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## **The Coerced Return of Chechen IDPs from Ingushetia**

**International Helsinki Federation  
for Human Rights (IHf)**

**March 2004**

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The IHF has consultative status with the United Nations and the Council of Europe.

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The International Helsinki Federation for Human Rights (IHF) is a non-governmental organization that seeks to promote compliance with the human rights provisions of the Helsinki Final Act and its follow-up documents. In addition to supporting and providing liaison among 42 Helsinki committees and cooperating organizations, the IHF has direct links with human rights activists in countries where no Helsinki committees exist. It has consultative status with the United Nations and the Council of Europe.

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## **Preface**

The International Helsinki Federation for Human Rights (IHF) has continuously monitored the human rights situation in the Chechnya since 1995, i.e. since the times of the first Chechen war. With the beginning of the second Chechen war in the fall of 1999, labeled by the Kremlin as “anti-terrorist operation” (as opposed to an armed conflict), which created an on-going human rights crisis without parallel in Europe, the IHF has intensified its involvement in Chechnya. During the General Assembly of the IHF in The Hague in November 2002, the member Helsinki committees adopted a plan of action on Chechnya in order to focus and coordinate a wide range of activities relevant to the human rights situation in the republic.

Within the framework of the aforesaid plan of action, in particular, on February 14 to 19, 2004, a delegation from the IHF, consisting of Aage Borchgrevink of the Norwegian Helsinki Committee, Joachim Frank of the IHF Secretariat, and Tanya Lokshina of the Moscow Helsinki Group, visited the Republic of Ingushetia, the Republic of North-Ossetia and the Republic of Chechnya on a fact-finding mission. The mission was part of the IHF Chechnya Programme supported by the Open Society Institute and the Mott Foundation. The aim of the mission was to assess 1) the situation for the internally displaced persons (IDPs) in Ingushetia and Chechnya, and 2) the situation for local human rights defenders after the contentious election of Akhmat Kadyrov as President of the Chechen Republic on 5 October 2003.

In Chechnya and Ingushetia the delegation visited eight different IDP settlements, interviewed a number of victims and eyewitnesses to grave human rights abuses and had meetings with representatives of international organisations and local NGOs. After the visit to the North-Caucasian republics, the delegation continued to Moscow in order to meet with human rights defenders, diplomatic missions and international organizations based there. On 20 February in Moscow the delegation also met with representatives of the Russian Foreign Ministry to discuss the human rights crisis in Chechnya.

Most of the material used in this report was collected during interviews with victims and witnesses and therefore represents own information. Otherwise, specific sources of data are cited. Names of some of the IDPs interviewed have been left out due to security concerns.

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## **I - Background**

At the beginning of the second Chechen war, between September and December 1999, some 270,000 people fled their homes in Chechnya for Ingushetia. According figures of the UNHCR implementing organisation Danish Refugee Council (DRC), the total number of internally displaced persons (IDPs) in Ingushetia registered by them at the end of February 2000 was approximately 215,000 persons, but decreased to 147,000 persons by the end of the year 2000. This number remained relatively constant over the year 2001, with 140,000 at the end of 2001.

On May 29, 2002 an action plan<sup>1</sup> on the return of refugees from Ingushetia to Chechnya was signed by the new President of Ingushetia, Murat Zyazikov, and the chief of administration of Chechnya, Akhmad Kadyrov. It did foresee the closing of “temporary accommodation settlements” in Ingushetia, and stated that all IDPs would return to Chechnya before the end of October 2002. Another point referred to the organization of measures for providing safe conditions of staying for those who return to Chechnya. The plan could not be fulfilled, not only because the authorities failed to create these safe conditions (as well to finish the repair and construction works at the temporary placement centers in the Chechen Republic), but simply because of the lack of willingness by the IDPs to return in large enough numbers, mainly due to security concerns.

At the beginning of 2003 the number of IDPs registered with the DRC stood at 103,000 (with 19,000 persons staying in tent camps). The pressure on the IDPs in Ingushetia, as well as the wish of many of them to go back to their homeland, made them return in relatively high numbers, while at the same time a considerable part of them saw no alternative any longer for them in the Russian Federation (RF) altogether and left the RF to ask for asylum in other countries.<sup>2</sup> In the course of 2003 the inhabitants of the tent camps became the main target for the pressure to return home by the official authorities. In December 2002 the authorities managed to close the ‘Iman’ tent camp in Aki Yurt, and after a long struggle also the camps ‘Bella’ (in September 2003) and ‘Alina’ (in December 2003). The number of IDPs in Ingushetia at the end of 2003 was 67,000, with only 7,000 persons left in the tent camps.

The three remaining tent camps (‘Bart’, ‘Sputnik’ and ‘Satsita’) were targets of the authorities to be closed as soon as possible. Official reasons given for the necessity of closing the tent camps were the “unbearable living conditions” for its inhabitants, the risks for the health as well as fire hazards. It was added off the record that camps with less than 1,000 inhabitants were not economically viable.

The actual reason appears to be that the tent camps are the most visible evidence to the existence of large number of IDPs. Closing the tent camps and pressuring people to return to Chechnya is part of a larger government strategy to put the Chechnya “problem” back inside Chechnya so that authorities

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<sup>1</sup> It was called “Plan of measures for the finalization of IDPs from the territory of Ingushetia to the Chechen Republic.”

<sup>2</sup> To note, a growing number of people have left the Russian Federation altogether seeking protection abroad. Thus the UNHCR’s report on “Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2003” shows that “since May 2003, Russian asylum-seekers, many of whom are originating from Chechnya, constitute the largest single nationality of asylum-seekers in the industrialized world. While the number of Russians claiming asylum has fallen since September/October 2003, they remained by far the largest asylum-seeker nationality in December.” (The peak numbers were in September/October, at the time when federal compensation for destroyed property was transferred to some of the IDPs in the run-up to the Presidential Elections of 5 October.) In the year 2003 the number of asylum seekers from the Russian Federation (mainly Chechnya), in 24 countries of the rest of Europe was as high 32,274.

See: UNHCR, Asylum Levels and Trends: Europe and non-European Industrialized Countries, 2003, February 24, 2004. <http://www.unhcr.ch>

can claim that the situation there is “normalizing”.<sup>3</sup> Such claims, in turn, are used to support Russia’s position that international scrutiny of the republic is unnecessary.

At the same time, inhabitants of temporary compact settlements are very vulnerable to pressure to return to Chechnya, as they live on private land, and their stay is based on signed agreements between the owners of the sites and the Migration Department of Ingushetia, that usually are made for periods of 2-3 months.<sup>4</sup> Gas or electricity can be easily cut off by these private owners, when they fear that they would not get their bills covered by the money due to them for each IDP by the migration authorities, that is 20 roubles (around 0.55 EURO) per day.

Less visible than those in the tent camps, many IDPs living in private sector accommodations get evicted too.

### ***The March Deadline for Closing the Tent Camps –Major Step of Bringing all the IDPs back***

On December 16, 2003, during an extraordinary meeting of the Chechen Government with Migration Service officials and camp directors, Akhmad Kadyrov said that a decision was coordinated with the Russian authorities and approved by the President of the RF, to wrap up the process for returning refugees to Chechnya. According to eyewitnesses, Kadyrov told the participants in the meeting, “Those who do not wish to return home are murderers and criminals. They harmed the interests of Chechnya and that is why they prefer to sit in the tents. If someone doesn't want to return home, he will be expelled by force -- and I'm not afraid to say this. Cut the tents with knives, act unceremoniously. Make them go home. I will provide you with all assistance necessary, even special police or military units if needed.” Then, Kadyrov ordered all IDPs in tent camps back in Chechnya by March 1, 2004.<sup>5</sup>

On January 10, 2004 a high-level Chechen delegation, headed by the acting Prime Minister Eli Isayev, and including Khusain Isayev, Chairperson of the State Council of the Chechen Republic, Vakha Baybatyrov, head of the Committee for Paying Compensations for Lost Housing, and several heads of district administrations participated in a meeting held by Igor Yunash, the deputy head of the Federal Migration Service, where it was decided to complete all the actions on the return of IDPs in tent camps by March 2004. They also met Ingush President Zyazikov and visited settlements for IDPs, where they told the inhabitants, that they would have to return to Chechnya in the nearest future. The camp inhabitants understood this as an ultimatum.<sup>6</sup> What followed were media reports quoting high federal and Chechen officials, such as the acting Prime Minister, Eli Isayev, and the Federal Minister for Chechnya, Stanislav Ilyasov, as saying that the IDP tent camps in Ingushetia will be closed by 1 March. The spokesperson for the Chechen Government, Said Dibiiev, was quoted by Interfax as

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<sup>3</sup> Some IDPs, with whom we spoke, are convinced that the authorities want to get rid of them, just because they are more safe in Ingushetia than in Chechnya, which would make them speak more openly about the real situation in Chechnya. In Chechnya there would be absolutely no freedom of press or freedom of information. Others think it is because of ‘Putin’s elections’, something like a present from Mr. Kadyrov on the occasion of his election.

<sup>4</sup> In January 2004 the Migration Department of Ingushetia signed such 2-3 months agreements with the owners of 202 temporary settlements. See: [www.reliefweb.int](http://www.reliefweb.int); “OCHA Humanitarian action in Chechnya and Neighbouring Republics (Russian Federation) 16-31 Jan – 2004”

<sup>5</sup> Information Center for the Society of Russian-Chechen Friendship, Press release No. 600, January 15, 2004, “Kadyrov is sure that it’ll take him three months to make refugees return to Chechnya”; Prague Watchdog, Timur Aliyev, January 14, 2004, “Last winter in Ingushetia”

<sup>6</sup> Information Center for the Society of Russian-Chechen Friendship, Press release No. 600, January 15, 2004, “Kadyrov is sure that it’ll take him three months to make refugees return to Chechnya”

saying, “The deadline is final.”<sup>7</sup> Some other officials such as the Ingush President, Murat Zyazikov, assured on the other hand that there were no definite dates for the closure of the camps, and that the Ingush authorities will not speed up the process of Chechen refugees’ resettlement from the tent camps.<sup>8</sup>

During the January 18-20, 2004 visit of Zyazikov to Geneva, the UN High Commissioner for Refugees, Ruud Lubbers, expressed concern over the statements of Russian officials about the early closure of tent camps in Ingushetia, and reiterated that a two-pronged approach should be applied, wherein a safe haven in Ingushetia should be guaranteed to IDPs not wishing to return, while those returning to Chechnya of their own free will should be supported by greater involvement of humanitarian agencies in the republic.<sup>9</sup>

Then, Jan Egeland, UN Under-Secretary General for Humanitarian Affairs and Emergency Relief conducted an official visit to the Russian Federation on January 25-29, 2004, expressing that the camps should be kept open until winter was over and then only phased out, when people have alternative shelter or have gone home.<sup>10</sup> He received assurances from both federal and local authorities that the principle of voluntary return for displaced persons to Chechnya from Ingushetia would be observed. However, conflicting statements regarding the deadline for the closure of tent camps in Ingushetia on 1 March persisted throughout the visit.<sup>11</sup> He also said, “we do not think that there is sufficient temporary accommodation in Chechnya.” The housing he saw in Chechnya was “overcrowded to say the least” and “the security situation is still very bad. There are still severe human rights problems.”<sup>12</sup>

On January 30, 2004, Mr. Egeland announced that “the Russian authorities ... all said that there was not any more any deadline for closing the remaining tent camps.” The UN official had argued with the Russian officials that “to have a deadline ... while at the same time saying return will be voluntary are two things that are hard to reconcile.”<sup>13</sup>

Also on January 30, 2004, Ella Pamfilova, head of the Russian Presidential Human Rights Commission, stressed that forcible repatriation of refugees as well as setting a deadline for closing the camps could not be allowed.<sup>14</sup> Also, she stated that it was not comprehensible to her why it is necessary to apply active measures to close the tent camps and why there is pressure on IDPs to return to Chechnya. She supported the concerns that the situation within Chechnya remains highly dangerous for returnees.

When the IHF delegation visited the tent camps ‘Satsita’, ‘Sputnik’ and ‘Bart’, as well as some other temporary settlements between 15 and 18 February 2004, there were around 3,500 inhabitants (in approximately 540 tents) in the ‘Satsita’ camp, around 1,600 inhabitants in the ‘Sputnik’ camp, and around 630 inhabitants in the ‘Bart’ camp.<sup>15</sup> In the camp ‘Bart’, already officially stated to be closed,

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<sup>7</sup> RFE/RL, January 14, 2004, “Russia: Chechen Refugees Face Ejection From Camps In Ingushetia”

<sup>8</sup> Ingushetia.ru website, January 21, 2004, “Authorities will not speed up resettlement from tent camps”

<sup>9</sup> UN Office for the Coordination of Humanitarian Affairs (OCHA), “OCHA Humanitarian action in Chechnya and Neighbouring Republics (Russian Federation) 16-31 Jan – 2004”, see: [www.reliefweb.int](http://www.reliefweb.int)

<sup>10</sup> The Guardian, February 12, 2004, “UN bars Chechnya to aid workers”

<sup>11</sup> OCHA Humanitarian action in Chechnya and Neighbouring Republics (Russian Federation) 16-31 Jan – 2004. See above.

<sup>12</sup> Reuters, January 27, 2004, “Too little housing for Chechen returnees”

<sup>13</sup> <http://gazeta.ru>, January 30, 2004, “Deadline for Chechen refugee return scrapped – UN »

<sup>14</sup> The tent camp “Bart” was indeed officially closed as of March 1, 2004.

<sup>15</sup> According to the official data, the number of Chechen IDPs in Ingushetia is currently 48,000, out of which approximately 4,000 are based in the remaining tent camps, approximately 24,000 are based in the private sector, and over 20,000 in the places of compact residence (MKP). In reality, however, the number of refugees in

gas and electricity were still functioning at the time of our visit. However, it was announced that both would be cut by March 1, 2004.<sup>16</sup> The commandant of the camp told us that people were offered dormitories in Grozny or box houses in Ingushetia, if they wanted to stay. Two IDPs with whom we talked denied that they received any offers for alternative lodging in Ingushetia. Instead they have to look around themselves, but with little chances of success.

Viktor Kazantsev, President Putin's representative in southern Russia, confirmed on February, 24, 2004, that the remaining "two refugee (tent) camps in Ingushetia will function for another few months. We need time to accommodate and employ returning residents of the Chechen Republic."<sup>17</sup>

## **II. Why IDPs Do Not Want to Return to Chechnya**

### **a) Lack of Security**

The security situation in Chechnya remains extremely poor. It is still marked by numerous disappearances and extrajudicial killings, and some level of fighting. There still remains almost total impunity for all these crimes.

The IDPs with whom we spoke, stressed that while the living conditions in the tent camps and other temporary settlements are dire, it is at least safer.

One woman in the 'Satsita' camp, stemming from the Vedeno-region (a region which is especially unsafe and suffered grave destruction), stressed that her family cannot go back, particularly because two of her two sons, 18 and 20 years old respectively, are in constant danger of arrest, torture, and disappearance. The head of the village council of Vedeno came to 'Satsita' himself to convince them to go back. As it is so obvious that nearly all the houses in Vedeno are destroyed, and that the security situation is disastrous, he tried to talk them into accepting a place in a temporary residence center (TRC) in Grozny.

Another woman in the 'Satsita' camp, stemming from the Staropromyslovski district of Grozny, was advised by some relatives in Grozny not to go back, "You have young children. And there is non-stop shooting here."

A young man from the 'Sputnik' camp told us the following about the security situation in Chechnya (he goes there on a regular basis to visit with relatives), "At 6 p.m. everybody has to lock his/her door and let no one in any longer. If there is a knock on the door, it means that somebody could be taken away. When riding a bus one has to be afraid of landmines. When walking down the street one has to be afraid to meet Kadyrov's men or people in camouflage."

And an old woman from the 'Bart' camp, stemming from Urus-Martan region, was afraid to go back to Chechnya, as she has two sons, and she was sure, that they would be picked up sooner or later. She told us that an APC (armed personnel carrier) drove into the gate of a house of her relatives and the military took their son.

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Ingushetia is significantly higher, as many of them have been taken off the official migration service lists in the past half-a-year.

<sup>16</sup> The last twelve tents of the Bart-camp were dismantled on March 1. This was announced by Akhmed Tomov, deputy head of the Ingush Migration Service.

<sup>17</sup> Associated Press, February 24, 2004, Jim Heintz, „The Closing of Chechen Refugee Camps Delayed“



Statistics from the Human Rights Center “Memorial” show that in the year 2003 some 477 people were kidnapped (of whom 155 have been released, 49 were found murdered and 273 went missing). These findings represent the result of a monitoring effort covering only 25 - 30 % of the Chechen territory. To note, the lowest numbers of the disappeared were fixed in the months of March and September 2003, i.e. during the time-period preceding the Referendum on the Chechen Constitution and during the time-period preceding the October 5 Presidential Election. This in itself indicates that the situation with the disappearances can be controlled to a rather significant extent if there is a strong will of the federal center. To quote the official statistics, the Chechen Deputy Prime Minister, Movsar Khamidov, on February 20, 2004, gave the figure of 581 people abducted in 2003, and a further 33 in January 2004.<sup>18</sup>

Also the commander of the Russian Joint Group of Forces in the North Caucasus stated that violent crimes such as banditry, kidnapping, and physical elimination threats are continuing to be on the rise in Chechnya.<sup>19</sup>

*The 25-years old Mahmut returned to Grozny in March 2003 at the time of the constitutional referendum, after having lived in Ingushetia in the private sector since the beginning of the second war. His parents had remained in Grozny, and he was willing to believe the authorities, that the situation was stabilizing. Back in Grozny, he often went to the university to meet friends, and he spoke very openly to them, also not refraining from using phrases like ‘genocide’. He believes that somebody from the FSB might have picked up what he said.*

*On October, 23, very early in the morning, a unit of armed masked people arrived at the house of his parents. As soon as he opened the door, 3-4 guns were directed at his chest, and he and all his family members were ordered out of the house. IDs for all the family members were given to them and the house was searched. Finally they threw him (who still was wearing only a shirt and was without shoes) into the car and took him with them. When his father asked them about the reason for the ‘detention’ they answered with the typical phrase „We will check and then we will release him“.*

*Mahmut could recognize, that the equipment of the group was like the one of the FSB Alpha-unit, a special „anti-terrorism“ group, well known for their unlawful detentions that often lead to disappearances. For example they had a bullet-proof car with holes in the top of it for firing out. He was beaten several times in the car, and was handcuffed when he got out of the car. Then he could not see anything any longer, as they had put his shirt over his head. He believes that he was brought to a building in the Staropromyslovsky district. There he was tied with the handcuffs to the hot heating pipe of a room, that was looking like a typical investigation room, belonging to some sort of special structures, the FSB, the Interior Ministry or the Regional Operations Staff ROS, as it was equipped with a telephone, two safes for documents and sticks and a mini-machine for electricity, used for torture. One person told him „Maybe you want to recognize that you are a member of the fighting groups, and tell us where the weapons are?“ He answered that he had no weapons and nothing in common with the fighters. They cursed at him and announced to come back in 30 minutes.*

*The three men coming back immediately started to beat his head with a stick, shouting „Where are the weapons“. He was beaten from the morning till the night all over his body and could hardly breathe. They told him „We will torture you as much as possible. An easy death would be too nice.“ What was even worse for him was the humiliating treatment of his*

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<sup>18</sup> RFE/RL Newswire, www.rferl.org, February 24, 2004

<sup>19</sup> RIA Novosti, February 5, 2004, “Crime rate on the rise in Chechnya”

*dignity by using insulting phrases. Then they started with electric strikes: one minute of electric shocks, then questions, then beating, then questions, and then again electric strikes. They changed the voltage from one time to the next, to make it even more painful. He received neither food nor water, although he remained fastened to the heating pipe for the whole day.*

*They asked many stupid questions like repeatedly about his nationality, or why he did not resist when being taken. They were angry on him even because of his good Russian, or blamed him that there were differences in his answers. He felt, that if he survives, he would tell about this torture with a smile, and this imagination helped him to bear the pain.*

*In the evening they announced to leave for one hour, but when coming back to make him experience something even worse than up to now. One man said: „You will not be able to disturb other people with your cries.“ When they came back after one hour, they immediately put a plastic bag over his head and closed it with a Scotch tape, put him in the middle of the room, and then stood on his back and legs and at the same time beat him with two handcuffs. Then again: electric shocks, but longer and stronger than before, by connecting them to the handcuffs. They also threw some iron objects on his body, whereby some reached his head causing big bleedings, beat his body with sharp subjects, and burned him with cigarettes. The torture lasted till the middle of the night, and only stopped when he lost consciousness. During the night he remained tied up to the heating pipe. His muscles on the right leg were torn due to the strikes of the sticks.*

*He remained three days and nights in this building, without any food, and with the torture continuing. After that his face was again covered with a bag, he was brought down to the ground floor and put into the car. He felt that there were a lot of people in the street, and believes that it was the ‘Minutka’ square. He was taken to a mock shooting. In the car he was told „If you are a fighter, you will put into prison for 30 years, but you save your life. As you don’t recognize this, you will not get out alive from the place where we bring you to now.“ After some kilometers they quickly pushed him out of the car, pulled him 50 meters and then threw him into the trunk of the car. They turned on loud music, drove around 15-20 minutes and stopped four times. When they arrived he was taken into the basement of a building, and was told „Do you want to confess now? This is a famous basement, everybody confesses something here.“ He remained 11 days in this basement, was beaten every day, tied with the feet to the ceiling, forced to stay with the feet in the water for long time.*

*He had luck in the end. His tormentors accepted a ransom of 1,500 USD, which his relatives managed to organize. When being released he was again insulted and ordered to leave Chechnya immediately.*

## **b) Lack of Housing**

The IDPs with whom we spoke, told us that there is a lack of places in the temporary accommodation centers (TACs) in Chechnya, and added that the living conditions in TACs are very bad.

For example, 12 families of Chechen refugees, who departed for Chechnya from the camps ‘Satsita’ and ‘Sputnik’ on 25 February 2004 found all places in the TAC in Grozny, where they were brought,

occupied, and so they had to spend the night in the street.<sup>20</sup> Only two days later the problem could be solved by the Chechen Committee on the Return of Refugees.

“None of the eight new TACs were heated at the beginning of winter and the same applies to most of the old ones. The new centers have no water supplies or reservoirs for drinking water. In many of them the water from barrels intended as non-potable is used for drinking and cooking. All the TACs have electricity, but the voltage is very low. Gas is often shut off without any warning; Sewer system is non-existent in all the new TACs,” Memorial reports. The toilets are outside, and the heating systems are not working properly. Additionally the existing TACs are already overfilled. There were already some attacks against the TACs, where the Ministry of Interior guards were beaten up.

The head of the Chechen State Council, Khusein Isayev, noted in February 2004, that 90 % of the private living sector was destroyed in the war, and that approximately 60 % of the ruined buildings are situated in Grozny (nevertheless he gives the number of those entitled for compensation as 39,000 only).<sup>21</sup> There are still some 200,000 displaced persons inside Chechnya itself.

In Grozny, the IHF delegation interviewed a number of IDPs residing in the TAC at 47 Kirov Street, which houses about 1,500 people. The IDPs mentioned a number of security incidents since May 2003 in which some residents of the TAC had been beaten and robbed. In several cases there had been attempts at forcibly detaining male IDPs by unidentified armed men. The last incident was reported on December 8, 2003.

*One eyewitness described how 5 or 6 vehicles had arrived at about 7 PM. 20 to 25 armed men with masks had entered the premises of the TAC. They threatened and beat a number of the IDPs, and held them up at gunpoint. The MVD (police) guards were also beaten. At least some of the men spoke Russian with an accent, and the eyewitness believed they were Chechen. The objective of the raid appeared to be robbery, and the perpetrators were especially interested in the guards' firearms and radios. The IDPs launched a complaint with the procuracy, but the procuracy refused to register the application. The IDPs speculated that the prosecutors perhaps were afraid to draw attention to the security situation of the IDPs, and moreover that they may be afraid to challenge the perpetrators who might have affiliations with the local security structures.*

### **III. Methods of pressure**

Generally, IDPs are suffering from very strong pressure, particularly from the *Chechen Committee on the Return of Refugees*. Representatives of this Committee work very actively in all of the tent camps calling the refugees to go back to the Chechen Republic. In order to make the refugees return, they use both promises and threats.

As regards threats, IDPs are told that in case they fail to go back to Chechnya immediately, they will neither get compensation for lost housing and property, nor free transport to Chechnya, nor state-funded temporary accommodations in Chechnya when they finally decide to return. It is emphasized to them that the camps in Ingushetia shall be shut down in the nearest future, that gas, water and

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<sup>20</sup> Caucasian Knot, eng.kavkaz.memo.ru, February 27, 2004, “Refugees who departed for Chechnya are left to mercy of fate”. This was reported by the Information Center of the Council of NGOs reported on February 27, 2004.

<sup>21</sup> RIA Novosti, February 10, 2004, „90 Percent of Dwelling Houses in Chechnya are Ruined“

electricity shall be cut off (to note, in ‘Satsita’ the bathing house has not been working for over a month, and the water has been cut off for several weeks – potable water is brought to the camp by one of the humanitarian organizations working in the region), that they will be left with no means of subsistence, and therefore, the only choice for them is to go now while they still can claim free transport, accommodations, and right to financial compensation. Also, when people persist in their reluctance to return to Chechnya, they oftentimes receive threats of violence and repression.

### **a) Direct Threats and Arrests on False Charges**

#### **- Threats to regard everyone who does not return as an insurgent or a collaborator of the insurgents**

The cancellation of the migration service registration of IDPs makes them vulnerable, because without such registration they can be presented as rebel fighters. Also, they become an easy target for blackmail by official authorities and half-official bodies connected to Kadyrov’s administration. In January the Public Council of Refugees (‘Obshchestvennyy sovet bezhentssev’) issued an appeal stressing that “hundreds of families have been recently deprived of IDP status in Ingushetia and because they have no documents confirming their stay in the camps, they will be in danger after returning home as at any time they could be accused of being rebels.”

#### **- Threats with official measures if the IDPs refuse to return**

Threats of arrest are often resorted to in connection with families with teenage sons.

In the case of Larisa B. and her family (husband and 6 children) of the ‘Satsita’ camp they not only threatened her, but carried out their threat by arresting her husband under a false pretext:

*In January 2004, when the Chechen Committee on the Return of Refugees increased the level of its activity, it also brought the head of the Achkoy-Martan district to the camp, who per loudspeaker spoke to a gathering of all the 60 IDPs stemming from his region, including Larisa B. As nobody from this group decided to go back for fear for their security (in Achkoy-Martan there were many mop-up operations in the past), personal visits in the tents followed. When being asked by the head of Achkoy-Martan district, why she did not want to go back, she answered that her second youngest son still was stammering because he got so frightened in the mop-up operations there, and their house was destroyed as well. He repeated his visits for several days on end and threatened her, that she would not get any allowances for her children as well as no other social benefits due to her, in case she would not go back immediately.*

*When a delegation of the Presidential Human Rights Commission, including Ella Pamfilova, its Chair, and Svetlana Gannushkina, visited the camp on 29 January and asked whether there were threats used against the IDPs, Larisa B. spoke of the pressure against her family. The head of the Achkoy-Martan district, being present at this meeting, told Larisa in Chechen, “You’ll regret your words. You will pay for this.” On February 3 or 4 he came again and asked, if she had changed her mind, which she negated. He gave her a last three days ultimatum. The family stayed.*

*Then, on February 10, local police officials (Sunzha district, Ingushetia) came to Larisa’s tent with the claim, that they had received notification from the Achkoy-Martan police that her husband was wanted by them and that therefore they had to take him into custody in order to clarify things. There were many witnesses to the fact that Mr. B. went with them of his own free will. The local police confirmed to her, that they had nothing against him, but that she should appeal to the Achkoy-Martan police. At her first visit, the police in Achkoy-Martan also*

told her that they had nothing against her husband but did confirm that he was in their custody. In Grozny the police authorities told her, that the claim of the Achkoy-Martan police was that he had been involved in abduction cases, and that he had forcibly dragged the head of the Achkoy-Martan district into his tent and beaten him up.

At the end of February she has again received the offer to write an application on returning to Chechnya, and then her husband would be released. Hesitating, she agreed, and some days after her return, her husband was indeed released. There are rumours that he was in fact released for ransom but these rumours are not verified.

#### **- „Visits“ by FSB and other representatives of power agencies**

*Lorchen Günter is one of the many IDPs in the ‘Satsita’-camp, who are sure that they do not want to go back to Chechnya at this moment. She thinks that Chechnya still cannot be regarded a safe enough place.*

*And she is open about it, speaks out what many other think, actively cooperates with human rights NGOs such as the Human Rights Center “Memorial” and the Moscow Helsinki Group, and gives interviews to journalists. An acquaintance told her that now there is no meeting of the Chechen Committee on the Return of Refugees or of the Migration Service, where her name is not mentioned. That is how she became the target of frequent visits of the FSB as well as by varied police bodies.*

*Already before that she had had frequent visits of representatives of the Chechen Committee on the Return of Refugees, a Chechen governmental body tasked with assisting the IDPs in their return to Chechnya, while at the same time exerting pressure on them. The essence of all their questions had been, “Will you return?” and “If you don’t return now, when will you do so?” Additionally different representatives of local administrations of Chechnya, and also Chechen police had visited her.*

*In February the “special interest” visits began, and representatives of the power structures visited her five times. On February 1, four Russian plainclothes officers visited her, asking her why she was in the camp, whether there were children with her, whether she would go home. Then in the middle of February two FSB officers came, a Russian colonel accompanied by an Ingush officer. The colonel told her that they had heard that she agitated refugees not to go back to Chechnya, and that she worked for a German organisation, secretly relocating refugees to Germany (Lorchen is an ethnic German), which she strongly denied. Then they showed interest in her son.*

*The frequent visits of FSB and other power structures of course make her fear for her own safety, as well as for the safety of her children.*

*On February, 23, a senior lieutenant of the criminal investigation department of Chechnya came to see Lorchen. He said that he wanted to talk to her about a complaint that they had received, but he only wrote down the data of her identification card (her passport had been stolen in 2001). He came again the next day, on February 24, demanded to see her ID again, and then started to complain, that it was expired and faked. She suggested to go to the camp administration that prolonged the certificate.*

*On February, 25, again a group of officials came, two in plainclothes, two in uniform. They told her that they had seen her on TV - she had given an interview on February 22 to the NTV Channel about the pressure that is exerted on refugees to return – and that they wanted “to get acquainted with her”. They refused to identify themselves and told her, that “this is not*

*important". Lorchen answered, that in this case she had the right not to talk to them either. They answered, "See you soon" and left.*

### **- Impending security sweeps in Ingushetia**

In June 2003, Russian and pro-Moscow Chechen forces conducted at least seven "security operations" in Ingushetia, five of them in settlements for Chechen displaced persons. The operations involved numerous cases of arbitrary arrest and detention, ill-treatment, and looting, and followed the pattern of sweep operations or targeted raids seen in Chechnya: large groups of armed personnel, often arriving on armored personnel carriers, would surround a settlement and conduct sweeps or random checks at peoples' homes. In those security operations, at least eighteen people were arbitrarily detained; most of whom were not released until several days or weeks later, without ever receiving an explanation of the grounds for their detention.<sup>22</sup>

*On June 3, 2003, more than twenty armed persons wearing masks entered the camp territory in four vehicles, and started firing into the air. They forcibly gathered all men, shouting "You are all bastards, you sit here in Ingushetia, and do not want to return back home. Do you think we will not reach you here?" Rustam R. (not his real name) was pushed into his car, together with Adam A. (not his real name), and driven to Chechnya together with the four military vehicles. The convoy was stopped at a regular Ingush police block post near the Chechen border. The Ingush policemen allegedly unsuccessfully opposed the forced removal of the two men from Ingushetia to Chechnya.<sup>23</sup>*

*Both detainees were taken to an unknown location in the Gudermes area in Chechnya. Rustam R. was released on June 18, 2003, and Adam A. returned to the camp several days later. No charges were brought against either of the men, and no explanation was given as to why they were kept in detention for more than two weeks.<sup>24</sup>*

The so far latest sweep operation, a large-scale search at the 'Satsita' camp, was conducted on March 6, 2004, carried out by federal soldiers (in four tanks and eight armored personnel carriers), as well as by some unknown Chechen law enforcement units (in 17 UAZ jeeps). A total of 17 persons were taken to a bus parking behind the camp, but later released. Then the searches in the tents began. According to the refugees, the soldiers were entering tents and checking document, claiming that they were looking for guerrillas and weapons. But according to Chechen human rights defender Ruslan Badalov, the search had no specific goal, but was "elementary intimidation aimed at forcing people to leave the camp."<sup>25</sup>

### **b) Gas, Electricity and Water Cut-offs**

#### *Example 1: Tent Camp 'Satsita'*

When we visited the camp, it had already for several days a grave problem with the water supply. The problem is that the pipe is interrupted due to a technical damage, and the water gets muddied to the extent that the inhabitants cannot even use it to wash dishes.<sup>26</sup> One of the IDPs interviewed by us

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<sup>22</sup> Human Rights Watch, Spreading Despair: Russian Abuses in Ingushetia, September 2003. See: [www.hrw.org](http://www.hrw.org)

<sup>23</sup> International Helsinki Federation for Human Rights, June 18, 2003, "Disappearances spread to Ingushetia: Torture, ill-treatment and looting during mop-up operations in IDP camps", see: [www.ihf-hr.org](http://www.ihf-hr.org)

<sup>24</sup> Human Rights Watch, see above

<sup>25</sup> Prague Watchdog / Timur Aliyev, March 7, 2004, "Raid on Satsita refugee camp", see: [www.watchdog.cz](http://www.watchdog.cz)

<sup>26</sup> see also [eng.kavkaz.memo.ru](http://eng.kavkaz.memo.ru), February 18, 2004, "Water supply to Satsita camp of Chechen refugees cut off because of technical reasons"

emphasized, that "Most important for refugees are water and electricity, particularly for families with small children. If you cut it, you effectively force the people to leave. Without electricity it is dark in the tents, and to make light with candles you need at least 5 candles a day for 5 roubles each."

We were also informed that in December they had had neither electricity nor heating for two weeks, and that at the end of January the electricity again was cut-off for one week. In each case the authorities claimed that there were technical failures, but people believed that only due to their active protests backed up by major Russian and international human rights organizations they got the electricity back.<sup>27</sup>

*Example 2: Temporary camp settlement 'Angusht' in Nazran*

We visited the camp on February, 15, and found 10 inhabited new box houses, alongside 6 bigger box houses (constructed in August) and 5 old containers, also inhabited. Those box houses had the gas cut off several days earlier, and so the people had no heat any longer, with temperatures of zero degree and less outside. Electricity for light and cooking was still there, but the people feared that it would be cut off too. Other problems were the absence of window-panes, conveniences, stoves or other heating devices.

The box houses were constructed by the Danish Refugee Council in light of the proclaimed policy to close down the tent camps but to provide alternative shelter for all those inhabitants of tent camps who do not wish to return to Chechnya at this time. But it turned out that the Ingush authorities nevertheless had refused the owner of the plot of land to permit assembling the prefabricated box houses at the territory of the 'Angusht' camp. Therefore, the Danish Refugee Council, which had assembled the box houses on the assumption that an authorisation would be given to the owner, had to disassemble all of them with the exception of those where IDPs had already moved in. Many of the people in the 'Angusht' camp have lived before in old tents in the 'Satsita' tent camp. They moved in without permission, but based on the promises of the migration authorities. Now they are trapped, as they cannot go back to the 'Satsita' camp, and also cannot find an alternative lodging in Ingushetia. They are afraid to go back to Chechnya.

*Khadishat Uchakhova, born in 1917, having worked in a publishing house for school books, lives in one of the old containers in the 'Angusht' camp. With the cut-off of the gas she cannot neither heat nor cook any longer. Her blankets are slowly eaten up by rats lurking around container. Although she is nearly deaf, communication with her was possible, and she brought the dilemma to the point. „There is absolutely no choice, there are no options. Chechnya is scary, and staying here is also impossible.“*

*Example 3: Temporary settlement 'Konservny zavod' (preserves plant) in Karabulak*

The old preserve plant building has 15 box tents inside, built some 3 months ago. The UN wanted to build another 40 box-houses there, but the owner did not get the necessary authorization documents for it. Two days before our visit the gas had been cut-off, but the inhabitants managed to connect their

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Neither the migration service nor the administration of the Sunzha district, on the territory of which the camp is situated, has taken any concrete measures to resolve the situation since that time. The Public Company for Water Supply and Sewerage (GPVK) said that "in view of the fact that the Satsita camp will be liquidated in the near future, the equipment repair is considered to be inexpedient." The IRS (International Rescue Service) has arranged the delivery of water to the camp in special tanks, but this water is unsuitable for drinking.

In the meantime, as of the beginning of March, they were refused by the landlord to continue to take the water from the courtyard from where they used to take it after the break of the water pipe. Now they take the water from the territory of a power-saw bench, 2 kilometres from the camp.

<sup>27</sup> From 26 to 28 February, the 'Satsita' and the 'Sputnik' camp had no electricity, which was explained as technical malfunctions by officials.

lodgings up to the gas-pipe the next day. They claimed that the gas bill was prepaid till April, and think that it is due to the pressure by Kadyrov that the gas was cut off, and wait for the next steps by the authorities. To be explicit, several IDPs did see the workmen cutting off their gas supply. They approached the men and inquired why they were doing it. The answer was, “Ask your own Kadyrov. He does not let us alone.”

A handicapped man, whose house in Chechnya was completely destroyed (but who nevertheless is not on the list of those entitled for compensation), even went back to Grozny to ask the deputy head of his district, whether he would get any housing, in case he comes back. The answer was a flat „no“.

A family from the Chechen village of Samashki said that they would love to go back, but that it simply would not be safe enough, particularly as they have a 15-year old son. Just recently a father and his son disappeared in Samashki. We were also told that tents were being put up in Samashki to lodge the returning refugees whose houses had been destroyed. Thus, tents are officially declared unfit for living in Ingushetia but apparently they are not perceived as such in Chechnya.

Often, the official reason given for the cut-offs of supply of gas, electricity and water is non-observance of safety standards. The vice mayor of Nazran argued in a telephone interview with the Caucasian Knot internet media, that “numerous violations of safety standards made during the construction of communication lines have been revealed by planned checks of places of refugees’ temporary accommodation in Nazran.”<sup>28</sup>

On February 20, 2004, the UNHCR raised concerns over recent utilities cuts in Ingushetia’s temporary settlements. UNHCR confirmed gas cuts in 10 temporary settlements housing over 2,000 Chechens in Ingushetia. Many of the cuts were done to the accommodations recently repaired by international NGOs to serve as alternative shelter for Chechens living in the tent camps threatened with closure. An UNHCR spokesman, Kris Janowski, said, “UNHCR believes that whatever the pretext, it is unacceptable to cut utilities - particularly heating gas - in mid-winter. These unfortunate utility cuts exert pressure on the IDPs to go back to Chechnya, and bring into question the voluntary nature of the return.” He also added that recent developments in the temporary settlements, together with the ongoing closure of the Bart tent camp deprives IDPs of a genuine option for safe haven in Ingushetia.<sup>29</sup> This protest was at least partially successful and on February 24, another UNHCR spokesman, Rupert Colville, said, that those utilities were restored and no new cuts were reported.

### **c) Psychological Pressure**

#### **- Orders and threats to forcibly close the camps**

The most usual way of pressure is a mixture of factual-sounding statements and flat orders, that the tent camps are closed, that IDPs have to return, and that therefore it is better for them if they do it now in accordance with the political will of the authorities.

It was frequently announced by different officials, that it is the will of the authorities to close all the camps. Additionally, policemen and soldiers emphasized the warning that the camp’s water, gas and lights are to be cut off on March 1.<sup>30</sup> Adlan Daudov, a member of the Public Council of Refugees said that a “delegation came to our ‘Sputnik’ and ‘Satsita’ camps and told us the camps will be shut down

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<sup>28</sup> eng.kavkaz.memo.ru, February 20, 2004, „Gas and water supply to refugee accommodation centers cut off with view of safety, Ingush authorities say“

<sup>29</sup> UNHCR, February 20, 2004 „UNHCR concerned about gas cuts in Ingushetia’s settlements“

<sup>30</sup> The most recent such „announcement“ was from the Deputy Head of the Migration Service within the Chechen Interior Ministry, Lema Bichuyev, who told Interfax on February 28, that the tent camps for refugees from Chechnya in Ingushetia will be liquidated in March.



after 1 March. They plan to close all the camps. Everyone has to return home, that is what they told us.”<sup>31</sup>

**- Increased presence and checks by the governmental Chechen Committee on the Return of Refugees, including frequent visits of officials from the Chechen government and of local district officials**

Being a division within the Chechen Migration Service, the Chechen Committee on the Return of Refugees has drastically increased its presence and activity in the tent camps, and to a lower degree also in the other places of compact settlement. We were told that there were no less than 100 representatives of this committee active on a permanent basis in the ‘Satsita’ camp, whereby some of them even moved in. They are going around the camp and checking (without any visible system to those checks), whether a person is in the camp or not. So, everybody is “visited” nearly on a daily basis. If a person is not at home during such a visit, he or she can immediately be taken off of the migration list. Additionally, it seems to be the task of those representatives of the Chechen Committee on the Return of Refugees to “convince” all the camp inhabitants, that they should go back to Chechnya. Among the Committee representatives there are people from different districts in Chechnya and they have lists of those IDP families that are from their respective districts. They also check, if the houses of the IDPs back in Chechnya are still intact. They make certain promises to IDPs to make their immediate return more attractive: land, box houses, places in dormitory houses, different kind of benefits.

Additionally there are representatives of the federal level authorities, the so called “Moscow Working Group” under the Federal Migration Service, coming to the camps every Sunday for the same reason.

**- IDPs have to decide once and for all whether they go back or not - Warnings that those who fail to return in time would lose their rights to state assistance in their return, and get no benefits in Chechnya**

IDPs from the tent camps (and other compact settlements) are forced to make their “choice” now, whether they return Chechnya immediately, or stay in Ingushetia. In the second case, they have at least a chance of being accommodated in an alternative shelter if one is available (which often is not the case), but they would not be able to claim transportation assistance for return to Chechnya in the future, possible benefits in Chechnya (like unemployment allowance), and they are excluded from getting compensation for destroyed houses. All of the IDPs that we spoke to in the course of our mission to the region complained of this type of pressure and stressed that they were not given any choice.

**- Random exclusion of individual citizens and entire families from humanitarian aid distribution lists**

People are told that in case they do not agree to go back now, they would neither get any humanitarian assistance in Chechnya nor in Ingushetia. Some are indeed taken off the lists in Ingushetia on a random basis.

Humanitarian organisations, like the Danish Refugee Council, have on their lists higher numbers of IDPs in Ingushetia than the official migration authorities. They also have check-up systems, but organized in a more rational fashion: if a person is not present during their three consecutive visits he or she is taken off the list.

There is some leverage exerted on humanitarian organizations to leave the camps: ‘Saudi Red Crescent’ already removed their equipment from the camp ‘Satsita’ in early February, and the

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<sup>31</sup> RFR/RL, January 14, 2004, “Russia: Chechen Refugees Face Ejection From Camps In Ingushetia”

inhabitants expect that the food supply from this humanitarian organization will be stopped soon as well.<sup>32</sup>

### **- Deception of IDPs**

The officials at all levels are repeating to IDPs that Chechnya is a safe place for them.

Some of the other “positive” incentives are partly real, others are exaggerated, and again some are outright invented.

Jobs and housing in Chechnya are promised, without any basis on the ground.

Promises to pay indebted humanitarian aid on the day of the return to Chechnya are made: The Federal Ministry for Emergencies, responsible for delivering humanitarian aid to IDPs has a backlog of 12 months with regard to the provision of humanitarian goods. IDPs are assured that this debt shall be paid out to them as soon as they return to Chechnya. Often, the reality is that at best they get the rations for the last two months.

Another common promise is that of being given priority treatment in receiving compensations for lost housing (300,000 roubles) and lost property (50,000 roubles). In the application forms that the Chechen Committee on the Return of Refugees gives out to IDP there is a clause stipulating that the applicant undertakes to leave the territory of the camp within 7 days upon receiving the notification of a compensation. To note, many refugees believe that the notification is “ready money.” This is far from truth, however. The notification simply means that a compensation is due to be paid out to the applicant. The applicant has to take it to the bank in Chechnya (there is only one bank in the republic, Rosselkhozbank, that has 6 branches across the territory of Chechnya). Then, a bank account would be open for the applicant to which the money would be transferred. The transfer does not happen immediately. In fact, it can take a long time. The bank takes 5% of the total compensation amount. Another 30-50% has to be paid to a range of officials as a kick-off. When the applicant finally receives the remaining amount of money, he/she has to leave the temporary residence center in Chechnya because from that moment on he/she is considered capable of arranging for his/her own accommodations. This situation is unacceptable as the housing market in Chechnya is virtually non-existent and new housing cannot be built in one day.

To note, some days before our visit it was Eli Isayev, the acting Chechen Prime Minister, who gave over such notifications in front of running cameras to 8 families. Already the next day those families were packed into trucks and brought to Chechnya, after having been rushed to say the least.

### **- Closure of schools, dismissal of teachers**

The director of the camp school of ‘Satsita’ was officially informed that the school would be closed as of March, 1, 2004. This despite the fact that there were still at least 2,500 persons in the camp as of this date, and it was in the middle of the academic year. The principal has refused to abide by the orders.<sup>33</sup>

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<sup>32</sup> The humanitarian NGO “Saudi Red Crescent”, which was the main provider for humanitarian assistance in the ‘Satsita’ camp, also ran its school, has officially left the camp as of March, 1, 2004. The management of the camp, incl. the school was to be taken over by the Chechen Committee on Forced Migrants. But this committee already announced not to pay for the salaries and the maintenance of the school and suggested to apply to the Chechen Ministry of Education. This Ministry, though, has already stated that it would not pay salaries for teachers working outside Chechnya.

<sup>33</sup> Human Rights Center “Memorial”, Situation in Tent Camps, not yet published

## Conclusions

- **The security situation in Chechnya has to be considerably improved**, so that the returnees (and the rest of the population in Chechnya) would not have to fear for their safety. The practice of extra-judicial killings, arbitrary detention, including in unofficial places of detention, torture and mistreatment as means of gathering information about Chechen insurgents, for extorting ransom, or simply to intimidate, have to stop altogether, in Chechnya as well as in Ingushetia. The months of March and September 2003, preceding the Referendum on the Chechen Constitution and the October 5 Presidential Election, have shown that for example the situation with the disappearances can be brought under control if there is strong enough political will.
- Measures should be taken to ensure **rigorous investigation into all cases of illegal detainment** and abduction of inhabitants of Chechnya by all federal and republican agencies. Relatives of the detained should receive information about the detainees and reasons of detention.
- **All federal and republican agencies of the RF should desist from coerced returns of internally displaced persons and ensure their well-being.** The authorities should stop moving any displaced persons to parts of the conflict zone where their safety and security cannot be guaranteed and where international humanitarian agencies do not have free and safe access. Particularly the Chechen Committee on the Return of Refugees, other Chechen Ministries and district administrations, the Federal and Ingush Migration Services, incl. the “Moscow Working Group” under the Interior Ministry<sup>34</sup>, and the FSB shall stop exerting any form of pressure on IDPs to return. There must be no set deadlines for the final return of the IDPs to Chechnya.
- **Adequate housing in Chechnya should be prepared** for those who want to return at their own volition. Returnees should be offered places only in fully functional Temporary Accommodation Centers (TACs).
- **The payment of compensations** (under Decision #404 of the RF Government of July 4, 2003) for those whose houses and property were destroyed, should be sped up. It should be secured that the corruption in connection with these payments (reportedly, 30-50 % of the sum is basically a bribe-deduction) is stopped. The same type of compensation has to be paid out to all persons who lost their housing and property, regardless whether they return to Chechnya or not.
- **The RF authorities must ensure** that persons seeking refuge from Chechnya, with its on-going fighting and grave security threats, receive **the forced migrant status** and are able to find adequate shelter in other areas of the RF.

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<sup>34</sup> The Moscow Working Group is working under the Migration Department of the Russian Interior Ministry.