

Russia

Russia slipped deeper into authoritarianism in 2005, as a series of political changes that President Vladimir Putin proposed in the aftermath of the September 2004 Beslan massacre became law. In November, the State Duma took the first step toward approving a draconian law that, if enacted, would substantially curtail the activities of nongovernmental organizations (NGOs) in Russia.

The armed conflict in Chechnya continues unabated. In March 2005, Human Rights Watch concluded that enforced disappearances by Russian forces and their proxies in Chechnya are so widespread and systematic that they constitute crimes against humanity.

The government took modest but important steps in 2005 to resolve some of the country's entrenched human rights problems, including the brutal hazing of conscripts in the armed forces that has claimed dozens of lives and contributed to hundreds of suicides in recent years.

The North Caucasus

Events in 2005 demonstrated the continuing inability of the Russian government to bring peace to Chechnya and its neighboring regions. The conflict continues to claim civilian lives every day.

Enforced disappearances continue to be the conflict's hallmark abuse, with local groups estimating that between two thousand and five thousand people have "disappeared" since 1999 including, according to official figures, more than 140 in the first nine months of 2005. The "disappearances" have followed a clear pattern: the victims are overwhelmingly men between the ages of eighteen and forty, and are always unarmed at the time of apprehension. The perpetrators, in the majority of cases, are clearly identifiable as Russian troops or as belonging to pro-Moscow Chechen commandos. Most "disappearances" have happened in two standard sets of circumstances: in large Russian raids during which troops blocked off and systematically search entire villages or towns, or during targeted raids in the middle of the night. The Russian government, though long aware of both the frequency and pattern of enforced disappearances, has taken few steps to stop the practice.

As part of Russia's policy of "Chechenization" of the conflict, pro-Moscow Chechen forces under the command of Ramzan Kadyrov have played an increasingly active role in the conflict. In 2004 and 2005, they gradually replaced federal troops as the main perpetrators of "disappearances." They run their own prisons—entirely outside any official penitentiary structure—where they detain, and often ill-treat, hundreds of people. These troops are also responsible for the reprehensible practice of taking hostages among relatives of rebel leaders as a way of forcing the latter to surrender. The Kremlin not only

tolerates these practices but has effectively endorsed them by naming Ramzan Kadyrov deputy prime minister of Chechnya and bestowing a Hero of Russia award on him.

Chechen rebels also continue committed egregious violations of human rights. Following the death of rebel leader Aslan Maskhadov in March, they stepped up their campaign against civil servants and regular police both in Chechnya and the neighboring regions of Ingushetia and Dagestan.

Only a few cases against servicemen and police officers charged with abuses against Chechen civilians have reached the courts. In March 2005, a court found police officer Sergei Lapin guilty of abuse of authority for ill-treating Zelimkhan Murdalov and sentenced him to eleven years in prison. In two other cases, juries acquitted servicemen charged with the murder of nine people. In the majority of cases involving serious abuses, however, military and civilian prosecutors have failed to conduct meaningful investigations. In many cases, investigators have failed even to question eyewitnesses. Unable to secure justice within Russia, hundreds of victims have filed applications with the European Court of Human Rights.

Hostilities between law enforcement agencies and insurgents in the Kabardino-Balkaria region dramatically illustrate the increasing instability in the North Caucasus. On October 13, 2005, armed insurgents launched a major attack on police stations, the airport, and government buildings in Nalchik, the region's capital, taking several hostages. The hostilities reportedly resulted in more than 130 deaths, including at least forty-four civilians and local police officers. Although Chechen rebel leader Shamil Basayev claimed responsibility for the attack, most insurgents appeared to have been locals.

Political Rights and Freedoms

In 2005, the government pushed through a package of political changes that increased President Putin's power. New legislation abolished direct elections for governors, ended single constituency voting in parliamentary elections, established new membership requirements for political parties seeking to participate in parliamentary elections, and raised the minimum threshold for entry of these parties into the State Duma from 5 to 7 percent.

Under the new legislation, Russia's president nominates candidates for all regional governorships. Regional parliaments have the right to reject these candidates but if they do so three times, the president can dissolve the parliament. In 2005, President Putin nominated candidates for more than thirty governorships, all of whom were rapidly approved by the regional parliaments.

The changes to election laws are likely to make the next State Duma even more monolithic than today's. The end of single constituency voting will cost most independent deputies their seats. The new rules also require that political parties have at least fifty thousand members in order to be able to compete in parliamentary elections.

When Mikhail Kasyanov, a former prime minister, hinted he might run for president in 2008, law enforcement bodies suddenly opened investigations into alleged wrongdoing during his term in office. The prosecution of Mikhail Khodorkovsky and Platon Lebedev, the former head and a key shareholder of the Yukos oil company, ended in guilty verdicts and an eight-year prison term for each. Many observers believe the men were prosecuted primarily because the Kremlin perceived them as a political threat.

Human Rights Defenders

Pressure on NGOs escalated in 2005. A proposed new law, adopted in the first of three required readings in the State Duma in November, would dramatically increase the government's powers to interfere with their work and would close down foreign NGOs operating in Russia. The law was still pending at this writing.

NGOs that work on human rights issues in Chechnya came under increasing fire in 2005. These groups, the activists who lead them, and the people they work with increasingly faced administrative and judicial harassment, and, in the most severe cases, persecution, threats, and physical attacks. For example, the authorities opened two criminal cases against the Russian-Chechen Friendship Society, accusing it of inciting racial hatred and violating tax laws. If found guilty, Stanislav Dmitrievsky, its director, could face five years in prison.

Although harassment of critical NGOs that do not work on Chechnya was less severe, the working environment deteriorated significantly in 2005. Government officials at both the federal and regional level stepped up their verbal attacks on these groups. In a number of regions, officials used legislation that prohibits extremism to shut down NGOs while in others they selectively used registration procedures or audits to harass groups of which they disapproved.

Entrenched Problems

The government made some modest steps in 2005 toward resolving entrenched human rights problems in large state institutions but still need to take more far-reaching measures to fully address these concerns. Torture and ill-treatment of criminal suspects by police, institutionalization and poor treatment of orphans, and inhumane treatment of persons in psychiatric institutions remain widespread and unaddressed.

The Ministry of Defense signed a memorandum of understanding with the human rights ombudsman that allows for monitoring of human rights conditions in military bases. It also announced that it would start regularly publishing information on deaths in the armed forces. Despite these positive steps, violent hazing continued unabated, with the defense ministry announcing that thirteen conscripts had died as a result of hazing and two hundred others had committed suicide in the first nine months of 2005.

The government's record on combating HIV/AIDS has been mixed. Although high-level officials paid considerably more attention to the problem than in previous years and increased budget allocations to address HIV/AIDS-related concerns, steps to undo a 2004 measure to decriminalize small-scale possession of narcotic drugs threatened to undermine HIV prevention work. Criminalization of small-scale possession of narcotic drugs drives drug users away from HIV prevention services out of fear of police abuse and arrest, and exposes them to health risks in prison that would put them at risk of HIV or exacerbate existing HIV infection.

Key International Actors

While many global leaders in 2005 expressed concern over the post-Beslan political changes, they otherwise continued to signal warm support for the Russian president. German Chancellor Gerhard Schröder and President Putin attended each other's birthday parties, and Italian Prime Minister Silvio Berlusconi praised Putin as a "true democrat." The European Union and the United States failed to forcefully address the deteriorating human rights situation in Russia during summits with Russian leaders.

Several international organizations have voiced concern over the shrinking political space in Russia. The Parliamentary Assembly of the Council of Europe criticized the prosecution of Mikhail Khodorkovsky and Platon Lebedev, saying that "the prosecutions went beyond the mere pursuit of justice to include such elements as to weaken an outspoken political opponent, intimidate other wealthy individuals and regain control of strategic economic assets." In its newly adopted country strategy for Russia, the European Bank for Reconstruction and Development noted the continuing concentration of power in the executive and observed that "in the absence of a vibrant civil society and without vibrant political debate in legislature, policy making will fail to benefit from the diversity of views in the electorate."

Criticism of Russia's conduct in Chechnya remains muted. The international community continues to call for a peaceful solution of the conflict without offering a clear vision of how lasting peace could be achieved. In contrast to previous years, in 2005 the European Union failed to table a resolution expressing concern about the Chechnya conflict at the U.N. Commission on Human Rights. Russia continues to refuse access to Chechnya to the U.N. special rapporteurs on torture and extrajudicial executions.

The Parliamentary Assembly of the Council of Europe continues to criticize abuses both by Russian troops and their proxies, and by the Chechen rebels. The Council of Europe Committee for the Prevention of Torture conducted its seventh visit to the region in December 2004, but the Russian government has not allowed the publication of any of its reports on Chechnya. In February 2005, the European Court of Human Rights found the Russian government guilty of violating the right to life and the prohibition of torture with respect to a number of Chechen civilians who had died in 1999 and 2000 at the hands of Russian troops.



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