



MAKING JUSTICE COUNT IN CHECHNYA

Implementation of European Court of Human Rights Rulings against Russia

HUMAN
RIGHTS
WATCH

A Chechen woman who fled fighting in Grozny now lives as a refugee in Georgia. Her son was wounded during bombing attacks.

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“... the Court finds ... that the applicants’ relatives were killed by servicemen and that their deaths can be attributed to the State. It observes that no explanation has been forthcoming from the Russian Government as to the circumstances of the deaths, nor has any ground of justification been relied on by them in respect of any use of lethal force by their agents.”

—Khashiyev and Akayeva v Russia, judgment of February 25, 2005

MAKING JUSTICE COUNT IN CHECHNYA

Implementation of European Court of Human Rights Rulings against Russia

In over 170 judgments handed down since 2005, the European Court of Human Rights has found Russia responsible for serious human rights abuses in Chechnya, including executions, torture, and enforced disappearances. In nearly every ruling, the court criticized the Russian government's failure to properly investigate these crimes. Following the court's rulings, Russia is obligated to implement the judgments, including by paying monetary compensation, and taking other measures, such as ensuring effective investigations, and preventing similar violations from recurring.

Thus far, the Russian government has done the easy part: it has paid compensation to the victims. However, it has yet to implement the core of the judgments. With only one exception, the Russian authorities have not brought the direct perpetrators or any of those responsible to justice. This is true even in cases in which the court has found that the perpetrators are known, and in some instances even named in its judgments. Nor have the authorities undertaken meaningful reforms to address the underlying causes of the violations. Full implementation of measures to comply with the court's judgments is crucial to put an end to abuses that continue to this day both in Chechnya and in other parts of Russia's troubled North Caucasus. With at least 150 additional cases from the North Caucasus pending before the court and new applications lodged with the court's registry on a regular basis, full implementation carries perhaps the single most significant potential to produce lasting improvements in the human rights situation in this region.

Nearly all of the judgments regarding violations in Chechnya derive from operations by Russia's forces during the second armed conflict in Chechnya, which began in September 1999. For many observers, the

war seems a distant memory. Military and large scale security operations ended in 2005, and Chechnya's reconstructed capital, Grozny, is unrecognizable from the city's war-torn landscape of a decade ago. But for thousands, the human rights violations committed during the conflict remain an open wound, and even those who have won their cases at the European Court are still awaiting justice. And, the lack of justice for these past abuses fuels further violations, as similar crimes, albeit on a lesser scale, continue to be perpetrated by local security forces to this day.

Russia's international partners, in particular the Council of Europe's member states and the European Union, can and should press Russia to take measures to fully implement the court's rulings. By so doing, Europe would also ensure the integrity and efficacy of the European Court, the leading mechanism in Europe for ensuring that states uphold human rights commitments, which Russia's noncompliance jeopardizes.

BACKGROUND ON CHECHNYA

Russia's second armed conflict in Chechnya began in September 1999. Russia claimed it was a counterterrorism operation, aimed at liquidating terrorist groups that had found haven in Chechnya following the end of the 1994-1996 Chechen war. By March 2000, Russia's federal forces had gained control over most of Chechnya and continued fighting the insurgency using tactics that included serious human rights violations. Russian forces arbitrarily detained suspected rebel fighters and collaborators and tortured them to secure confessions or testimony. In some cases, the corpses of those last seen alive in custody were subsequently found bearing marks of torture or summary execution. More often, those detained were simply never seen again. They had been forcibly "disappeared." As many as an estimated 5,000 people have disappeared at the hands of the state security services since 1999, yet not a single official has been held accountable for enforced disappearance.

In 2003, responsibility for law enforcement and counterterrorism operations in Chechnya was transferred to local forces loyal to Moscow under the de facto command of Ramzan Kadyrov, who is now the head of the Chechen Republic. There have been persistent, credible allegations that law enforcement and security agencies under Kadyrov's control have been involved in abductions, enforced disappearances, acts of torture, extrajudicial executions, and various forms of collective punishment, mostly perpetrated against alleged insurgents, their relatives, and suspected collaborators. Kadyrov and his forces have been implicated in the July 2009 kidnapping and murder of Natalia Estemirova, a leading human rights activist in Chechnya ; and in the January 2009 murder in Vienna of Umar Israilov, who had filed a complaint with the European Court of Human Rights alleging that Kadyrov had tortured him.

The Russian authorities officially suspended the counter-terrorism operation in Chechnya in April 2009. Nevertheless, human rights groups continue to document the authorities' use of torture, enforced disappearances, and extrajudicial killings in Chechnya, as well as the neighboring republics of Dagestan and Ingushetia. Collective punishment against people with suspected rebel ties became a pronounced trend in Chechnya starting in late 2008. Since then, high-level Chechen officials, including Kadyrov, have made numerous public statements that insurgents' families should expect to be punished unless their relatives surrender.



An elderly woman in Chechnya stands outside the ruins of her house destroyed by Russian bombardment.
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Russian soldier at a check-point in Chernokozovo, Chechnya.
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WHAT DO THE EUROPEAN COURT JUDGMENTS ON CHECHNYA SAY?

The over 170 judgments concerning violations from Chechnya constitute one of the most significant bodies of European Court decisions against Russia. The European Court determined that Russian security forces committed grave human rights violations in Chechnya, including murder, enforced disappearance, and torture.

- In cases involving enforced disappearance, the court found that victims could be presumed dead, since they were abducted by unidentified Russian servicemen without any subsequent acknowledgement of detention and had not been seen in many years. Furthermore, the court found that the Russian authorities failed to provide any explanation for the “disappearances.”
- The European Court determined that Russian officials have been negligent or, worse, actively obstructed investigations into victims’ complaints regarding abuses committed by Russian servicemen. The authorities failed to promptly open investigations or conduct basic investigative steps, such as interrogating witnesses or potential perpetrators identified in video footage or other materials. Victims and their relatives most often received no information or only perfunctory letters about the investigations. Officials repeatedly suspended and reopened investigations for up to six years without producing any results.
- The court determined that the indifference demonstrated by the Russian government, as exemplified in the failed investigations, caused suffering of such gravity as to constitute inhuman treatment of victims’ relatives.
- The European Court found that Russia failed to provide victims the opportunity to obtain justice within Russia. Incomplete and inadequate investigations meant that no perpetrators of abuses were ever officially identified (even in those cases where perpetrators’ identity or at least affiliation with a particular military or police unit was known). In the absence of suspects, no cases were ever referred for trial.
- In numerous cases, the court found the Russian authorities in violation of their obligation to cooperate with the court by refusing to submit requested documents. The Russian authorities have repeatedly rebuffed requests from the European Court for documents in cases concerning Chechnya, claiming that domestic law precludes them from doing so because investigations are ongoing or the documents contain state secrets.

HAS RUSSIA IMPLEMENTED THE EUROPEAN COURT JUDGMENTS ON CHECHNYA?

As a party to the European Convention on Human Rights, Russia is obligated to implement the final judgments of the European Court of Human Rights. The Council of Europe's executive body, the Committee of Ministers, supervises the implementation of judgments by monitoring the government's progress in implementing the decisions. Implementation requires the government to undertake both individual measures to rectify the violations in each case as well as general measures to eliminate the causes of the abuses identified by the court. Thus far, Russia has taken a number of steps in the context of the Committee of Ministers' supervision, but none of these measures have led to good faith implementation of any judgments on cases from Chechnya.

Individual measures to rectify the violations in each case include paying monetary compensation to victims, which the Russian government has done, as well as other measures, such as conducting thorough and impartial investigations capable of leading to the identification of perpetrators.

However, even in cases decided by the court, and in which there is strong evidence as to the identity of the perpetrators, domestic investigations continue to be marred by the same problems that led victims and their relatives to appeal to the court in the first place:

- Continual re-opening and suspension of criminal cases without significant progress in the investigation;
- Repeated transfers of victims' complaints and inquiries between different investigative departments without any substantive information on the progress of the investigation;
- Lack of any indictments brought against perpetrators who are known or could be easily identified.

General measures are concrete policy or legal changes the government should make to eliminate the underlying causes of the abuses identified by the court in order to prevent repetition or future abuses. These measures may include improving the legal and regulatory framework governing the activities of security forces and ensuring that the investigative and judicial system in Chechnya is available to all victims and is capable of responding to abuses.

As part of its implementation, the Russian authorities have restructured the Prosecutor General's Office on

both the federal and regional levels and created two investigative units within the Chechen Prosecutor's office devoted to the re-examination of investigative and criminal case files following the European Court judgments. However, these changes have not led to any substantive improvements in the conduct of investigations into violations identified by the court or other abuses.

“The impact of these measures [taken by the Russian government] on the pending investigations remains unclear to me; only one case has been so far elucidated. It pains me greatly that the Russian authorities have not dealt with more than 150 judgments finding extremely serious violations of the fundamental rights in the same region, without any genuine action being taken on the root causes of this situation.”

Statement by Parliamentary Assembly of the Council of Europe Rapporteur Christos Pourgourides in his Report on Implementation of Judgments of the European Court of Human Rights, November, 2010

WHAT IS THE IMPORTANCE OF RUSSIA'S IMPLEMENTATION OF THE EUROPEAN COURT JUDGMENTS?

Justice and Accountability for Past Crimes: Full implementation of European Court judgments would provide real and long-awaited justice for victims of abuses in Chechnya and their families. When attempts to achieve justice within the Russian court system fail, individuals turn to the European Court as a last recourse. For the thousands of victims of human rights abuses in Chechnya, the European Court judgments represent their best hope to ever see justice, thus far denied them in Russia.

However there are limits to the justice the European Court of Human Rights can provide because it is not a criminal court and cannot investigate or prosecute perpetrators of the human rights abuses identified in its judgments. The European Court holds the Russian government responsible for the human rights violations committed by its forces and for failing to conduct adequate investigations into the violations. The court's judgments obligate the Russian government to investigate and prosecute the crimes in the individual cases decided by the court.

An End to Ongoing Abuses and Persisting Impunity: The European Court cases concerning Chechnya decided thus far concern mainly enforced disappearances, killings, and torture committed

between 2000 and 2005. However, the use of torture, enforced disappearances, and extrajudicial killings persist.

The widespread patterns of abuse in Chechnya persist primarily due to the continued lack of accountability for perpetrators, including in cases decided by the court. The Russian government has continuously failed to investigate and prosecute crimes committed by state agents, even when perpetrators are known, or could easily be identified given existing evidence. Regarding torture, Human Rights Watch is aware of only one case in which an official was convicted for physically abusing someone in custody. Two officials were convicted for murder. Not a single person has been held accountable for enforced disappearance. The human rights situation in Chechnya will improve only if Russia fully implements the European Court's judgments by addressing individual abuses and taking meaningful actions to prevent further abuse.

Preserving the Integrity of the European Court: Russia's implementation is critical to the continuing integrity and efficacy of the European Court. Russia's noncompliance jeopardizes the court's standing as the leading mechanism in Europe for ensuring that states uphold human rights commitments.

Grave abuses continue to this day in Chechnya and other parts of the North Caucasus, and investigations continue to be plagued by similar failures identified by the European Court in earlier cases, further suggesting that implementation has not led to meaningful changes in investigative procedures or outcomes.

Referring to investigations into more recent cases, the Deputy Prosecutor of the Chechen Republic acknowledged in a March 2011 letter that "top-ranking officials of the Investigative Committee have no departmental control over criminal investigations. No concrete steps are taken to eliminate the violations of law identified by the agencies of the prosecutor's office. The perpetrators are not held accountable. There have been cases where crimes linked to the abductions of people were actually concealed by investigators of the Investigative Directorate of the Investigative Committee for the Chechen Republic under the Prosecutor's Office of the Russian Federation."

SELECTED CASES

For the victims and relatives of victims who have won cases from Chechnya at the European Court, victory has been a mixed experience. While the applicants have received from the Russian government the financial compensation awarded in the court's judgment, they await Russia's full implementation of the judgments. Victims and their relatives continue to strive for justice for the crimes they and their loved ones have suffered and for knowledge about the fate of their killed or disappeared relatives. In most cases to date investigations remain plagued by serious failures, including many of the same shortcomings identified by the European Court, highlighting the need for meaningful implementation to finally make justice real.

ISIGOVA AND OTHERS V. RUSSIA

FACTS:

During a sweep operation in Sernovodsk, Chechnya, on July 2, 2001 Russian troops detained hundreds of men including Apti Isigov and Zelimkhan Umkhanov. Most of the men were released the same evening but Apti and Zelimkhan disappeared. At the time of their disappearance, Apti Isigov planned to enroll in a law faculty in Moscow. Zelimkhan was married and had a four-year-old son.

JUDGMENT:

"...the Court considers that, in the context of the conflict in the Chechen Republic, when a person is detained by unidentified servicemen without any subsequent acknowledgement of the detention, this can be regarded as life-threatening. The absence of Apti Isigov and Zelimkhan Umkhanov or any news of them for almost seven years corroborates this assumption. Furthermore, the Government have failed to provide any explanation for the[ir] disappearance and the official investigation, which has been dragging on for almost seven years, has produced no tangible results."

Isigova and Others v. Russia, judgment of June 26, 2008

INVESTIGATION:

The European Court found the lapses in the domestic investigation "appalling," given that the identities of the commander and subordinates of the detachment involved in the operation had been established by the preliminary investigation as servicemen from military units nos. 6783 and 6785 under the command of Lieutenant Colonel Mezentsev and Senior Lieutenant Kroshin. A Mr. Galyamin was also questioned as a witness and told investigators that Ministry of Interior troops had breached the orders of Colonel Berezovsky by independently carrying out the detentions of 2 July 2001 in Sernovodsk. Mr. Galyamin had informed Colonel Veger of the detentions, but the latter had ignored the information. It was submitted to the Court that on March 16, 2003 Mr. Mezentsev had died. Mr. Kroshin was said to have retired from military service and to be resident in Russia. In May 2003 the case was transferred to military investigators, who on March 21, 2005 discontinued the case due to a failure to identify the perpetrators allegedly because neither Colonel Mezentsev nor Lieutenant Kroshin could be implicated in the commission of a crime.

TESTIMONY:

"It was really good to receive the decision from the European Court. But we have a right to know what happened... My son ought to know what happened to his father – that his father didn't just leave his family."

TAISA UMKHANOVA, WIFE OF ZELIMKHAN UMKHANOV, AND APPLICANT IN THE CASE *ISIGOVA AND OTHERS V. RUSSIA*

SELECTED CASES

BAZORKINA V. RUSSIA



Images © 2000 Cable News Network (CNN)

FACTS:

While watching an evening news broadcast on February 2, 2000, Fatima Bazorkina saw footage of federal forces detaining her son, Khadzhi-Murat Yandiev. The video showed Russian Colonel-General Alexander Baranov order his men to execute Yandiev and showed several Russian servicemen leading Yandiev away. He has not been seen since.

JUDGMENT:

“... the Government do[es] not deny that [Khadzhi-Murat Yandiyev] was detained during a counter-terrorist operation in the village of Alkhan-Kala on 2 February 2000. ... videotape and numerous witness statements contained in the criminal investigation file confirm that he was interrogated by a senior military officer who, at the end of the interrogation, said that he should be executed. ... the Government do[es] not submit any plausible explanation as to what happened to Khadzhi-Murat Yandiyev after his detention. ... taking into account that no information has come to light concerning the whereabouts of Yandiyev for more than six years, ... he must be presumed dead following unacknowledged detention.

Bazorkina v. Russia, judgment of July 27, 2006

INVESTIGATION:

Despite the clear evidence in the case, the authorities have repeatedly suspended the criminal investigation into Yandiyev’s disappearance allegedly due to a failure to identify the perpetrators. Investigators questioned General Baranov for the first time only four years after the events. In June 2011, Fatima Bazorkina received a letter telling her that an investigation into the abduction of her son “by unknown individuals,” had been reopened.

TESTIMONY:

“When I lodged my application I had only one goal: to find out what happened to my son. I wanted to know: what became of him? And I still don’t have any answer to that question, the only question that is truly important to me.”

FATIMA BAZORKINA, MOTHER OF KHADZHI-MURAT YANDIYEV, APPLICANT IN THE CASE *BAZORKINA V. RUSSIA*

SELECTED CASES

KHADISOV AND TSECHOYEV V. RUSSIA

FACTS:

Federal forces detained Salambek Khadiso and Islam Tsechoyev on September 23, 2001 in the Sunzha district of Ingushetia. Later they were transferred by helicopter to Khankala, the main Russian military base in Chechnya, where for five days they were interrogated and repeatedly tortured. Russian forces punched and kicked Khadiso and Tsechoyev; beat them with rifle butts, boots, metal rods and wrenches; suffocated them with plastic bags; strangled them with belts; burned them with cigarettes; threatened to execute them; and held them in a pit and denied them food. The two men were ultimately released, being told that they should feel “lucky to be alive.” Under threat of further torture, both men signed statements stating they had not been ill-treated.

JUDGMENT:

“... the applicants were indisputably kept in a permanent state of physical pain and anxiety... In particular, they claimed to have been severely beaten and subjected to other forms of ill-treatment which caused injuries and other serious health problems, which was not refuted by the Government. ...the pain and suffering were inflicted on them intentionally, in particular with the view of extracting from them a confession... the Court concludes that, taken as a whole and having regard to its purpose and severity, the ill-treatment at issue amounted to torture.”

Khadiso and Tsechoyev v. Russia, judgment of February 5, 2009

INVESTIGATION:

The Sunzha District Prosecutor’s Office established the identities of the commanders involved in the detention of Khadiso and Tsechoyev. Mr. Magomed Evloyev, a local Interior Ministry official, had handed over the men to another Interior Ministry official, Mr. A.M. Isachenko, on the same day that the Sunzha District Court sanctioned the two men’s administrative detention. Mr. Isachenko confirmed that he then transferred Khadiso and Tsechoyev into federal custody when they were flown via helicopter to the Khankala federal military base. Mr. Isachenko received written confirmation of the transfer from Lieutenant Colonel A.V. Ivaneev. At some point after these facts were established by the preliminary investigation, the case was transferred to military prosecutors, who promptly discontinued the investigation on the grounds of the absence of corpus delicti. A separate investigation conducted by the prosecutors in Ingushetia was repeatedly suspended on the same grounds.

TESTIMONY:

“How am I supposed to just let this go? They took me away, they held me for a month, beat me, and then threw me out. As if that’s it. Those who tortured me remain unpunished. The investigators keep saying that they cannot find them... The investigators conducted an official medical exam only 10 years after my detention. And [now] they use that to say to me, ‘They did not really beat you that severely.’”

SALAMBEK KHADISOV, APPLICANT IN THE CASE, *KHADISOV AND TSECHOYEV V. RUSSIA*, AGE 55, FATHER OF FOUR



Salambek Khadisov
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*Akhmad Mezhidov holds a photo of his daughter, Zalina Mezhidova, as a child.
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SELECTED CASES

AKHMADOV AND OTHERS V. RUSSIA

FACTS:

On October 27, 2001 23-year-old Zalina Mezhidova and 15-year-old Amkhad Gekhaev were driving home after harvesting turnips in a field near Komsomolskoe, Chechnya, when military helicopters opened fire on their car. A helicopter then landed near the car and several armed men in uniform approached, firing from machine guns before taking Zalina and Amkhad out of the car and putting them in the helicopter. Although they were both alive when soldiers removed them from the scene, their relatives received Zalina and Amkhad's dead bodies with missing limbs several days later from the military. At the time of her death, Zalina was married and had a three-year-old son and a four-month-old daughter.

JUDGMENT:

As regards the action of the servicemen involved in the incident..., the court observes that the Government provided no explanations as to whether at the moment when the pilots had detected the car, they had, or could have reported this to the command centre, and whether any instructions had, or could have been given to them. It also does not appear ... that any orders or warnings had been given to those sitting in the [car]... Lastly, the Government gave no explanations ... whether the federal servicemen had, or could have been regarded as being at risk from [Gekhayev and Mezhidova] ... [Therefore] the Government may not be regarded as having accounted for the use of lethal force in the circumstances of the present case. [The court] is therefore not persuaded that the killing of Amkhad Gekhayev and Zalina Mezhidova constituted a use of force which was no more than absolutely necessary...

Akhmadov and Others v. Russia, judgment of July 6, 2009

INVESTIGATION:

The civilian authorities promptly investigated the events and identified all the servicemen involved in the shooting and abduction of Mezhidova and Gekhaev. However, as soon as the investigation was transferred to the military investigating authorities, it faltered. Criminal proceedings were brought against Captain Sochkov, the officer in command of the servicemen who carried out the attack, but were discontinued in July 2005 when Sochkov became subject to an amnesty act. In May 2009 Captain Sochkov was declared wanted, despite the amnesty. The investigation has been repeatedly re-opened and suspended since that time with no result.

TESTIMONY:

"We had all this hope when the judgment came in 2009. Still, I just don't understand... My girl was murdered in such a brutal way, it's hard to imagine a more cruel murder and the names of those pilots are known. They have been officially established. Still, all I get are formal, superficial replies from different officials. It seems that no one will put the perpetrators in jail. There is no justice!"

AKHMAD MEZHIDOV, FATHER OF ZALINA MEZHIDOVA, AND APPLICANT IN THE CASE *AKHMADOV AND OTHERS V. RUSSIA*

SELECTED CASES

ISAYEVA V. RUSSIA AND ABUYEVA V. RUSSIA

FACTS:

On February 4-7, 2000, Russian federal forces conducted an aerial and artillery bombardment of the Chechen village of Katyr-Yurt, which they had declared a “safe zone” for people fleeing fighting in other parts of Chechnya. During the brief opening of a perceived “humanitarian corridor,” Zara Isayeva tried to flee the village. She was wounded and lost her son and three nieces when an aerial bomb exploded next to their van. In its 2005 judgment in the *Isayeva v Russia* case, the European Court found two senior military officers, Major-General Yakov Nedobitko and Major-General Vladimir Shamanov, responsible for the operation, which involved the “massive use of indiscriminate weapons” and led to the loss of civilian lives. The applicants in the *Abuyeva* case, which was filed following the *Isayeva* judgment and decided in 2010, are twenty-nine current and former civilian residents of Katyr-Yurt who were either seriously wounded or lost relatives during the 2000 attack.

INVESTIGATION:

The authorities opened a criminal investigation in September 2000 and questioned many of the victims. However, in March 2002 the investigation was terminated on the grounds that the military had acted proportionately. Most of the applicants were not informed that the proceedings had been terminated until January 2005. Although the investigation resumed in November 2005, following the European Court judgment in *Isayeva v. Russia*, in June 2007 it was again terminated, citing the same reasons as those underlying the decision to terminate of March 2002.

JUDGMENT:

“The Court notes that the respondent Government manifestly disregarded the binding judgment [*Isayeva v. Russia*] concerning the ineffectiveness of the investigation... To this day no independent study of the proportionality and necessity of the use of lethal force has been carried out, nor has there been any attribution of individual responsibility for the aspects of the operation which had caused loss of life and the evaluation of such aspects by an independent body, preferably of a judicial nature. [The Court] considers it inevitable that a new, independent, investigation should take place...with due regard to the...conclusions in respect of the failures of the investigation carried out to date.”

Abuyeva v. Russia, judgment of December 2, 2010

TESTIMONY:

“Our judgment was one of the early ones. We received the decision in 2005. Since then, no one has contacted us, asked any questions or anything. We haven’t been interrogated. We’ve got no letters from them [investigators], nothing. Those who bombed us, those who killed all those people, were not punished. And they still haven’t been.”

ZARA ISAYEVA, APPLICANT IN THE CASE *ISAYEVA V RUSSIA*, JUDGMENT OF FEBRUARY 24, 2005



*Zara Isayeva holds a photo of her son.
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Bloody handprints mark the wall of a house where Russian soldiers executed a civilian in Grozny on January 25, 2000.
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WHAT SHOULD THE INTERNATIONAL COMMUNITY DO?

Russia's international partners could do much more to prevent people in Chechnya from being subject to widespread human rights violations. Russia's international partners, including in particular, the Council of Europe, the EU, individual EU member states, and the US have been reluctant to follow up their statements of concern with political, financial or other consequences for Russia. The European Court rulings on Chechnya provide an objective assessment of Russia's responsibility for human rights abuses. They present an opportunity for Russia's international partners, to prevail on the Russian government to once and for all stop widespread human rights abuses in Chechnya and hold perpetrators accountable.

Specifically, Russia's international partners should insist that the government of Russia:

- **Comply fully with the judgments in order to rectify the violations suffered by the victims and their relatives:**
 - **Pay in full the compensation and expenses determined by the court;**
 - **Provide family members with all information as to the fate and whereabouts of "disappeared" persons;**
 - **Reopen or open meaningful investigations to identify and prosecute the direct perpetrators of and those criminally responsible for the violations identified by the court;**
 - **Provide families with any and all information as to the progress of the investigations;**
- **Investigate Major-General Yakov Nedobitko and Major-General Vladimir Shamanov, found by the European Court to be responsible for the military operation in Katyr-Yurt, Chechnya, in February 2000 which involved the "massive use of indiscriminate weapons" leading to the loss of civilian lives.**
- **Investigate Colonel-General Alexander Baranov, whom the European Court acknowledged gave the order to execute Khadzhi-Murat Yandiyev;**
- **Establish an effective judicial mechanism to challenge the actions or omissions of the investigative authorities as one aspect of ensuring effective investigations;**

- **Ensure effective coordination between military and civil prosecutors' offices and investigative directorates, including sharing of information as well as effective prosecutorial and judicial oversight to prevent cases from being trapped in indefinite referrals from one prosecutor to another;**
- **Ensure that laws guarantee full cooperation from relevant security and other agencies with investigations into potential violations during anti-terrorism, military, and other operations;**
- **Conduct an in-depth inquiry into the conduct of investigations into abuses committed by Russian military, police, and intelligence officials and other forces in the Chechen Republic to establish why these investigations are ineffective and incapable of identifying perpetrators;**
- **Undertake a thorough review and revision of domestic legislation and regulations regarding the use of force by military or security forces to ensure their compliance with human rights law;**
- **Ensure that officials engaged in or commanding security operations, including counterterrorism operations, are not immune from prosecution for violations of the law.**
- **Cooperate fully with the European Court of Human Rights in all cases by supplying all requested investigative files, documents and other materials in a timely manner;**
- **Sign, with a view to prompt ratification, the UN Convention against Enforced Disappearances. Doing so would demonstrate good faith on the part of the government to prevent additional disappearances.**
- **In addition, the European Union and its member states should continue to support Moscow-based diplomats' efforts to gather information regarding the Russian government's implementation of judgments. Information on implementation should be shared with Strasbourg-based diplomats to help bolster the Committee of Ministers' supervision of implementation of the judgments.**
- **Council of Europe member states should participate actively in the Committee of Ministers' quarterly human rights meetings to make the most of the opportunity they provide for periodic scrutiny and assessment of Russia's implementation of the European Court's judgments;**



The Russian federal government subsidizes nearly 90 percent of the Chechen Republic's budget, much of which has been used to completely rebuild the Chechen capital of Grozny, which was reduced to rubble during the war.

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Burial grounds in Ingushetia for some fifty Chechen refugees, many of whom died because of brutal conditions in refugee camps.
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Human Rights Watch is dedicated to defending and protecting the human rights of people around the world. We conduct on-site investigations of human rights abuses in more than seventy countries worldwide and publish our findings in reports that are known for uncompromising accuracy. These reports are used in high-level policy discussions and in the media to shape the public agenda, shame abusers, and press for change. Through this methodology, Human Rights Watch seeks to improve the lives of countless people and secure justice and human dignity for all.

Front cover: Chechen women hold portraits of their missing relatives.

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