants. A complementary Act was adopted on 11 October 2002, Order No. 971 of the Ministry of Interior of the Russian Federation, for the provision of subsidies for the construction and purchase of housing by forced migrants. Both these acts exclusively concern persons who were recognized as forced migrants, therefore they remain non-applicable to the overwhelming majority of the persons displaced by the current conflict.

Regarding the victims of the 1994-96 conflict, the Government has taken complementary steps to provide for compensation for *lost property*. Under Russian Federation Resolution No. 510 of 30 April 1997, the Government established a procedure to compensate for the lost property of those who left Chechnya between 12 December 1994 and 23 November 1996 and who have no intention to return. Access to compensation under this Resolution is based upon objective facts (proof of damage to property and proof for residence in Chechnya) and is independent from the granting of forced migrant status." (UNHCR February 2003, paras. 15-16)

"[Guiding] Principle 29, p. 2 envisages the obligation of authorities to assist those IDPs who returned or relocated in the recovery of their property, and if such recovery is not possible, assist them in obtaining compensation or fair reparation or provide such a compensation.

A norm similar in content is present in the law 'On forced migrants' (p. 4 art. 7). It obliges bodies of the executive to assist a forced migrant in the recovery of property that he left on the RF territory, and pay a compensation if the recovery is impossible. However, this norm is not effective, since there lacks a mechanism of its implementation: the Government, charged with establishing conditions and order of returning property and paying compensation, to this date hasn't elaborated such an order and apparently has no intention of doing so.

In so far as persons who suffered from an armed conflict are concerned, their right to fair compensation from the state was acknowledged by the constitution court as applied to the first armed conflict in Chechnya (resolution of July 31, 1995 [...]). The court grounded the right by referring to p. 3 or art. 2 of

the International covenant on civil and political rights, and also to art. 52 (right to those who suffered from crime and abuse of authority to compensation of the inflicted damage) and article 53 (universal right to the state compensation of damage inflicted through illegal actions or inaction or the state authorities and their officers) of the Constitution.

The compensation from the exchequer of the damage inflicted to a citizen or legal entity by illegal actions of state bodies or their officials is also envisaged by art. 1069 of the Civil code. However, as the court practice shows, claims of compensation for disproportionate use of power invariably meet refusal in courts with the standard wording, 'actions of the federal forces were not found illegal in the order envisage by the law'.

On September 5,1995 the RF President issued decree #898 'On additional compensation payments to persons who suffered as a result of crisis resolution in the Chechen republic'. The decree prescribed that 'in order to increase the social protection of persons who suffered as a result of crisis resolution' there should be made compensation payments to 'persons who suffered material damage, including those who lost their housing'. This wording has the consequence that compensation payments are viewed not as a vehicle for compensating inflicted damage, but as a meaning of social aid to a person who suffered, that is, a rehabilitation measure.

Establishment of the order for making the compensation payments was delegated to the RF government. The Government resolution (#510 of April 30, 1997) that envisaged such an order contained serious deviations from the decree #898. In first, the Government arbitrarily narrowed the circle of persons who had the right to compensation by acknowledging it only to persons who left Chechnya 'irrevocably', that is, those IDPs who relocated in the meaning of p. 2 of Principle 29. As the confirmation of "irrevocability", all members of a family had to declare and notarize their refusal of the right to own, use and disposal of housing on the territory of the Chechen Republic and cessation of registration at the place of residence there. In second, this right was acknowledged only for those persons who left Chechnya in the period between December 12, 1994 and November 23, 1996 (official dates of beginning and end of the first armed conflict) and at that they had to be registered with the territorial body of migration service during that period. That last condition created an artificial barrier, cutting of obtaining the compensation those who didn't apply to the migration service (in the period of the conflict there didn't exist an obligatory requirement of registration with the migration service) or applied there after November 23, 1996, but could back the fact of leaving Chechnya or coming to another region in the period of conflict by some documents or establish it in court. It was only in 2001, after the Supreme court ruled that it found the condition of registration with the migration body contradictory to the federal legislation, that this condition was excluded from the text of the Resolution, and many of those who earlier were refused compensation could then implement their right. In third, by paying the compensation, the state relinquished the majority of obligations on providing housing to forced migrants (it doesn't recognize such obligations to the rest of IDPs, as we have already remarked). After getting the compensation, forced migrant lost the right to reside in a center of temporary accommodation or room from the pool of housing for temporary accommodation and the right to queue for obtaining permanent social housing. At the same time, the size of compensation was insufficient for settlement without further assistance for the very beginning (maximum size of compensation for housing was 120 thousand for a family and 20 thousand for property) and was never indexed so in the subsequent years the compensation depreciated because of the inflation and increase in housing prices.

The resolution #510 only covered those IDPs who could be classified as relocated. The RF Government resolution #404 of June 4, 2003 vice-versa regulates the payment of compensation to 'citizens permanently residing on the territory of the Chechen Republic', i.e. who didn't leave its territory or those IDPs who returned to Chechnya. This resolution is also passed on the basis of the order of 1995, and it covers not only those who suffered as a result of the second conflict, but also those who became victims of the first one. However, only those persons have the right to compensation whose housing has at present been recognized as irreparable. Compensations are paid 'for one unit of lost housing (individual house or apartment)' with no regard to the form of ownership and property the housing contained. The size of compensation is fixed, it is

300 thousand rubles for lost housing and 50 thousand rubles for property, 'with no regard to the number of family members or families registered' in the housing destroyed." (Petrosyan 2 November 2004, pp. 12-14)

# Authorities take measure to compensate for properties lost during current conflict (2002-2003)

- Several hundred families in Chechnya benefited the provision of construction materials in 2002
- Almost no displaced person was able to engage the State's responsibility under civil law to obtain compensation for damage to property or for moral damage
- A government decree on 4 July 2003 established criteria for compensation to IDPs from Chechnya that have lost their property as a result of the current conflict
- The federal government began paying compensation under this decree in September 2003
- Some 39,000 families are entitled to compensation, according to the authorities

"The Federal Government has announced its intention to establish a similar mechanism (financial compensation) for the victims of the current conflict who left Chechnya permanently. However, to date, such a compensation scheme is not yet in place. The Russian Federation Ministry for Reconstruction in the Chechen Republic established a mechanism for the provision of construction materials to affected persons within Chechnya. Several hundred families in Chechnya were assisted under this scheme in 2002. According to the federal authorities, part of the difficulty in disbursing all the funds allocated to this programme under the federal budget resides with strict financial control procedures for the channelling of funds and their disbursement by the recipient republic. In January 2002, the Parliamentary Assembly of the Council of Europe expressed its concern that .up to 70% of relief aid does not reach directly those to whom it is addressed..[28] Russian media also reported on disclosed cases of embezzlement: [...]

The above-mentioned schemes established by the Russian Federation Government link the provision of assistance or compensation to objective criteria (obtaining forced migrant status or proof of damage to property). Almost no displaced person was able to successfully engage the responsibility of the State, under the Russian Federation Civil Code, to obtain, before the courts of law, full and fair compensation for damage to property or for moral damage.[30]

[Footnote 28: Council of Europe, Conflict in the Chechen Republic, Parliamentary Assembly, Resolution 1270 (2002), 23 January 2002, http://assembly.coe.int/Documents/AdoptedText/ta02/ERES1270.htm.]

[Footnote 30: UNHCR is aware of one single positive court case, decided by the Leninsky District Court of Stavropol Krai, on 22 March 2001, on a case related to a victim of the 1994-96 Chechnya conflict, where the Russian Federation Ministry of Defence and the Russian Federation Ministry of Interior were ordered by the court to compensate the plaintiff for moral damage (perhaps most akin to pain and suffering in so-called Ango-Saxon legal systems) as well as for damage to property.] (UNHCR February 2003, paras. 17-18)

"[UNHCR] stated that a government decree on 4 July [2003] established criteria for compensation to be assigned to IDPs from Chechnya that have lost their house and property as a result of the current conflict. 300,000 rubles will be offered for destroyed houses and 50,000 for lost property. Applications for compensation can be submitted after 15 August. However, the procedure for submitting applications and their consideration is not clear yet. While the decree does not mention deadlines specifically, it does mention that funds for compensation must be given out by the end of 2003. Furthermore, there is no requirement that a person, applying for compensation, travel to Chechnya as long as his or her permanent registration is in Chechnya." (UN OCHA 20 August 2003)

<sup>&</sup>quot;Russian Government starts compensating for the lost property and housing in Chechnya

On 25 September [2003], the Government of the Russian Federation began paying compensation to Chechen residents for the destroyed housing and property. The compensation amounts to RUR 300,000 (US \$9,800) for destroyed housing and RUR 50,000 (US\$1,600) for lost property. The Federal Minister for Chechnya, Stanislav Ilyasov, said the authenticity of the lists of people who had applied for compensation was being checked and that the money had already started to be transferred to Chechen residents' accounts. According to earlier reports, over 39,000 families expected to receive compensation." (UN OCHA 7 October 2003)

"Compensation payment for lost housing in Chechnya was not suspended

The payment of compensation to residents of Chechnya for lost housing was never suspended, Chechen Prime Minister Anatoly Popov told Interfax.

Payments are continuing. 150 people have received them already,' he said. Compensation for housing lost in the process of the crisis settlement in Chechnya has been being paid since the end of September through the banking network operating in the republic.

The federal government is assigning 14 billion rubles for compensation payment to be given out in 2003-2004. Some 39,000 families are entitled to compensation, federal minister for Chechnya Stanislav Ilyasov announced earlier. He said the size of compensation to people permanently living in Chechnya for lost housing and property is 350,000 rubles: 50,000 rubles for lost property and 300,000 rubles for lost housing." (Government of the Russian Federation 8 October 2003)

### Limited compensation for destroyed properties in Dagestan (2002-2003)

- In Dagestan, 90 percent of the local residents who had their houses destroyed received substantial compensation
- Villagers complain that compensation was insufficient or was not paid

#### ICRC economic security survey in Dagestan (July 2002)

"State compensation for damages and loss of housing and property during the hostilities has been promised by both the Dagestani and Chechen authorities. Over 80% of the [residents affected by the hostilities] and other 90% of the IDP [households] report that their house was damaged or destroyed during the hostilities. Almost 90 % of [the residents affected by the hostilities] who had damaged houses have received substantial compensation, although only 1% of IDPs have received compensation for their damaged/destroyed houses in Chechnya.

Compensation funds received by the [residents affected by the hostilities] have been largely used to either purchase a new house, rebuild/repair the damaged house or repurchase lost possessions, enabling the majority of these [households] to regain their self-sufficiency, although some of these funds have been put into savings and play an important role in the monthly economy of these [households]. The majority of both [the residents affected by the hostilities] and IDP [households] who have not yet received their entitlements are economically vulnerable and the lack of ownership of a house, land and productive assets continues to negatively impact on these [households]." (ICRC July 2002, Dagestan, p. 21)

"Four years ago, the Dagestan mountain village of Tando was briefly at the centre of world attention, as the then Russian prime minister Vladimir Putin publicly praised the residents for their spirited resistance to Chechen militants.

Those clashes in the west of Dagestan marked the beginning of the second war in Chechnya in October 1999 - and also the swift political rise of Putin, who was elected Russian president soon after.

However, Tando still lies in ruins. The village was destroyed in the fighting and only a few piles of stones mark its former location in a mountain gorge. And, along with the residents of a further three villages which suffered during the clashes, its people complain that they have been forgotten.

Today, 126 families live in the new village of Tando, built from scratch near what used to be the orchard of a collective farm. It was too dangerous to rebuild in the old location, as locals still give a wide berth to the ruins of their former homes for fear of mines.

Five people - some of them children - have been killed by ordnance in the Botlikh district in the past two years.

The lives of the villagers here were turned upside down in August 1999, when groups of heavily armed Chechen guerrillas led by warlord Shamil Basaev and his Saudi comrade-in-arms Khattab invaded. Brandishing the banner of fundamentalist Islam, they declared Dagestan an independent Islamic state.

Russian troops, backed by heavy artillery and warplanes, drove the Chechens out in September. Putin personally took charge of the operation, and within a month, federal forces were moving back into Chechnya.

Three more villages - Rakhata, Ansalta and Shodroda - are around a kilometre away from the district administrative centre Botlikh, which found itself in the thick of fighting in 1999. Unlike Tando, these villages survived, but the damage was very heavy and life has not yet returned to normal.

More than a thousand families live in Rakhata. Aside from a few crippled armoured personnel carriers littering the streets, there is little reminder of the fierce fighting that took place here four years ago. In Ansalta, which has a similar population, many houses are still in ruins.

The government promised to compensate the local residents whose homes were destroyed or badly damaged. However, many families affected say they have only received small sums for repairs. In Shodroda, 83 people were never compensated for their lost property. In Ansalta the figure is 60 and in Rakhata, 42.

One Botlikh district official, who would give his name only as Abdurakhman, told IWPR, 'The district court has been flooded with claims from the local villagers, and I have been personally involved in 150 hearings.'

Majid Gamzatov from Rakhata used to keep a shop, but this was looted and destroyed during the fighting - and he's now out on the street.

He claimed that the lists of villagers entitled to compensation were drawn up clandestinely by local officials, saying, 'They told us nothing, and did not show us any papers.'

'No one knew what they were entitled to. Many villagers were gullible enough to trust the officials and no one claimed anything,' he said, adding that he and his five brothers were eventually granted a one-off compensation sum.

Some villagers in the district lost their entire apricot harvest - for many, their only form on income - in the fighting, but the government has not compensated private businessmen such as fruit farmers. Junaud Omargajiev from Ansalta is a tractor driver with five children who worked hard to provide two houses for his extended family. All of his property - including four cows - was destroyed in the fighting. While one home remained standing after the initial assault, the guerrillas seized it for use as a field hospital, and later wrecked in completely.

He received around 1,300 US dollars per family member in damages for the lost house, and only around 40 dollars for the cattle. 'I never even tried to claim compensation for my second house,' he said. 'A government official warned us that each family would be compensated for only one.'

Villagers who believe that they have been cheated besiege government offices every day to press their claims, which are believed to exceed 1.7 million dollars. But in most cases, officials simply shrug their shoulders and say they are unable to help." (IWPR 19 July 2003)

### Savings Bank suspended the payments to deposits in Chechnya (1995-2002)

- In 1995, the Federal government suspended payments to deposits in the Chechen branch offices of the Savings Bank
- Only a small number of persons have been able to recuperate their deposits with the help of the judicial system
- The government decided to review the list of account holders (2002) but many were left out because they cannot register as residents

"There is another important question: the responsibility of the Savings Bank of the RF for the deposits made to its branches in Chechnya. The Savings Bank is a unified state structure functioning across the country, therefore it is responsible for its closed branches and deposits in them.

In 1995 the Government of the RF stopped payments on deposits. This was accompanied by repeated assurances that the Central Bank of Russia would renew payments if the banking system in Chechnya would not be restored in the nearest future. This has not happened yet.

There were several cases when people got their money back through courts with the help of Network lawyers who had to work hard to make this possible. I regret to say that the courts stopped this practice even in places where positive decisions had been passed. In Volgograd one of the judges said that he was instructed 'to leave the Savings Bank alone.'

There was an inquiry to the government; the Ministry of Federation answered that on October 25, 2001, the governmental commission for restoring the social sphere and economy of Chechnya approved a draft order compiled by the Savings Bank and coordinated with all interested structures.

On January 15, 2002, the order 'On Organizing Work to Compile Lists of Depositors of the Former Chechen Bank of the Savings Bank of Russia who Left Chechnya' was signed by Deputy Interior Minister A. Chekalin and Deputy Chairman of the Board of the Savings Bank G. Melikian and sent out to all ministers of the interior, chiefs of state departments of the interior of the subjects of the Russian Federation, chairmen of the territorial banks of the Savings Bank of Russia.

To be included into the list the citizen should present:

- a savings bank book issued by one of the departments of the former Chechen bank of the Savings Bank of Russia;
- a passport or other identity document;
- a document that confirmed that the citizen lived in Chechnya;
- registration at new place of residence or habitation.

The branches had to compile lists, authenticate them and present to the migration structures.

Conciliatory commissions that included officials of migration structures, the ministry of the interior and the Savings Bank were set up in the subjects of the Russian Federation to consider applications and resolve disagreements.

The work was expected to be finished in two months (from January 21 to March 22, 2002).

It was clear from the very beginning that the mechanism was too complicated to allow the structures involved to complete the task in two months. Our apprehensions proved to be correct. The Network was flooded with complaints: people were not included in the lists because they had no registration, no stamps in the newly issued passports about their previous addresses in Chechnya, no passport, etc. Since many people from Chechnya have no registration at place of their present residence they are deprived of any hope to recover their money. Some of them who found housing in new places, got new passports there and were registered are unable to prove that they lived in Chechnya where all archives were destroyed. Those of the migrants from Chechnya who left Russia cannot get their money back because the Savings Bank has no foreign branches.

To be included in the lists and to get money back are two different things: nobody knows when the bank will start payments.

This shows that restoration of the property rights of those who used to live in Chechnya is stalling." (Ganushkina 2002, sect. II)

### Reports of widespread looting by Russian forces inside Chechnya (1999-2001)

"Russian forces have looted homes in several of the districts under their control, Human Rights Watch said today. Internally displaced persons interviewed at the Chechen-Ingush border told of widespread looting in Sernovodsk (near the border), Ermolovskii (southwest of Grozny), and in the Naurskii district (north of the Terek river).

Dozens of people interviewed by Human Rights Watch said that their homes had been stripped of all foodstuffs and valuables -- sometimes including the floorboards -- by groups of armed soldiers, who sometimes came ready with military vehicles to carry away their loot.

'Looting was a terrible problem in the 1994-1996 war in Chechnya,' said Holly Cartner, executive director of Human Rights Watch's Europe and Central Asia division. 'It is a violation of international humanitarian law, and it must be stopped.'

Soldiers have not only looted basic food supplies stored for winter, but also taken anything of value from homes, often after their inhabitants have fled. As displaced persons have begun to filter back into Russian-controlled areas, they have found their homes emptied. Some of those people have then returned to Ingushetia in search of food and shelter." (HRW 14 November 1999)

For more recent occurrences of looting and pillages, see for instance: "Swept Under: Torture, Forced Disappearances, and Extrajudicial Killings During Sweep Operations in Chechnya", Human Rights Watch, February 2002

## PATTERNS OF RETURN AND RESETTLEMENT

# **Return to Chechnya**

### Returnees from Ingushetia become internally displaced within to Chechnya (2004)

- Number of returnees to Chechnya increased considerably in 2004
- People returning to Chechnya are accommodated to collective temporary centres
- Process of relocating IDPs to permanent residence within Chechnys remains very slow

"The increased rate of IDP return to Chechnya was the most significant humanitarian development in 2004. The UN estimates that during the first eight months of 2004, 17,200 IDPs chose to leave Ingushetia and return to Chechnya. During the same period in 2003 this amounted to 10,500 IDPs. On the whole the number of IDPs in Ingushetia decreased from a high of 240,000 in January 2000, to an estimated 46,498 as of 31 August 2004. The last three IDP tent camps in Ingushetia were closed— efficiently, if sometimes indelicately and on rushed deadlines—by 10 June. Alternative shelter options were made available, and many IDPs availed themselves of the opportunity to remain in Ingushetia. The Government continued opening Temporary Accommodation Centres (TACs) in Chechnya, although their capacity was still limited and their conditions sometimes sub-standard." (UN OCHA October 2004, p. 3)

"Internally displaced persons comprise a large portion of the vulnerable population. In Chechnya, the best estimate of IDPs is roughly 200,000, with 10-20% of this number concentrated in official Temporary Accommodation Centres (TACs). The accelerated pace of IDP return from Ingushetia to Chechnya in 2004 transferred the burder of their care onto the still poor infrastructure and weakened government institutions in Chechnya. The capacity of TACs was exceeded by at least 25% at the end of August, and living conditions in the TACs are declining. The process of relocating IDPs from temporary centres to the places of their permanent residence is very slow, particularly so long as the Government property-compensation scheme is not functioning efficiently." (UN OCHA October 2004, p. 7)

#### Insecurity remains the main obstacle to return (2004)

- Survey in Ingushetia shows a majority of IDPs remain concerned by insecurity in Chechnya
- Within Chechnya, IDPs cannot return because of lack of shelter
- 40 percent of IDPs in collective centres in Chechnya have their houses and apartments destroyed

"Survey conducted among IDPs in spontaneous settlements in Ingushetia and in Temporary Accommodation Centres (TACs) in Chechnya:

Nearly all of the interviewed wished to return. However, the main reason for not returning to their homes differs between the two samples. The majority of the interviewed in Chechnya indicated the lack of shelter as main reason for not returning home. Lack of security was not considered important (10%). This is in contrast to those interviewed in the spontaneous settlements in Ingushetia, for whom insecurity is the most important consideration for not returning home. This is logical if it is considered that those in the TACs were already subjected to insecurity, while for those in the spontaneous settlements the security situation in Chechnya is still a threat and less of a reality.

Our findings contradict a general popular belief that IDPs try to keep their status for reasons of secondary gain (e.g. access to humanitarian aid etc.). The question of return is in both groups rather hypothetical: there is simply no shelter (let alone home) to return to." (MSF August 2004, p. 32)

"Approximately 40% of IDPs families in TACs are from apartments in destroyed buildings which are unlikely to be repaired in the near future. The others are awaiting construction materials to repair their damaged individual houses." (COE 20 September 2004, para. 39)

## Majority of IDPs in Ingushetia do not want to return for security reasons (2003)

- 47 percent of IDPs in Ingushetia visit their houses back in Chechnya (spring 2003 survey)
- 85 percent of the IDPs to not want to return to Chechnya for security reasons
- More than 98% of the IDPs in Ingushetia do not want to return to Chechnya in the near future (February 2003 survey)

"In Spring 2003, DRC carried out a survey of Chechen IDPs population in Ingushetia. The survey looked at living conditions, family information, household expenditures, food availability, sources of income and coping mechanisms of IDPs in Ingushetia.

[...]

According to the findings of the survey, more than half IDPs (60,0 %) fled their places of residence during military operations in Chechen Republic. As for the reasons for remaining in Ingushetia, an overwhelming majority (85 %) of the IDPs indicates that they do not want to return to Chechen Republic due to security concerns. Only 6,4 % IDPs regard humanitarian aid to be the decisive factor for staying in Ingushetia. About half IDPs (47,3 %) regularly visit their houses back in Chechnya. Only insignificant number of the IDPs receives aid from the Diaspora (Chechen community living outside the Chechnya). Approximately 10% of IDPs' personal documents have expired and half of surveyed IDPs have problems getting new documents." (DRC 9 September 2003)

"Survey carried out by Médecins Sans Frontière between the 3rd and 16th of February 2003 in the eight tent camps of displaced Chechens in Ingushetia

The main purpose of this survey was to identify the most vulnerable families in order to provide them with alternative housing in the perspective of the planned closure of tented camps.

A total of 16,499 persons were seen and counted by MSF monitors (out of the 19,035 people reported by the displaced families interviewed) and 3,209 families interviewed for the survey, covering almost all the displaced population living in eight tent camps (including Logovaz, Rassviet, and Uchkhoz). Only 39 families were not interviewed as they were not found after repeated visits.

More than 98% of the interviewed population, do not want to return to Chechnya in the near future.

Insecurity is the main reason why the displaced from Chechnya living in the tent camps in Ingushetia do not want to go back to Chechnya. 93% of those who declare they do not want to go back to Chechnya express fear for their family's safety.

Lack of housing in Chechnya is the second main reason why the displaced do not want to go back to Chechnya. 74 % of families stated having no home in Chechnya as a reason for not going back.

Humanitarian Aid is not a decisive element in people's choice to go back to Chechnya or to stay in Ingushetia. 88 % of families did not talk about aid at all as a reason for them not to go back to Chechnya.

Most families interviewed continue to live in poor conditions, with 52% of families living in tents that either leak, do not have cold protection or even have no floor.

Out of the 98% of families who do not plan to go back to Chechnya, 90% do not know of an alternative shelter where they can stay in Ingushetia. This represents 2,827 families out of 3,151 families, or 14,443 people, that are in need of immediate shelter.

In spite of this, it is visible in the camps that families have been returning to Chechnya, without prior knowledge of possible alternative shelter. Till this day the provision of alternative shelter in Ingushetia continues to be blocked." (MSF April 2003, p. 7)

#### IDPs return to Chechnya despite insecurity (2003)

- Prospects of compensation for lost housing may explain a part of the return movements to Chechnya, according to UNHCR
- Returning IDPs wanted to secure a place in one of the temporary accommodation centres being built in Chechnya

"Mr. Cavalieri, Senior Protection Officer, said that some 2,000 IDPs returned to Chechnya in September. The prospect of receiving compensation for lost housing was probably a big part of that. However, he also acknowledged that violence and detentions of IDPs in Ingushetia has been increasing and this could also be affecting IDPs' decision to return." (UN OCHA 20 October 2003)

"Meanwhile, some displaced Chechens have been returning from Ingushetia in organised return movements arranged by the Chechen Forced Migrants Committee or on their own. The numbers returning picked up in April and May, following a slowdown in March in the period leading up to the March 23 constitutional referendum in Chechnya.

Over 1,600 displaced Chechens returned in April and almost 1,000 returned from May 1 through 27. This compares to less than 600 returns in March. The March figure reflected a sharp drop from the first two months of the year, with 1,400 returning in January and 1,200 in February. By comparison, in all of 2002, according to some sources, nearly 9,500 displaced Chechens returned from Ingushetia, 7,404 of them in organised returns.

At the same time, new displaced people continue to arrive in Ingushetia from Chechnya, with 953 new arrivals from January 1 through May 27.

According to monitors from UNHCR's implementing partner, Vesta, interest in the organised returns has picked up, due at least in part to rumours of camp closures and a sense of fatigue and resignation among the displaced people. Some of them say they would like to secure a place in one of the temporary accommodation centres being built in Chechnya." (UNHCR 2 June 2003)

"Despite the well-known tenuous security situation in Chechhya, an average of 1,200 IDPs have returned from Ingushetia to Chechnya from the tented camps, temporary settlements, and private accommodation. UNHCR systematically interviews the returnees, and where there is evident pressure resulting from rumours of camp closure and in some instances de-registration, there has been no evidence of forced returns in recent months. Most IDPs are returning to secure a place in a newly opened Temporary Accommodation Centres (TAC) or hope to benefit from the recently announced plan to compensate for lost property." (UN OCHA 24 June 2003, p. 5)

## Government's return policy: pressure on IDPs in Ingushetia (2003)

- The Russian Federation Government has consistently maintained the official position that IDPs should return to Chechnya, according to UNHCR
- But authorities have also actively pursued a policy of inducing IDPs to return to Chechnya
- The pressure exercised on IDPs, in Ingushetia and elsewhere, to return to Chechnya increased markedly after the October 2002 hostage crisis in Moscow

"UNHCR and other international organisations have stressed the principle of voluntary return to Chechnya. In general, UNHCR defines the principle of voluntary return as meaning that, besides expressing their consent, IDPs be properly informed of the conditions upon return as well as being provided with a genuine alternative to return. The Russian Federation Government has declared its respect for the need to preserve the voluntary nature of return of IDPs to Chechnya. Since the events of late 1999 and early 2000, when hundreds of IDPs in Ingushetia were forcibly returned to Chechnya aboard the train wagons they were accommodated in, there have been no instances of IDPs being physically forced to return to Chechnya.

At the same time, the Russian Federation Government has consistently maintained the official position that IDPs should return to Chechnya. In support of this position, the Russian Federation Government argues that federal forces control most of the Chechnya territory, that Chechen IDPs should take part in the reconstruction and administration of the Republic and that IDPs constitute a destabilising factor in the host regions. Specifically regarding IDPs in tented camps in Ingushetia, the federal and local authorities, starting in 2002, expressed the strong concern that the camps were representing a health and fire hazard. Hence, while officially adopting the position of voluntariness of return, the authorities have actively pursued a policy of inducing IDPs to return to Chechnya. This policy has been particularly pursued in the Republic of Ingushetia, where the majority of the IDPs are located.

The pressure exercised on IDPs, in Ingushetia and elsewhere, to return to Chechnya increased markedly after the October 2002 hostage crisis in Moscow. [37] The hostage crisis embarrassed the authorities, revealing how Chechen fighters had been able to freely move in the country, and prepare and execute a complex terrorist operation in the capital. Subsequent measures were taken by the authorities, including a Moscow city-wide search for possible accomplices and the arrest of several suspects, the suspension of military troop cuts in Chechnya by the Ministry of Defence, and the decision to close down IDP tent camps in Ingushetia, suspected by the authorities to harbour some militants and to represent a recruitment-base for Chechen fighters.

Human Rights Watch insists that Russian authorities exert organised pressure on Chechen IDPs in Ingushetia to force them to leave:

Every day, about thirty representatives from the United Headquarters and the Federal Security Service (FSB) make the rounds at each of the major tent camps in Ingushetia, going from tent to tent explaining the advantages of moving to Chechnya and the disadvantages of remaining in Ingushetia. They continuously pressure families to sign the "voluntary return" forms provided by the United Headquarters officials and promise those who sign five months of humanitarian supplies. ... In several cases, officials have threatened those reluctant to leave with arrest on false drug and weapons possession charges. ... In late October, Russian federal troops set up permanent positions near all of the major tent camps, reinforced with armoured personnel carriers with heavy weapons. [38]

[Footnote 37: On 23 October 2002, some 50 armed Chechens, led by Movsar Barayev, seized a theatre in Moscow, holding some 700 persons hostage. In the night from 26 to 27 October, Federal Security Service (FSB).s elite Alpha and Vympel units stormed the theatre, using an incapacitating gas. Forty-one hostage takers, including 19 women, were killed during the raid. According to the Moscow City Prosecutor.s office,

129 hostages died, of whom at least 118 died from gas poisoning. Chechen warlord Shamil Basayev publicly acknowledged having masterminded the hostage-taking operation.]

[Footnote 38 Human Rights Watch, Into Harm's Way: Forced Return of Displaced People to Chechnya, Vol. 15, No. 1(D), *Human Rights Watch Publications*, January 2003, <a href="http://hrw.org/reports/2003/russia0103/">http://hrw.org/reports/2003/russia0103/</a>.] (UNHCR February 2003, paras. 24-27)

"Authorities dismantled the Iman IDP camp at Aki-Yurt in Ingushetia in December 2002 and pledged to commission additional temporary accommodation centres (TACs) in Chechnya. This fell in line with the Russian Government's plan to accelerate the return of IDPs to TACs or other accommodation in Chechnya and to close IDP tent camps. The humanitarian community has been closely monitoring the situation and emphasising the need to observe the principle of voluntary return. During the early months of 2003, pressure on IDPs to return decreased, and UN delegations visiting Chechnya have noted improvements in TAC conditions. Since January 2003, several thousand people have returned to Chechnya, and the number of IDPs registered for international assistance in Ingushetia has dropped by about 20% since the launch of the CAP. Insecurity and lack of proper accommodation in Chechnya remain the major reasons for IDPs' unwillingness to return. The unresolved issue of alternative shelter for IDPs wishing to stay in Ingushetia remains a priority for the humanitarian community." (UN in the Russian Federation May 2003, p. 2)

#### See also:

"Moscow to help migrants return to Chechnya", Government of the Russian Federation, 4 July 2003 [Internet]

# Action plan adopted by Ingush and Chechen authorities foresees return of IDPs by October 2002 (May 2002)

- Federal, Chechen and Ingush authorities adopted measures to implement return of IDPs (29 May 2002)
- Since then, various pressures have been exerted on the IDPs, particularly those living in collective settlements.
- IDPs in two tent camps in Chechnya have been transferred to temporary centres
- UN agencies decided not to provide assistance to these centres

"There are currently about 115,000 IDPs in Ingushetia, mostly from Grozny or mountainous regions in Chechnya. Some 23,000 of them live in tented camps, 27,000 in spontaneous settlements and some 64,000 with local host families. These IDPs are extremely concerned about the security situation inside Chechnya and claim that they have very little - if any - shelter to which to return. Therefore, their preferred option is to continue to be provided with a 'safe haven' in Ingushetia. During the first half of this year the United Nations - most recently the Secretary-General, his Special Representative for Children and Armed Conflict and the ERC - received from the Russian authorities repeated assurances that the return of IDPs to Chechnya will be voluntary and will take place in safety and with dignity. On the other hand, on 29 May 2002 the federal, Chechen and Ingush authorities signed an Action Plan for the return of these IDPs to Chechnya 'by October 2002'. Since then, pressure of various types, including electricity cuts and withholding of government food aid, as well as misleading information about conditions in Chechnya, has been exerted on IDPs so that they return. In early July, the authorities dismantled two camps hosting 2,200 people in Znamenskoye (Chechnya) and forcibly moved the IDPs back to temporary accommodation centres (TACs) in Grozny. UN missions reported that the returnees remained extremely concerned about the persisting insecurity, and that living conditions in the TACs were inadequate. Under these circumstances, the UN decided not to provide assistance to these centres." (IASC-WG 10 September 2002)

Plan of Activities of Federal Bodies of Executive Power, Government of the Republic of Chechnya, Government of the Republic of Ingushetia, on final measures for return of IDPs from Ingushetia to Chechnya (unofficial translation) [Internet]

For more information on the pressure exerted by the authorities on the IDPs to return and on the conditions in areas of return, see also:

- "On the return of IDP from the camps of Ingushetia to Chechnya (according to the materials of lawyers of the 'Migration and Law' Network)", Memorial, August 2002 [Internet]
- Report on Chechnya, Médecins du Monde, July 2002 [Internet]
- "Adequate security conditions do not exist in Chechnya to allow the return of displaced citizens

   A pattern of increasing disappearances 'Bordering on Genocide'", International Helsinki Federation
  for Human Rights, 23 July 2002 [Internet]

For UNHCR's position regarding the Action Plan, see "UNHCR Position on the May Action Plan in the context of current developments in the North Caucasus", 21 June 2002 [Internet]

# **Return to the Prigorodny district (North-Ossetia)**

## Return of Ingush displaced remains problematic (2004)

- Ingush displaced have lost the support of Ingush authorities from 2001
- An agreement signed in 2002 between Ingushetia and North Ossetia committed both parties to support the return of IDPs
- Ingush IDPs insist on going back go their homes, which are occupied by refugees from Georgia
- Federal support to the return process is insufficient

"Initial reports on 1 and 2 September [2004] that the militants who seized over 1,000 hostages in the North Ossetian town of Beslan included Chechens and Ingush immediately sparked concern that the incident could trigger major clashes between the Ossetians and Ingush. While reports of Ossetian reprisals against Ingush in North Ossetia have so far proven false, both ethnic groups fear that tensions could erupt into violence at any time

[....

The Russian government, however, apparently failed to make good on Yeltsin's promise of increased aid. Two years later, in July 1999, [President of Ingushetia] Aushev threatened to suspend all talks with North Ossetia until earlier agreements on measures to defuse tensions were implemented. In April 2001, between 5,000-10,000 Ingush staged a rally in the Ingush capital, Nazran, to demand that President Vladimir Putin take steps to facilitate their return home, including declaring presidential rule in both Vladikavkaz and Prigorodnyi Raion.

[...]

Aushev, however, alienated Putin by his support for Chechen President Aslan Maskhadov after Russia launched a new war against Chechnya in the fall of 1999, and in December 2001 he announced his resignation (see 'RFE/RL Caucasus Report,' 3 January 2002). Aushev's successor, former Federal Security Service (FSB) General Murat Zyazikov, has been less vocal in lobbying the interests of the Ingush displaced persons. True, in October 2002 Zyazikov and North Ossetian President Aleksandr Dzasokhov signed a major 'Agreement on the Development of Cooperation and Good-Neighborly Relations' intended to 'mark the beginning of a new stage' in bilateral relations. That document obliged both sides to take the necessary measures to eliminate the consequences of the 1992 clashes, including expediting the repatriation of Ingush fugitives; preventing the creation of illegal armed or separatist groups; and establishing mechanisms for consultations to prevent the emergence and escalation of new tensions, according to

ingushetia.ru. It also stressed the commitment of both republics to peace throughout the North Caucasus and to preserving the territorial integrity of the Russian Federation.

 $[\dots]$ 

One major obstacle appears to be that the Ingush insist on returning to their old homes, many of which have since been taken over by Ossetian refugees from Georgia, while the North Ossetian authorities are eager to persuade them to move to new housing in other districts of the republic. Nor is it clear precisely how much new housing has been made available, and whether federal funds earmarked for that purpose are being embezzled in North Ossetia as they are in Chechnya." (RFE/RL 9 September 2004)

### Reconciliation needed in return areas in North Ossetia (2003)

- Many Ossetians who live in the conflict zone still maintain that the two communities cannot live side by side
- The slow process of resettling the Ingush IDPs has not been matched by any actual improvement in relations between the Ingush and Ossetian communities
- International humanitarian organizations are present in Ossetia and Ingushetia, but they focus their activities on Chechen IDPs

"In the fall of 1992, a violent inter-ethnic conflict took place between the Ossetian and Ingush communities. The basis for this conflict, which had deep roots, was a dispute over territory in the Suburban district of North Ossetia (which the Ingush claim because it was part of the Chechen-Ingush republic before both peoples were deported to Siberia and Central Asia in 1944). Since 1993, a process of reconciliation between the two communities has been underway – but it has proceeded very slowly. There have been times when a resurgence of tensions has threatened to overwhelm the progress that has been made in the process of post-conflict recovery.

The goal of civil peace-building programs in this region has been primarily to improve the moral atmosphere, to get rid of negative ethnic stereotypes, and to overcome the psychological barriers between the two communities. Many Ossetians who live in the conflict zone still maintain that the two communities cannot live side by side – a position that was officially voiced by the former leadership of their republic.

The very slow process of resettling the Ingush refugees, which is far from being complete, has not been matched by any actual improvement in relations between the communities. Thus, if some of the obvious material consequences of the conflict are slowly being taken care of, this does not lead to an overall reduction in tension in the region. The return of Ingush refugees to their homes (which in most cases were destroyed) is not accompanied by genuine progress in the area of conflict management.

Besides, the Suburban district of North Ossetia and the dispute over it are currently overshadowed by the war in Chechnya. Despite the difficult situation in the area, no international organizations are currently working there on a day-to-day basis. A number of international humanitarian organizations are present in Ossetia and Ingushetia, but they focus their activities on other tasks, mainly on the situation in Chechnya and refugees from that region (though some of them are carrying out short term programs in the Suburban district on an irregular basis). Nongovernmental organizations in Ingushetia are also primarily focused on the problems that are related to the war in Chechnya. The same is true of North Ossetia; there are a number of experts monitoring the situation, but until recently there have been no long-term NGO programs aimed at improving the situation in the Suburban district.

Nevertheless, some short-term projects on this issue have been carried out quite successfully. In January 2001 the NGO 'Caucasus Refugee Council' implemented a highly successful project to start a dialogue between Ossetian and Ingush young journalists. A similar project was implemented to establish contacts

between scientists of the two republics. The experience of these projects turned to be very valuable for the development of the complex peace-building program in the region.

The work of the complex program in this region has involved the mobilization of local non-governmental organizations in five specific areas: working with local media; working with children, teachers and social workers; building a dialogue between students in North Ossetia and Ingushetia; developing contacts between NGO's in both areas; and giving legal advice to the population of the Suburban district and refugees. It is hoped to build on these efforts to create broad coalitions in both communities who are committed to a co-operative approach to reducing tensions." (Kamenshikov April 2003, pp. 21-22)

# Most displaced will return but a small portion is likely to stay durably in Ingushetia (2001-2002)

- Programme of Action signed by authorities in North Ossetia and Ingushetia in October 1997 to facilitate return of the displaced
- Number of villages in North Ossetia where Ingush displaced can return has increase progressively
- Some 20,000 Ingush have returned permanently to Prigorodny, as of October 2002More than 20 000 IDPs have applied for assistance to return to the area
- Several thousand displaced are likely to settle in Ingushetia permanently
- Return movements continue to be hampered by violence in North Ossetia (2001)

Number of returnees (figures compiled by the Special Representative of the Russian President to Prigorodny)

Total of return movements to North Ossetia since August 1994: 20,782 persons (3,741 families) (UNHCR 18 October 2002)

2000: 2,392 persons (424 families) (UNHCR 7 March 2001)

2001: 1,867 persons (353 families) (UNHCR 1 April 2002)

2002: 831 persons (165 families) (as of 1 October 2002) (UNHCR 18 October 2002)

A total of 11,088 persons who suffered from the 1992 Osset-Ingush Conflict have registered as 'forced migrants', as reported by the Ingush government on February 2003. The Special Representative of the Russian President for the Osset-Ingush Conflict stated that these people would be provided with all kind of state assistance for their return and reintegration in their previous place of residence, including housing support. According to the Ingush government, 21,000 persons have been granted state aid since 1994. All funds allocated in 2002 for housing construction and social, cultural and municipal facilities (202 million rubles) have been have been used. According to the 2003 federal budget, this sum will reach a total sum of 200 million rubles. (Government of Ingushetia, 7 February 2003)

"Return of ethnic Ingush IDPs from Ingushetia to North Ossetia has been fraught with problems since it started. Since 1994 when 'official' return involving federal authorities started, wagon settlements guarded by federal army soldiers were created by federal authorities in villages where safety of returnees could not be guaranteed otherwise, which resulted in numerous security incidents. In 1996, following the agreement to increase the number of villages for Ingush return to eight, two more new wagon settlements were created. One in Prigorodny district itself, in Tarskoye where the village population is openly hostile to the returning Ingush and another 'transit' settlement in Mayskoye, unilaterally established by the local Ingush authorities and where IDPs were moved on the assumption that they would eventually return to their villages of origin. While the Mayskoye transit camp became a bone of contention between Ingush and Ossets over return, the Tarskoye settlement was eventually burnt down by Ossets in July 1997.

The Federal Governmental regulation No. 274 of 6 March 1998, on opening bank accounts for those displaced as a result of Osset-Ingush conflict to rebuild their destroyed houses or to purchase new housing

especially enabled Ingush IDPs to return and rehabilitate their former houses. As of 31 December 2000, 2,993 bank accounts were opened for 14,270 persons. The first instalments had been paid to 2637 persons, second instalment 1 162 persons, and the third instalment to 665 persons.

During 2000 the return process and the relationship between Ingush and North Ossetian authorities saw signs of improvement. The number of villages Ingush returned to expanded, in accordance with the Plan of Action of 15 October 1997. In 2000, IDPs continued to return to Kartsa, Chermen, Dachnoye, Dongaron, Kurtat, Balta, Redant, Chmi, Vladikavkaz and Sputnik.

During 2000 a total of 2 392 persons (424 families) returned in an organised manner to Prigorodny. As of 31 December 2000, (since 1994) some 18 234 Ingush have returned permanently to Prigorodny, according to the office of the Federal Presidential Representative to Prigorodny. In addition, more than 20 000 IDPs have applied for assistance to return to the area. Also, several thousand IDPs are likely to settle in Ingushetia permanently." (UNHCR 7 March 2001)

"On 15 October 1997, a Programme of Action by the State Bodies of the Russian Federation, the Republic of North Ossetia-Alania and the Republic of Ingushetia and the Republic of Ingushetia was signed to facilitate refugee return and improve local morale. The legal relationship is determined by a Treaty Regulating Relations and Cooperation between the Republic of North-Ossetia-Alania and the Republic of Ingushetia, signed in September 1997. The Ossetian side has abolished one law and three pieces of legislature which obstructed repatriation. The constitution of Ingushetia still contains Article 11, which insists on the 'return of the territory which Ingushetia was illegally deprived of'. This article contradicts federal legislation and the Ossetian side could appeal to the Federal Constitutional Court to abolish it. But the existence of such a provision equally serves the interests of those Ossete nationalists who want to paint an image of the Ingush as aggressors." (Matveeva 1999, p. 28)

#### Reports of violence againts returnees (2001)

"Ossetians thwart Ingush repatriation

Some 400 Ossetians blocked a border crossing with neighboring Ingushetia on 23 May [2001] to prevent the return to the village of Ir in North Ossetia's disputed Prigorodnys Raion of some 87 Ingush families who fled the district during the fighting on late 1992, Russian agencies reported. at a subsequent meeting, North Ossetian Prime Minister Kazbek Kardinov and his Ingushetian counterpart Akhmet Malsagov agreed that 10 Ingush families will return to Ir every week, Interfax reported. The North Ossetians have systematically sought to prevent the return of any Ingush to Prigorodnyi Raion. LF" (RFE/RL 25 May 2001)

#### "Explosion hits passenger bus

A blast tore through a passenger bus on the border between two rival southern Russian republics Tuesday, injuring three women, police said.

The explosion hit in the evening in a neutral area between border checkpoints in the republics of Ingushetia and North Ossetia, near the Ossetian village of Chermen, said Magomed Ozdoyevm duty officer of the Ingush regional police department.

The cause of the blast was not immediately clear. Ozdoyev said it may have been a bomb placed in a nearby tree.

The bus had been travelling from the Ingush city of Nazran in Kurtat in Ossetia, and was heading into the disputed Prigorodny region when it exploded." (The Russia Journal 5 September 2001)

## Resettlement

### Non-ethnic Chechens resettle outside Chechnya (2003)

- Almost all non-ethnic Chechens have left Chechnya during the first conflict and resettled elsewhere in the Russian Federation
- The Government of Ingushetia is willing to facilitate the local integration of some 30,000 ethnic Ingush displaced from Chechnya
- Ingush families from Chechnya were allocated plots of land by the Ingush government and received construction materials from international agencies

"In November 1991, when independence was unilaterally proclaimed, Chechnya-Ingushetia still formed a single Republic with a population of approximately 1,270,000 persons. According to the 1989 census, some 16 nationalities were represented in that Republic, including 734,000 Chechens, 293,000 Russians and 163,000 Ingush (all three nationalities representing 94% of the total population, and each of the other nationality components representing 1% or less of the population).

The Federal Migration Service of the Russian Federation assessed that some 450,000 persons fled the 1994-96 conflict in Chechnya. It is further estimated that most non-Chechen IDPs did not return to Chechnya after that conflict. According to estimates, in the beginning of 2000, some 240,000 persons were displaced outside of Chechnya (some of whom returned to Chechnya since then), including some 30,000 ethnic Ingush, who fled to neighbouring Ingushetia and who are still staying in that Republic. The Ingush Government has declared on several occasions its willingness to facilitate the local integration of ethnic Ingush IDPs from Chechnya. Some projects have started, with the support of UNHCR, to facilitate the local integration of (primarily ethnic Ingush) IDPs from Chechnya.

Official statistics provided by the Federal Migration Service indicate that 13,232 IDPs from Chechnya were granted forced migrant status in some 79 regions of the Russian Federation between 1 October 1999 and 31 December 2002. According to information available to UNHCR, from its implementing partners as well as from local human rights NGOs, those IDPs from Chechnya who were granted forced migrant status as a result of the current conflict are almost all ethnic Russians. Such information is partly corroborated by looking at the regions where forced migrant status was granted. For the most part, these are regions where traditionally there is no Chechen resident community. At the same time, UNHCR is aware of isolated instances where Chechens displaced by the current conflict were granted forced migrant status (having claimed fear of persecution from Islamic fundamentalists).[70]

Some local NGOs defending the rights of forced migrants report that ethnic Russian IDPs are not always well received by the local population and local authorities in their areas of destination. Many of them have reported difficulties in obtaining issuance or renewal of sojourn registration. However, there is no indication of widespread police harassment, as is the case in many regions for Chechen IDPs. In those regions that condition sojourn registration upon the presence in that territory of close relatives, ethnic Russian IDPs may be able to rely upon the presence of family members displaced during the previous 1994-96 conflict."

[Footnote 70: UNHCR is aware of one case in Pyatigorsk (Stavropol Krai) where an ethnic Chechen, Lieutenant Colonel in the Russian Federal forces, was granted forced migrant status on such grounds by the court of law, after being denied status by the local migration service in a first instance administrative decision.] (UNHCR February 2003, paras. 71-74)

"Twenty IDP families from Chechnya (93 persons), who were allocated plots of land by the Ingush government, were completing the construction of houses with materials provided by DRC under the UNHCR's 2002 local integration project. In 2003, UNHCR will support another 20 IDP families in constructing houses in Ingushetia. Under the same project, UNHCR supported the construction of a

carpentry workshop, providing IDPs with jobs, which is essential for a sustainable local integration." (UN OCHA 31 March 2003)

"On 5 June President of Ingushetia, Murat Zyazikov, signed an agreement with the Swiss Agency for Development and Cooperation/Swiss Humanitarian Unit (SDC/SHA), a Swiss government structure, which provides for a joint programme between the Republic of Ingushetia and SDC/SHA, assisted by UNHCR. The programme is aimed at integrating IDPs from Chechnya who decided to settle down in Ingushetia. Under the programme, the Ingush authorities will provide land plots for individual houses construction and finance the construction works, while SDC/SHA will be responsible for planning and will contribute with construction materials." (UN OCHA 23 June 2003)

"The Swiss Agency for Deveolopment and Cooperation/Swiss Humanitarian Unit (SDC/SHA), a Swiss government structure, together with the Ingush authorities, continued realizing the joint programme aimed at integrating IDPs from Chechnya who decided to settle down in Ingushetia. A joint SDC/government commission selected four companies to be responsible for the construction of the first 8 houses in Barsuki village and approved the list of the first eight beneficiaries." (UN OCHA 6 August 2003)

# Successful integration of the ethnic Russians displaced from Chechnya in the Stavropol region (2000)

Local communities and the Orthodox Church has largely contributed to this integration

"Other neighbouring regions, namely the Republic of North Ossetia-Alanya, the Republic of Dagestan and the Stavropol region accommodate in total approximately 10 000 people displaced after the recent conflict. However, certain areas have been accommodating large numbers of Chechen IDPs since 1992. According to the Russian official figures, as many as 300 000 ethnic Russians have left the Chechen Republic since 1992. For example, in the Stavropol region alone, the number amounts to 76 000 people. The delegation visited some settlements of Russian IDPs from Chechnya in the area of Budennovsk constructed with the assistance of local communities. The Orthodox Church has largely contributed to this integration. Undoubtedly, living conditions in these settlements are much better than those in IDP camps and the majority of IDPs have been successfully integrated into the local communities. Many of them have found employment." (COE 23 January 2001, para. 5)

# About 35,000 ethnic Ingush displaced will be permanently resettled in Ingushetia (2000-2001)

• Ingush authorities will receive support from various international agencies for the resettlement of this population

"[A]s many as 30,000-40,000, who were moving between Ingushetia and Chechnya, have now decided to stay more permanently in Chechnya itself." (UNOCHA November 2002, p. 8)

"The Government of Ingushetia has indicated that it will allow some 9,000 ethnic Ingush IDPs from the current emergency to resettle permanently in Ingushetia along with a further 28,000 IDPs of Ingush origin from previous hostilities. Once the necessary legal grounds have been prepared for the IDPs' integration into Ingushetia, UNHCR in co-operation with UNDP and FAO will assist with various multi-sectoral activities." (UN November 2000, pp. 24, 43)

"In the beginning of December 2000, following a meeting with group of people living in the Yuzhniy settlement, Sunzhensky District of Ingushetia, DRC/ASF carried out an assessment of the situation in the

settlement. The Yuzhniy settlement is located at the border with Chechnya and has no particular infrastructure. Presently 65 families are residing in the village of Yuzhny in very poor conditions. This village has been established at the initiative of the Ingush administration with the intention that eventually 2000 IDP families of Ingush IDPs from Chechnya will be resettled. Though the land plots are in the process of being allocated, however, at present the facilities of the village are extremely limited with no running water or gas and only limited electricity supply. There is also no school, which is of great concern to the families. Hence, it is the intention of DRC/ASF to build a school and community centre in the village as a means of stimulating activity in the village and to ensure that the children have access to education. On December 30, 2000, DRC/ASF accomplished construction of the school. At the Opening Ceremony, both republican and regional officials greatly appreciated attention given by DRC/ASF to the settlement. The school is the first institutional facility built in the Yuzhniy settlement since its establishment." (DRC 12 January 2001)

### **HUMANITARIAN ACCESS**

## **Access to North Caucasus**

#### Insecurity continues to constrain movements of humanitarian organisations (2004)

- National staff ensures the implementation of programmes
- Incidents in June 2004 obliged humanitarian workers to withdraw from Ingushetia temporarily
- The UN applies one of the most stringent and intrusive security regimes for its staff anywhere in the world
- The work of NGOs is further hampered by restrictive issuance of permits, clearance and procedures at check-points as well as by the lack of authorization to use radio frequencies for communications

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"The operational environment for the humanitarian community remained highly challenging throughout the region. While the Government facilitated more frequent access to Chechnya in 2004 than in previous years, security significantly constrained the movement of humanitarian workers in the republic. Most of the missions of UN and NGO international staff were to Grozny.

The security situation in Ingushetia deteriorated throughout the year. On 22 June, international staff from the UN and most international NGOs left Ingushetia temporarily due to the previous night's raid on Nazran. Further incidents and threats throughout the summer made full access within Chechnya and Ingushetia problematic. However, the humanitarian operation in the North Caucasus was able to continue, albeit on a limited scale, thanks to the work of national staff. International NGO staff were gone from Ingushetia only a few days, and UN international staff returned as soon as security clearance was give in July." (UN October 2004, p. 4)

"The security situation in the North Caucasus in the North Caucasus remains extremely complex and dangerous for the UN and other aid workers operating in the region. In addition to the main ongoing crisis in Chechnya, violence and instability is also present in the neighboring republics of Dagestan, Ingushetia and North Ossetia. There is a prevalence of weapons within the general community that also produces a high rate of serious general crime. To reduce the level of risk, the UN has had to apply one of the most stringent and intrusive security regimes for its staff anywhere in the world.

Globally, the Office of the United Nations Security Coordinator (UNSECOORD) is the primary coordination body for the UN security management system. In the North Caucasus, security officers from UNHCR and WFP supplement UNSECOORD's capacity. Security is coordinated among UN Agencies through the Security Management Team (heads of Agencies), which advises the Designated Official for Security and makes local policy decisions. Additionally, there is an Area Security Coordinator reporting to the DO and SMT present in the North Caucasus at all times. All staff (international and local) costs and mitigation measures applied by the UN towards safety and security in the North Caucasus are funded by donor contributions. To the extent possible, the UN provides security advice and protection to NGOs and other partners." (UN October 2004, p. 53)

"Access to humanitarian agencies and humanitarian agencies' access to the population inside Chechnya has been hampered by security constraints, restrictive issuance to NGOs of permits for carrying out and

monitoring relief projects, clearance and procedures at check-points as well as by the lack of authorization to use radio frequencies for communications. Furthermore, security for aid workers has deteriorated and there are reported cases of kidnapping and harassment." (COE 20 September 2004, para. 44)

"There is a growing feeling of unease among the NGOs over the arbitrary inspection visits by official structures (including fire department, labour inspection, telecommunications inspection, traffic police, etc.) in Chechnya, Ingushetia, and North Ossetia. The NGOs present at the meeting asked if the UN could offer legal advice on the legality of the requests for information on staff members. Mr. Rochanakorn [UN Humanitarian Coordinator] pointed out the the UN could not give legal advice to NGOs but that OCHA will make a systematic evalution of NGOs' problems with authorities and recommend follow-up action by the HC or the NGO community." (UN OCHA 10 March 2005)

#### Reports of attacks against human rights defenders (2004)

- Human rights defenders, activists speaking out about the situation, and those investigating the abuses are under threat
- Risks include disappearances, killings, and harassment
- Media and people who lodged an application to the European Court of Human Rights are also victims of abuses

"Throughout the ongoing armed conflict in the Chechen Republic, the Russian Federation authorities have attempted to restrict the gathering and dissemination of information about the human rights situation in the North Caucasus. Human rights defenders and activists speaking out about the situation in region, those investigating such abuses and those who have sought redress with the European Court of Human Rights have themselves increasingly become victims of serious human rights violations. Amidst a climate of impunity and the lack of the rule of law, human rights defenders have been threatened by members of the security forces and some of them have been killed for daring to speak out. Relatives of people who have been "disappeared" who lodged a complaint with the European Court of Human Rights have later themselves been 'disappeared' or were killed. Lawyers and journalists, who have taken up cases of human rights violations, have been harassed and attacked. The armed conflict is spilling over into other republics, including North Ossetia and Ingushetia, where peaceful demonstrators have been beaten up for protesting against 'disappearances' and other violations." (AI 9 November 2004)

"Throughout the conflict, the Russian authorities have attempted to control the information publicly available about the human rights situation in Chechnya. The work of independent journalists has been severely curtailed. While the Russian constitution guarantees freedom of expression and freedom of movement and the government of the Russian Federation has not declared a state of emergency in the Chechen Republic, journalists are expected to register with the military headquarters of the Russian armed forces in the North Caucasus when travelling in Chechnya and to travel with members of the security forces in Chechnya. Thus, the conflict has been marked by a distinct lack of full, independent and objective reporting of the abuses." (AI 9 November 2004, pp. 24-25)

# The response to lack of access by international agencies: from the 'remote control' concept to a more active presence (1999-2000)

- Because of the insecure environment prevailing in North Caucasus, UN programmes were initially managed by local staff in situ ('remote control'), which, however, impeded adequate monitoring and reporting
- In December 1999, following negotiations and high-level UN visits, the federal authorities made security arrangements that permitted international staff to undertake regular visits to Ingushetia

"Monitoring and reporting on the implementation of activities is of fundamental importance to the UN as it helps to ensure the appropriate use of resources and enables the UN to remain accountable to beneficiaries and donor governments. At the initial stages of the current operation, the UN based its programmes on the 'remote control' concept, i.e. programmes were to be managed by local staff *in situ*, primarily because of the insecure environment that prevented visits by international staff. 'Remote control', however, impeded adequate monitoring and reporting: on the one hand, local staff was inexperienced to handle a sizeable operation and on the other, the demands on the staff were excessive.

In December 1999, following negotiations and high-level UN visits, the federal authorities made security arrangements that permitted international staff to undertake regular visits to Ingushetia. As such, the UN strengthened its ability to discuss its operations with the authorities and to monitor and report in a more regular and reliable manner. This has a considerable impact on overall performance and effectiveness.

The implementing arrangement between UNHCR and DRC strengthened the capacity to monitor and report considerably. The two organisations now have over sixty local monitors in Ingushetia, enabling them to oversee distributions of assistance and provide daily information to the UN offices in Moscow. WFP has contracted World Vision International (WVI) to monitor the receipt, storage, and dispatch of commodities to and from the extended delivery point at Vladikavkaz, and to spot check distributions.

During January, UNICEF and WHO hired local staff *in situ* and supported them with regular visits by expatriate staff. This field presence further strengthened the UN's overall capacity to monitor programmes and evolving needs in a wider range of sectors than had previously been the case. Similarly, more NGOs have opened offices in the northern Caucasus, thereby further enhancing implementation modalities, monitoring and reporting of activities.

In sum, the operation has shifted from a 'remote control' mode to one of a more active presence. However, it still falls short of normal standards for monitoring. Therefore, monitoring still needs to be improved for example by: standardising distribution reports by sector; by making the quality, number, frequency of reports more consistent; making reports available to the government, donors, aid agencies, and beneficiary groups; and including host family members and displaced persons in the monitoring process.

The operational monitoring described above is complemented by strategic monitoring of the overall context and programme, mostly undertaken at the Moscow level, via the Resident Coordinator and agency representatives. Together these efforts ensure a better understanding of the effects on IDPs and host families of the evolving situation, as well as of the coverage and effectiveness of the humanitarian response." (UN March 2000, p. 8)

"UN humanitarian action has increased substantially since November 1999, despite insecurity, which has limited the number of UN international staff stationed in the areas to eight. National staff of UN Agencies now number over 200, including those currently employed under the UNHCR-WFP-DRC logistics operation and under WHO's health surveillance initiative. The overwhelming majority of staff is based in Nazran (Ingushetia) and Valdikavkaz (North Ossetia). The ICRC have five international staff in the region, and, combined with its partner the Russian Red Cross, has over 400 volunteers throughout the northern Caucasus. In addition to the presence of UN Agencies and ICRC, over 20 international NGOs now work in Ingushetia. Some one dozen of these carry out programmes in Chechnya. Organisations have few international staff, relying mostly on national staff to implement programmes. While the operation has shifted away from "remote control" to a more active international presence at the field level, this could change very quickly if the security situation worsens. As such, one of this UN programme's overall goals is to boost the capacity of local staff to become emergency relief 'managers'." (UN July 2000, sect. 3.2.1)

#### A practice shared by international NGOs: the example of Médecins du Monde:

"Humanitarian action rests on a few principles, one of which is free access to victims and unimpeded evaluation of their needs. In war-torn Chechnya, this is difficult, sometimes imposssible (risk of abduction,

bombing...). Without the presence of permanent expatriates, Médecins du Monde has relied, since 1998, on local personnel and has introduced 'remote control': linked with the organization, since the beginning of its intervention in Chechnya (1995), the coordinator or the administrators, doctors, psychologists, logistic staff and nurses, all Chechen, share the values and practices of Médecins du Monde. [...] All the same, expatriates go regularly to support their action with evaluation mission." (MDM 23 February 2000)

## NATIONAL AND INTERNATIONAL RESPONSES

# Legal background

# An official category for IDPs and involuntary migrants from the former Soviet Union: the status of "forced migrant"

- Internally displaced persons (except as a result of natural or human-made disasters) globally fall under the category of 'Forced Migrant' as defined in the Law of 20 December 1995
- Forced migrant status is also open to involuntary migrants from former Soviet Republics with Russian citizenship or who could obtain it by virtue of being former Soviet citizens
- The status is primarily meant to facilitate the integration of displaced persons in their new place of residence but does not preclude return

Law on the Introduction of Amendments and Additions to the Law of the Russian Federation on "Forced Migrants", 20 December 1995:

Article 1. Notion of "forced migrant"

"1. A forced migrant shall be a citizen of the Russian Federation who was forced to leave his/her place of permanent residence due to violence committed against him/her or members of his/her family or persecution in other forms, or due to a real danger of being subjected to persecution for reasons of race, nationality, religion, language or membership of some particular social group or political opinion following hostile campaigns with regard to individual persons or groups of persons, mass violations of public order.

Taking into account the facts stipulated in point 1 of the present article, the following persons shall be recognised as a forced migrant:

- 1) a citizen of the Russian Federation who was forced to leave the place of his/her permanent residence on the territory of a foreign state and came to the Russian Federation;
- 2) a citizen of the Russian Federation who was forced to leave the place of his/her permanent residence on the territory of a subject of the Russian Federation and came to the territory of another subject of the Russian Federation.
- 3. Recognition of a forced migrant shall be also extended to a foreign citizen or a stateless person, permanently staying on legal grounds on the territory of the Russian Federation, who left the place of his/her permanent residence on the territory of the Russian Federation for reasons set forth in Point 1 of the present Article;
- 4. Recognition of a forced migrant shall be also extended to a citizen of the former USSR, who used to reside on the territory of a former constituent republic of the USSR, who received refugee status in the Russian Federation and lost it, as he had acquired the Russian citizenship, upon availability of factors which prevented him/her from settling down on the territory of the Russian Federation during the time when his/her refugee status was in force."

"As a result of the 1994-96 conflict in Chechnya, some 162,000 IDPs were granted the status of forced migrant, in approximately 80 regions (subjects) of the Russian Federation. The status of forced migrant is

primarily meant to facilitate the integration of such persons in their new place of residence, through the allocation of special allowances, assistance with housing, job placement, loans, and related support [7]".

Footnote [7]: "The status of forced migrant does not preclude voluntary return to the former place of permanent residence. Indeed Article 7.2(5) of the Law on Forced Migrants imposes upon local executive bodies the obligation to 'render assistance to a forced migrant at his/her request in the return to his/her former place of residence'." (UNHCR January 2002, para. 11)

See also Law on Forced Migrants, as amended in 1995 (unofficial translation) [Internal link]

The Russian version of the Law on Forced Migrants, as amended in 1995, is available on the website of Memorial [Internet]

For the validity of statistics based on the forced migrant status, see "Populations figures of the Federal and regional Migration Services flawed by inconsistent practices" [Internal link]

# **National response**

#### The legal framework: the Law on Forced Migrants

- The status of "forced migrant" is granted to the victims of forced displacement within the former Soviet Union
- Beneficiaries receive assistance to their integration, although return can also be supported
- Only non-Chechens displaced by the conflicts in Chechnya have been given the status

In 1993, the state authorities adopted a law on forced migrants, which creates a status for victims of forced displacement following the collapse of the Soviet Union in 1991. According to the law (as revised in 1995), the status is to be granted to both persons who wanted to resettle in the Russian Federation from one of the former republics of the Soviet Union, as well as those Russian citizens who were displaced within the Russian Federation itself. The status of "forced migrant" is primarily meant to facilitate integration in new places of residence, including through the allocation of special allowances, assistance with housing, job placement, loans and related support. However, the status also imposes on local executive bodies to "render assistance to a forced migrant at his/her request in the return to his/her former place of residence." (article 7.2(5) of the law). (UNHCR February 2003, UN CHR 24 February 2004)

The law has been inconsistently applied to people displaced within the Federation as a result of the armed conflicts in Chechnya. Some 162,000 people displaced during the 1994-1996 Chechen conflict were granted the status. Those displaced during the second Chechen conflict from 1999, mostly ethnic Chechens, have been largely excluded from the status. Applications to the status which are based on allegations of mistreatment by federal forces, lost property and "mass violation of public order" were rejected by the migration authorities on the grounds that the anti terrorist operations conducted by the Russian government in Chechnya do not constitute a "mass violation of public order". The authorities also do not consider that the federal forces who conduct such operations commit violations of public order. (UNHCR February 2003) The forced migrant status, which is granted for an initial period of 5 years, is rarely renewed, explaining for the decreasing number of forced migrants in recent years (Ganushkina 2004).

The forced migrant status determination procedure is conducted by the territorial organs of the Federal Migration Service (FMS) under the Ministry of the Interior.

The full text of the Law on Forced Migrants in Russian is available on the website of Memorial [Internet]. For the English version, see the bibliographical references (under Rossiskaya Gazeta)

### Emergency assistance provided by federal authorities remains inadequate

- Food aid distributed by federal authorities to displaced people in the Northern Caucasus is insufficient and of poor quality
- Disruption of food aid and other utilities in IDP camps in Ingushetia were used to accelerate the return of IDPs to Chechnya
- Measures to assist returnees in Chechnya were not adequate, in particular with regard to shelter

The authorities' response the emergency needs of the population displaced by the second Chechen conflict remains insufficient. In the early stage of the crisis, the Government commissioned the Ministry of Civil Defense, Emergencies and Natural Disasters (EMERCOM) to establish camps and distribute relief assistance to displaced people in the North Caucasus. Displaced people in camps or in spontaneous settlements, who have been registered with the Government prior to 2001, are eligible for government food rations (15 roubles per person per day). Distribution of government food has been very irregular, and beneficiaries have complained that the foods provided are of poor quality. Registered displaced living with host families or in rented accommodation received one kg bread per person per day. Registered displaced people also receive free gas and electricity and garbage disposal (WFP 2003).

The authorities at the federal level and in Ingushetia and Chechnya have endeavoured to accelerate the return to Chechnya of all IDPs living in camps in Ingushetia, as agreed in a plan adopted in May 2002. Following various pressures, including disruption of food aid and other supplies and utilities, and intimidation of IDPs in camps, all camps were closed down as of June 2004.

In Chechnya, federal authorities have opened Temporary Accommodation Centres (TACs), mainly to host the IDPs returning from Ingushetia. The capacity of these centres was still limited and their conditions sometime sub-standard (UN October 2004). The authorities have also enforced a programme of compensation for destroyed housing and lost property, which has been subject to severe criticism from NGOs (Ganushkina 2004). The Chechen Committee of Forced Migrants, an official organ attached to the Chechen administration, provides short-term support to returnees, including transportation and food assistance. Out of the 18,500 IDP return movements registered in 2004 (1 Jan-15 Nov), about 16,000 were organised with the support of the Chechen Committee. However, NGOs have denounced the pressure exerted by the Committee on IDPs to return to Chechnya (IHF March 2004, Ganushkina 2004).

### Reconstruction plans for Chechnya: limited impact

- Several reconstruction plans for Chechnya have been adopted by the federal government since 2001
- There have been reports of diversion of federal funds, with the complicity of the pro-Moscow Chechen administration
- The responsibility for the coordination of the reconstruction has been transferred from the Chechen authorities to the Federal Ministry of Economic Development and Trade
- No serious efforts have been made to put an end to human rights violations by armed forces in Chechnya

Since the early stages of the conflict, the Federal authorities have claimed their intention to restore the political and social-economical structures of Chechnya. Since 2001, several reconstruction plans, to which

financial resources have been allocated from the federal budget, have been adopted by the federal government. Despite some visible signs of improvements, the implementation of the federal reconstruction plans has been criticized as inefficient and insufficient. Pensions and child benefits are paid regularly, although IDPs cannot claim their allowances outside Chechnya. However, there are reports that federal funds meant for Chechnya's reconstruction has been diverted, frequently with the complicity of the pro-Moscow Chechen administration (RFE/RL 10 December 2004).

In February 2004, the responsibility for the coordination of the federal reconstruction plans were transferred from the Federal Minister for the Coordination of Socio-Economic Development of Chechnya to the Administration of the newly elected President of the Republic, Akhmakd Kadyrov. After the President Kadyrov's assassination and amid public accusation that the money earmarked for Chechnya's reconstruction had been embezzled, President Putin announced that the Federal Ministry of Economic Development and Trade would take over the supervision of Chechnya's recovery and rehabilitation. On 16 July 2004, the Ministry proposed that 5.8 billion rubles (US \$200 million) be allocated for the Federal Programme in 2004, ie 2,3 billion (US\$ 80 million) more than initially budgeted. (UN October 2004)

According to human rights NGOs, there has been no serious effort from the federal government to respond to the massive human rights violations perpetrated by the armed forces against the civilians. In February 2000, President Putin designated his special representative on human rights in Chechnya, who had no power to investigate or prosecute alleged offences but could only refer complaints to military or civil prosecutors. This position was abolished by presidential decree on 21 January 2004 (RFE/RL 22 January 2004). In January and March 2004, the chairwoman of the presidential human rights commission, Ella Pamfilova, visited IDP camps in Ingushetia, jointly with Memorial representatives, but failed to stop their closure (Memorial 2004, RFE/RL 11 March 2004).

## International response

## International community focuses on humanitarian response and advocacy

- The UN response to the humanitarian crisis in the Northern Caucasus is under the leadership of the UN Humanitarian Coordinator
- Sectoral lead agency for protection issues is UNHCR
- The response of donors to the UN consolidated appeal for Chechnya is generous
- Despite persisting focus on humanitarian needs, UNDP has initiated support to the reintegration of IDPs in Ingushetia and North Ossetia
- Human rights treaty bodies and regional organisations have voiced their concerns on the situation of IDPs in the Northern Caucasus
- Third states avoid open critics to the federal authorities about the Chechen operations

The international response to the humanitarian crisis in northern Caucasus is coordinated by the Humanitarian Coordinator, with the support of OCHA. Specific sector working groups are led by one international agency, as shown in the table below.

Sector Working Group	Chair and Secretariat
Protection, Human Rights and Rule of Law	UNHCR
Food	WFP
Shelter and Non-Food Items	UNHCR
Health	WHO

Water and Sanitation	IRC
Education	UNICEF
Mine Action	UNICEF
Economic Recovery and Infrastructure	UNDP

The United Nations Consolidated Appeal for 2005 continues to focus on IDPs and other civilian victims of the Chechen Conflict, mostly in Chechnya, Ingushetia, and Dagestan. As a result of the movements of returns of IDPs, the focus of international humanitarian activities has moved from Ingushetia to Chechnya, despite problems of access. The response of donors to the consolidated appeal has always been significant, reaching 73 percent of the US\$ 62 million requested by UN agencies and NGOs in 2004. The funds requested in the framework of the UN consolidated appeal (which also includes NGOs) amount to US\$ 59 million for 2005. The Russian Minister for Foreign Affairs informed the UN Humanitarian Coordinator that there would be no consolidated appeal for 2006, although the government agreed that humanitarian activities would continue, with increased access to Chechnya (UN OCHA 14 February 2004).

After more than 5 years of humanitarian assistance, humanitarian organisations have started to focus their attention on the transition to development and the sustainable integration of IDPs. A multi-agency mission led by UNDP and UNHCR in June 2004 recommended an "area-based approach", with economic recovery and poverty reduction providing the engine for stability. Along this line, UNDP has initiated a programme aimed at facilitating the integration of IDPs and refugees in Ingushetia and North Ossetia ("Sustainable Reintegration and Recovery in the North Caucasus"), through strengthening local economic development. The programme is co-funded by UNDP and the governments of Sweden and the United Kingdom with the initial budget of US\$1,5 million in 2005. Recovery pilot projects focus on shelter, livelihoods (skills training, job creation, agriculture, microfinance etc.) (UNDP August 2004 & 23 December 2004). The support of the international community to rehabilitation plans of the federal authorities in Chechnya remains "modest", mainly because of insecurity and lack of transparency (UN October 2004 & May 2004).

ICRC's activities in Northern Caucasus target IDPs as such in Ingushetia and Dagestan through distribution of non-food aid, while assisting residents in Chechnya based on their vulnerability. Food assistance to IDPs and vulnerable in northern Caucasus was ended in December 2004. The ICRC also supports the repair of public infrastructure, including health services and water supply systems, in Chechnya, Ingushetia and Dagestan (ICRC 1 February 2005 & 30 October 2004).

Within the UN system, advocacy efforts with regard to the protection of IDPs have been led by UNHCR and the Humanitarian Coordinator. In 2005, UNHCR plans to continue to ensure that all returns are voluntary and that the rights of returnees are fully respected. According to the UNHCR's "two pronged approach", safe haven should be guaranteed in Ingushetia for those not wishing to return, while those returning to Chechnya of their own free choice will be supported by greater involvement and presence in Chechnya by humanitarian agencies (UNHCR 2004). From 25-29 January 2004, the UN Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. Jan Egeland, conducted an official visit to the Russian Federation, during which he raised the issue for voluntary return of IDPs to Chechnya with high level officials (UN OCHA 29 January 2004).

International human rights mechanisms have also contributed to raising attention to the situations of IDPs in northern Caucasus and in the rest of the Russian Federation, such as:

#### The UN Human Rights Commission:

- In 2000, the Commission adopted a resolution criticizing Russian for violations of human rights in Chechnya. It was the first time that a resolution was adopted against a permanent member of the UN Security Council. A second resolution about Chechnya was passed in 2001 (see link to the resolution and

other documents of the Human Right Commission in the bibliographical references). Since then, the Commission failed to adopt any resolution on the issue.

- Representative of the UN Secretary General on IDPs, Report on his visit to the Russian Federation, 7-13 September 2003. Key recommendations to the federal and local governments include the right of IDPs to voluntary return to Chechnya and the need to provide adequate resources to assist IDPs outside an inside Chechnya (see link to the visit report in the bibliographical references).

#### Treaty bodies:

- Human Rights Committee: In its concluding observations of 6 November 2003, the Committee called upon the Russian Government to "ensure that internally displaced persons in Ingushetia are not coerced into returning to Chechnya, including by ensuring the provision of alternative shelter in case of closure of camps" (see link to the concluding observations in the bibliographical references).
- Committee on Economic, Social and Cultural Rights: In its concluding observations of 12 December 2003, the Committee expressed its concerned about "the precarious situation" of the IDPs in Ingushetia (see link to the concluding observations in the bibliographical references).

Regional organisations faced considerable obstacle to maintain a presence in the northern Caucasus in general and in Chechnya in particular. The Assistance Group of the OSCE in Chechnya was created in 1995 to support the return of refugees and IDPs to Chechnya, but its mandate was terminated on 31 December 2002, as a result of the opposition of federal authorities to its continuation. The Council of Europe was also forced to withdraw its international presence from Chechnya, following an attack in April 2003. The Council of Europe experts were support the work of the office of the Presidential Representative on Human Rights, a position which was itself later abolished in January 2004. The Parliamentary Assembly of the Council of Europe follows the situation of IDPs very closely, including through field visits by parliamentary delegations (see links to reports and resolutions adopted by the Parliamentary Assembly in the bibliographical references). During his visit to Chechnya and Ingushetia in February 2003, the Council of Europe's Commissioner for Human Rights, Mr. Alvaro Gil Robles, raised his concerns about pressures exerted on IDPs in Ingushetia to go back to Chechnya (see links to the Commissioner for Human Rights in the bibliographical references).

On 24 February 2005, the European Court of Human Rights passed its first judgments against Russia in relation to the conflict in Chechnya. , the Court confirmed that the Russian government violated the applicants' rights to life, protection from torture, protection of property, and an effective remedy. In particular, the Court found the Russian authorities guilty of indiscriminate attacks against civilians, including civilians in flight. The Court ordered the payment of 136,000 euros by the Russian authorities to the plaintiffs, but it is likely that the Russian Federation will make use of its right to appeal against the judgment. Some 120 claims lodged by Chechens against Russia are pending before the court (BBC 24 February 2005, ECHR 24 February 2005).

In general, NGOs deplore the silence of governments and inter-governmental institutions over the treatment of civilians by the authorities in Northern Caucasus. Since the beginning of the conflict, Russian authorities have been keen to portray the conflict in Chechnya as an anti-terrorist operation, averting open critics from other governments, particularly since 2001 (Cunningham 12 June 2004, HRW 2004).

# **NGO** response

# NGOs play a key role in the provision of assistance and protection to IDPs in the Northern Caucasus

- Local and national human rights NGOs monitor the situation of IDPs in Northern Caucasus, despite threats to their security
- NGOs and the Red Cross provide assistance to IDPs in the rest of the Russian Federation
- About 20 international NGOs are present in the Northern Caucasus
- International Human Rights NGOs have documented human rights violations during the Chechen conflict

In northern Caucasus, the role of national and local NGOs has been instrumental for the protection of Chechen IDPs. Under the auspices of UNHCR, NGOs such as Vesta, Memorial Nizam and the Collegium of Lawyers, have built a network of human rights monitors and legal advice in Chechnya and Ingushetia, which has monitored the return and reintegration process of IDPs returning to Chechnya. There are plans to expand this network in Dagestan in 2005 (UN October 2004). Local NGOs and human rights advocates in northern Caucasus are exposed to serious threats, such as attacks or disappearances (AI 9 November 2004). Other local NGOs implement humanitarian assistance programmes, generally with the financial support of international organisations. Out of 35 NGOs listed in the UN consolidated appeal for 2005, 15 are local or national organisations (UN October 2004).

Local and national NGOs are also very active to provide support to IDPs in the rest of the Russian Federation. In urban centres, organisations such the Civic Assistance Committee in Moscow, provide legal advice and social assistance to IDPs and other migrants, helping them to access public services, social allowances and the judicial system (see website of Civic Assistance Committee [Internet]). With the support of the International Federation of the Red Cross, the Russian Red Cross also provides support to migrants, including IDPs, in several regions of the Russian Federation (IFRC 13 December 2004).

Although exposed to insecurity, bureaucratic obstruction and intimidation, international NGO are present in northern Caucasus. The UN consolidated appeal for 2005 listed 20 NGOs present in the northern Caucasus but with their headquarters outside the Russian Federation. They usually implement at least some of their programmes as implementing partners of inter-governmental organisations. In the sector of food assistance, the Danish Refugee Council, Islamic Relief and People in Need Foundation have been among the major partners of WFP and FAO in Ingushetia and Chechnya. Since 2000, the Danish Refugee Council has developed and maintained databases on IDPs in Ingushetia and vulnerable groups in need of assistance in Chechnya and Dagestan, providing regularly updated statistics on these groups (see website of the Danish Refugee Council in the Russian Federation [Internet]).

International human rights have also been strong advocates for IDPs. Human Rights Watch, Amnesty International and the International Helsinki Federation have visited Ingushetia and Chechnya on several occasions since the beginning of the second conflict and documented in details the plight of IDPs and civilians populations in northern Caucasus.

# References to the Guiding Principles on Internal Displacement

Known references to the Guiding Principles (as of March 2005)

Reference to the Guiding Principles in the national legislation

None

### Other References to the Guiding Principles (in chronological order)

Official support to the Guiding Principles: In a meeting with the Representative of the UN Secretary-General on IDPs, Dr. Francis Deng, Deputy Foreign Minister Fedotov noted that the Federal Government accepted its responsibility vis à vis the displaced and intended to continue to cooperate with the United Nations. He stated that the Government saw the Guiding Principles on Internal Displacement as helpful in the legal protection of IDPs. He stressed that its was important also to have a national framework to address the IDP issue, and that it should be based on existing international human rights and humanitarian instruments. The Representative shared a copy of Guiding Principles: Amotations by Professor Walter Kälin, which had been translated into Russian. The Annotations illustrate how the Guiding Principles are based on and rooted in binding international law.

Source: The Representative of the UN Secretary-General on internally displaced persons, Francis M. Deng Date: September 2003

Documents:

Report of the Representative of the Secretary-General on internally displaced persons, Francis D. Deng, Addendum, Profiles in Displacement: the Russian Federation, E/CN.4/2004/77/Add.2, 24 February 2004 [Internet]

Guiding Principles: Annotations, by Professor Walter Kälin (Russian version) [Internet]

International Conference on Internal Displacement in the Russian Federation: The Conference owas organizsed by the Institute of State and Law of the Russian Academy of Sciences, the Moscow-based NGO "Partnership on Migration", and the Brookings Institution Project on Internal Displacement. The 70 participants included government experts and officials who deal with issues relating to forced migration, representatives of local NGOs and displaced communities, local academics and lawyers, representatives of regional and international organizations and international NGOs working in the country, as well as international experts, including Francis Deng, the Representative of the UN Secretary-General on Internally Displaced Persons. The Guiding Principles were acknowledged as a useful tool for the development of a migration policy framework and for the review of existing legislation and regulations. Participants also recommended that the Guiding Principles should serve as a framework for training and education seminars.

Source: The Brookings Institution Project on Internal Displacement - Institute of State and Law of the Russian Academy of Sciences - Partnership on Migration

Date: 25-26 April 2002

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• Concluding Statement - International Conference on Internal Displacement in The Russian Federation [Internet]

### **Availability of the Guiding Principles in local languages**

The Guiding Principles have been translated into the Russian language.

Date: 1998

Documents:

- GP in Russian [Internet]
- Handbook for Applying the Guiding Principles on Internal Displacement (OCHA, Brookings), Russian Version [Internal link]

Guiding Principles: Annotations, by Professor Walter Kälin (Russian version) [Internet]

#### **Training on the Guiding Principles**

None

## **ABBREVIATIONS AND ACRONYMS**

ACF	Action contre la Faim
ACT	Action by Churches Together
AFP	Agence France Presse
ASSR	Autonomous Soviet Socialist Republic
CCA	Committee "Civic Assistance"
CIS	Commonwealth of Independent States
COE	Council of Europe
CPCD	Centre for Peacemaking and Community Development
DP	Displaced Person
DRC	Danish Refugee Council
ECPT	European Convention for the Prevention of Torture
EDP	Extended Delivery Point
ERMECOM	Ministry of Civil Defense, Emergencies and Elimination of Consequences of Natural
	Disasters
FDP	Final Distribution Point
FMS	Federal Migration Service
FO	Field Office
HF	Host family
HIA	Hungarian Interchurch Aid
HIV	Human Immuno-Deficiency Virus
HRW	Human Rights Watch
ICCPR	International Covenant for Civil and Political Rights
ICRC	International Committee of the Red Cross
ID	Identity Document
IDP	Internally displaced person
IOM	International Organization for Migration
IR	Islamic Relief
IRP	Involuntary Relocated Person
MDM	Médecins du Monde
MoE	Ministry of Education
MoH/I	Ministry of Health Ingushetia
MOU	Memorandum of Understanding
MS	Migration Service
MSF	Médecins Sans Frontières
MT	Metric tonne
MTchS	Russian Ministry for Disasters and Emergencies
NGO	Non-governmental organization
OCHA	Office for the Coordination of Humanitarian Affairs
ODHIR	Office for Democratic Institutions and Human Rights
OSCE	Organization for the Security and Cooperation in Europe
PHC	Primary Health Care
PINF	People in Need Foundation
POW	Prisoner of War
RF	Russian Federation
RFE/RL	Radio Free Europe/Radio Liberty
SES	Sanitary and Epidemiological Station
STI	Sexually Transmitted Infections

ТВ	Tuberculosis
UN	United Nations
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNSECOORD	United Nations Security Coordinator
USCR	U.S. Committee for Refugees
USSR	Union of Soviet Socialist Republics
UXO	Unexploded Ordnance
VAT	Value Added Taxes
WFP	World Food Programme
WHO	World Health Organization
WVI	World Vision International

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